JOURNAL

OF THE

SENATE

OF THE

FIRST SESSION OF THE

123rd GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

BEING THE

REGULAR SESSION BEGINNING
TUESDAY, JANUARY 8, 2019

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Tuesday, January 8, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the Lieutenant Governor.

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

2 Corinthians 9:11

"You will be enriched in every way so that you can be generous on every occasion, and through us will produce thanksgiving to God."

Let us pray. Gracious and loving God, the 123rd General Assembly has begun. May this session be like no other. May those among us that are new to this Chamber know that they are not here by accident that You, have put them here for a purpose and placed them on a path ordained by You.

May those who are returning here, Senators and staff, be enriched in every way to continue in their service to You and this beautiful State. May Your hand be on each of us, guiding us and enabling us to accomplish more than we understand.

Give us a sense of peace and a sense of security knowing that You are in control of this very important journey that You have set before us. For it is with thankful hearts that we offer this prayer in Your holy name, Amen.

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

COMMUNICATION RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
November 30, 2018

South Carolina Senate
Office of the Clerk
Jeffrey S. Gossett, Clerk
P.O. Box 142
Columbia, SC 29202

TUESDAY, JANUARY 8, 2019

Dear Mr. Gossett:

Please find enclosed a copy of the election results for the Honorable Richard A. Harpootlian, State Senate District 20 in the Special Election held November 6, 2018, as certified to this office by the State Election Commission.

If I can be of further assistance to you, please do not hesitate to contact me at (803) 734-2512.

With warm regards, I am

Sincerely,
/s/ Mark Hammond
Secretary of State

South Carolina Election Commission
1205 Pendleton Street
Columbia, SC 29201
November 16, 2018

Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary:

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winner of State Senate and State House of Representatives in the General Election held on November 6, 2018, as reflected in the enclosed winner's report.

Sincerely,
/s/ Marci Andino
Executive Director

SENATE MEMBER
2018 Election Results

District 20	The Honorable Richard A. Harpootlian

TUESDAY, JANUARY 8, 2019

Administration of Oath of Office
Senator Sworn In

Senator HARPOOTLIAN presented himself at the Bar and the Oath of Office was administered to him by the Lieutenant Governor.

Senator HARPOOTLIAN was introduced and granted leave to address the Senate with brief remarks.

Remarks by Senator HARPOOTLIAN

I want to first of all thank all the folks here with the senate staff -- Jeff and Ken. The rest have been so cordial, so nice, and so understanding of my lack of understanding as to how this process works, and what I should and should not be doing. My wife, who could not be here today, insisted that I have prepared remarks because as many of my cohorts know, when I go off-script things can go awry. So, if these seem a little bit stilted it is because my normal vernacular has been shaved out of it. Mr. PRESIDENT and members of the Senate, I'm honored to be here in these hallowed Chambers. I did some research, and I believe I have good cause to claim that at 69, I'm the oldest freshman Senator in the history of this Chamber. I have had the honor and privilege to serve my community and State over the years in a variety of roles including, Richland County Council and 5th Circuit Solicitor. But this role is perhaps the most exciting and interesting of all. Unlike any of you, I ran for election last year and spent countless hours knocking on doors and attending community forums to hear what my constituents felt was important for their Senator to address. I was reminded once again of the strength and vibrancy of our citizens in our community. No matter where I went, the issue of improving our schools and increasing teachers pay were paramount in people's minds. Also there seemed to be an almost uniform disgust with what they termed, “a culture of corruption in the State House.” And while painting this entire legislature with that broad brush is patently unfair -- life isn't fair. I have, since my swearing in almost two months ago, have attended meetings and a subcommittee hearing in which I met and saw many of you in action. I was and am impressed with the diligence and intelligence I saw in those meetings. So far, the conduct I have encountered here far exceeds the perception of some of the voters I encountered during the campaign. I understand that my lack of experience in this venue will constrain my ability to convey meaningful positions until I learn the process. I have been treated cordially and have been welcomed uniformly since my election to this Body, and I will endeavor to reciprocate it at every level. We can disagree without being

disagreeable, but we must never abandon our efforts to improve the life of, and conditions of, our children. This State, not just this Body, has clearly failed to do that. And as my last observation, I would note that my constituents clearly want us to address the tough issues that face our State and believe we should focus on the next generation, not the next election. So, I look forward to working with all of you in accomplishing these goals. So, God bless the State of South Carolina. God bless the United States of America and God bless this Chamber. Thank you.

On motion of Senator MALLOY, with unanimous consent, the remarks of Senator HARPOOTLIAN, were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Lieutenant Governor was introduced and granted leave to address the Senate with brief remarks.

The Lieutenant Governor was recognized for brief remarks.

Remarks by Lieutenant Governor Bryant

Members of the Senate, it has been an honor to preside over this Body. Today is a day of history. Today is the last day that a Lieutenant Governor will preside over the Senate. Today is the first day this honorable Body will elect a president. Tomorrow is the first day we will inaugurate a new Body. Senator CAMPSEN, this is the day that we will extract the Lieutenant Governor from the Senate Chamber. This is a day of history. I served in this Body for 12 years. And I always had an appreciation for the dedicated staff of the Senate. The last two years I've learned even more appreciation for those that work up here on the desk. I'd like you to all stand: Michele Neal, Ann John, Cynthia Austin, Agnes Walker, Lesley Stone, Sarah Parrish, Rebecca Landau, the Chaplain, Reading Clerk, Moffitt and Associates and the Clerk. Could you all join me in showing your appreciation for these outstanding people that work on the desk.

Members of the Senate, I would also like to thank the dedicated staff of the Office on Aging. They do a fantastic job serving our seniors, One of the few times I've been in a meeting with an agency and they were telling me, as you go out and speak to the taxpayers of this State, tell them about the services that we provide. And I was impressed that they were actually looking for more work on how they could serve the

taxpayers of this State. I do want to thank the staff of the office of Lieutenant Governor. And I want to specifically thank Danny Varrett. Danny has served the taxpayers in many capacities. I started working with Danny when he was Chief of Staff of the Transportation Committee --and then the Labor Commerce and Industry Committee -- and then, the Retirement Investment Commission, and then for the last two years, Chief of Staff of the Lieutenant Governor. So members of the Senate, I won't be long. You did honor me in giving me a chance to speak a lot more when I left this Body. But I want to say it has been an honor. It has been a privilege to serve as your presiding officer for two years. And hopefully, our friendships will continue. And I do like to specifically tell you that it is a privilege to be represented by the Senator from Anderson, Senator CASH. So as we enjoy this historical day and this historical week, I believe the next PRESIDENT may want me to even mention the Clemson Tigers. I beat you to it, Senator PEELER. But it has been an honor and I appreciate it. Thank you very much.

On motion of Senator SETZLER, with unanimous consent, the remarks of the Lieutenant Governor, were ordered printed in the Journal.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Election of the PRESIDENT of the Senate

The Lieutenant Governor announced that nominations for PRESIDENT of the Senate were in order.

Senator MASSEY nominated Senator PEELER as PRESIDENT.

Senator MASSEY spoke on the nomination.

Senator SETZLER spoke on the nomination.

Senator MALLOY spoke on the nomination.

Senator SETZLER moved that the nominations be closed and that Senator PEELER be elected PRESIDENT of the Senate by acclamation.

The Lieutenant Governor announced that Senator PEELER had been elected PRESIDENT of the Senate.

Remarks by Senator MASSEY

Thank you, Mr. PRESIDENT. I wish to make a nomination for the first Senator to serve as PRESIDENT of the Senate. But before I do that, I would like to take just a minute to thank the last PRESIDENT P*ro Tempore* of the Senate. There will be others who have some things to say as well, but I want to say thank you, Senator LEATHERMAN, for your

leadership. I thank you for the grace that you have shown in this transition. You and I have talked a number of times over the last couple of years about this process and the new office of PRESIDENT. We've talked about how it ought to be structured and what it should accomplish. You have consistently said that the focus should not be on the now but, rather, that it should be on the many years from now. I appreciate that guidance. Thank you.

Now, Mr. PRESIDENT, I'd like to spend a few minutes to talk about the eldest son of Smith and Sally Peeler. I understand, Miss Sally is watching us online today. When I heard that, I was a little bit nervous that I might say something that Miss Sally might not like. But Bob assured me she knows the truth and she's probably going to agree with me. So I feel a little bit better. Most of us probably don't know that Harvey Smith Peeler, Sr., served in the United States Army Air Force in World War II. After serving our country, he returned home to Gaffney. And that return led to the big brown cow we have all become so familiar with that shows up in parades and political events across South Carolina. HARVEY SMITH PEELER, JR., grew up in that business. He and his siblings, Bob, Bill and Susan, worked in the business. To Susan, the baby of the family, I offer my sincerest sympathy. I know you had to have had a rough childhood growing up in that household. All of us know his twin brothers, Bob and Bill. Harvey has told them many times it took two of them to make one of him. For Bob, Bill and Susan the humility of Harvey that we all know so well has been evident from the beginning.

When he married Donna Caudle in 1969, Harvey was still a student. I cannot imagine Donna knew what she was getting into. Eleven years after they married, Harvey ran for the Senate. He was elected as a Democrat in 1980. Then came redistricting. Then, in 1982, Congressman Ken Holland retired. But Senator PEELER didn't run for Congress in 1982. Congressman Holland ran for Senate in the primary in 1984 against the freshman Senator from Gaffney, Senator PEELER. And HARVEY PEELER won without a runoff.

In 1989, Senator PEELER switched parties and identified as a Republican. The newspapers and many people back home thought he was nuts. Republicans weren't elected in Cherokee County in those days. This was still a few years before the mass migration began. HARVEY PEELER led the way and, in so doing, became part of the Senate minority. In 2001, Senator PEELER became part of the Senate majority and in 2005, he became the leader of that majority.

It's no secret that Senator PEELER has aspired to another title -- one with president in the name. For those of you listening, not that president.

He probably thinks he should be that president, too; but, let's not talk about humility again. Since 1980, Senator PEELER has waited patiently for this day. Well, maybe not patiently. After all, this is HARVEY PEELER we're talking about, right? Sometimes we're frustrated by that impatience. Sometimes we laugh at it. But at least we only have to deal with it for three days a week five months a year. Brantley, Smith and Boone have dealt with it their whole lives. Because for nearly their whole lives, their daddy has been a Senator. And, as all of us know, there is a lot you miss when serving in this role. Homework, ball games, recitals, just the overall experience of day-to-day parenting and family life. And when one person enters public service, the whole family enters public service. Our spouses and children could probably testify to that much better than we can. Donna, Brantley, Smith and Boone certainly can! But they also know no one can represent the good people of Cherokee, Spartanburg, Union and York counties better than their daddy.

Over the years, Senator PEELER has been a mentor to me, often giving advice (usually when not asked for). He refers to me as grasshopper, like in the fable of the ant and the grasshopper. Now, I don't think that means he thinks I'm lazy. I actually think that reference has more to do with him thinking he is the ant. Because it's usually about him, right? The ant was smart. The ant was resourceful. The ant was industrious. The ant was experienced. The ant was wise. I think it's him telling me I need to listen to his wisdom. Because one of the many burdens he has to bear is the burden of being right all the time.

Now, if you follow the Senator's twitter feed -- and if you don't, you really should -- you can learn a lot about Gaffneyese and Clemson football. Last night those two worlds collided and you will just be thoroughly entertained by his tweets. By the way, Donna, twitter might be one of those things you monitor a little bit to ensure Senator PEELER doesn’t go overboard. But on twitter, you never know when you might catch a photo or a comment about Mary, Blake, Boone, Tillman, Savannah Jayne, Cayce or Beau. Granddaddy may be larger than life, but “Granddaddy” is probably the only title he wants more than PRESIDENT.

I mention these things and talk about these people not because it has something to do with being PRESIDENT of the Senate. I mention them because it has everything to do with being PRESIDENT of the Senate. These events and these people collectively have formed the person that we all know as Senator PEELER. They have made him who he is. And, who he is determines how he will lead this Senate -- the Senate he often says he grew up in -- as the first PRESIDENT under the amended

Constitution. It's pretty cool to be the first. You set the precedent. But along with this privilege, there is also the burden of responsibility because you are setting precedent. Those who come after you will look back to see how you did it. Senator PEELER, you are up to the task. And I really appreciate you asking the grasshopper to nominate you. After such an impressive championship game played by our beloved Clemson, what better day could it have been for you to step into this role? You could not have scripted it much better than to have the big orange flag with the white tiger paw flying over the State House as you step into this historical role. It really is a day to remember.

Mr. PRESIDENT, I nominate the Senator from Cherokee, HARVEY SMITH PEELER, JR., as the first Senator to serve as PRESIDENT of the South Carolina State Senate.

Remarks by Senator SETZLER

Mr. PRESIDENT, Lieutenant Governor Bryant, thank you for your service to the South Carolina Senate. Senator LEATHERMAN, thank you from the bottom of our hearts for all that you have done, for the way you have led the South Carolina Senate, and for your commitment to the people of this State. We appreciate you, and we thank you.

Senator PEELER, it is an honor that you asked me to second your nomination for the position as PRESIDENT of the South Carolina Senate. This is a special day, but more than that, it is a historical day. This is the first day we will ever have a PRESIDENT of the South Carolina Senate, and we are privileged to serve in this Chamber and to elect the first PRESIDENT.

I have known Senator PEELER since 1980 when he was first elected. I had just finished my first term in the Senate, we were friends then and that friendship has grown. Over the past 40 years, we have been friends, we have worked together, we have co-sponsored legislation together, and we have fought each other on legislation. We can disagree but not be disagreeable.

Senator PEELER is a man of integrity and one who has served with integrity and honor. He has worked hard every day not only for his constituents but also for the people of this State. We all know and see this on a daily basis, but many of us may not know about his family members -- who love him, who understand every aspect of him, and who define him. Senator PEELER always does what he thinks is right.

Senator PEELER, there is one benefit of being a senior member of this Body, and that is knowing the history that precedes you. The irony of Senator PEELER being elected today as PRESIDENT of the Senate will

not be understood unless you were here in 1997. In 1997, the South Carolina Senate was meeting in the Carolina Inn while the State House was being remodeled. At that time Bob Peeler, the brother of Senator PEELER, was Lieutenant Governor of South Carolina. And at that time, the Lieutenant Governor made all the conference committee appointments. The Senate in its wisdom or lack thereof chose to change the rules and take those powers of appointment from the Lieutenant Governor based on the premise that the Lieutenant Governor was not an elected member of this Body. Naturally, Senator PEELER was on the other side of that. The irony is that today we elect Senator PEELER who is a member of this Body to be our PRESIDENT. With this election and the change in the Senate Rules, those powers go to you, Senator PEELER. It has come a full 360°.

The South Carolina Senate wants a PRESIDENT who presides, rules, and leads in a fair and impartial manner. The South Carolina Senate wants a PRESIDENT who understands, appreciates, and recognizes the history, the customs, the traditions and the rules of this Chamber. The South Carolina Senate wants as its PRESIDENT someone who will stand up for the South Carolina Senate. The South Carolina Senate wants a leader and a PRESIDENT who will do so in a bipartisan manner, realizing that he or she is not elected by one party, or one group, but by the entire South Carolina Senate. The South Carolina Senate wants a PRESIDENT who understands that the will of this Body or the majority vote in this Body may be contrary to what the PRESIDENT, as a presiding officer, wants. The PRESIDENT may have to rule against their own view, or their own constituents. And finally, the South Carolina Senate wants a PRESIDENT who cares about every member of this Senate, and every staff member of the Senate. With power comes responsibility.

Senator PEELER, you are that person, and it is unanimous. We chose you because you meet those criteria. We also chose you because you have an understanding, not only of those who have served prior to us, but also those who will serve after us.

It is with great honor and distinction that I second the nomination of Senator PEELER, I ask that the nominations come to a close, and Senator PEELER be elected the first historical PRESIDENT of the South Carolina Senate.

TUESDAY, JANUARY 8, 2019

Remarks by Senator MALLOY

Ladies and gentlemen of the Senate, I rise to second the nomination of a great Senator and a great South Carolinian, the Senator from Cherokee, Senator HARVEY PEELER as PRESIDENT of the South Carolina Senate.

There are many reasons why Senator PEELER is superbly qualified for this post including his 36 years of service in the Senate, his decades long experience as a well-respected committee chair, his service as Majority Leader of the Senate, his subcommittee chairman's work on Senate Finance, and his laudable successes on many legislative issues that he achieved by working across party, racial and geographic lines. However, those are not the reasons why I stand here to nominate him to serve as this Body's first PRESIDENT -- the South Carolina Senate's George Washington if you will. The reason why I believe Senator PEELER is the right person for the job is because he wants the job for the right reasons.

Before I begin explaining why Senator PEELER is the right person for the job, let me take a moment to share how we got to this point. Because that story makes this day even more special and tells in a nutshell why the Senate is the best institution ever devised by our founders. It is a story of selflessness and bipartisanship. There is a political adage in South Carolina that my friends across the aisle like to say, "Nothing good comes out of California." However, in our case something good did come from there, but only because South Carolinians were in Los Angeles for NCSL. While there, a Republican and a Democrat, an African American and a white Senator, sat across from each other at a break area table without care about party or race and talked. We sat there and discussed what we each thought was best for the Senate as we transitioned to a President model. We didn't talk as a Republican or Democrat but as fellow Senators trying to do whatever is best for the Senate. I cannot tell you how often I heard that phrase as we moved forward. "Whatever is best for the Senate" became the motto of the Rules discussions.

From the moment we began contemplating how to implement the constitutional change from a Lieutenant Governor led Senate to a member led Senate, it was clear to me and to others that a presiding officer could not also chair a standing committee. We understood that we could not have someone ruling on points of order that could impact the Bills coming from their own committees. It could raise issues about the appearance of impartiality in the rulings on points of order, and calling into question the legitimacy of those rulings. This we did not

need. However, deciding that a PRESIDENT could also not chair a standing committee led to another more difficult question. With that restriction in place, who would willingly give up the power of a senior committee chairmanship in order to serve the Body as PRESIDENT?

The answer was Senator PEELER. Senator PEELER not only accepted that restriction on the Office of PRESIDENT, but embraced the need for it. He understood that the Rules changes were needed for the future well-being of the Senate, and that our Rules should not be designed to accommodate one person's desires or term. He knew that the changes we implement needed to be blind to personalities and designed to last for ages.

The reason why I believe HARVEY PEELER is the man for this job is not for the numerous things he has achieved while serving in this Body, but rather for the things he is willing to give up in order to serve the Senate. He is willing to be PRESIDENT in the manner the Senate needs rather than in the way he necessarily wants.

Senator PEELER looked forward to being the Chairman of the Education Committee and leading the conversation about education issues in our State and he would have been excellent in that role. But he also loves the Senate and is willing to address education issues in a different capacity in order to serve as the leader of the Senate. His willingness to set aside his committee chairmanship and his personal desires because he knows that is what is needed for the betterment of the Senate in the long run was all I needed in order to know that he was the right man for the job at the right time.

So as we finalize this election and soon adopt a set of Rules that embodies what is best for the Senate, I hope going forward that we do not forget our unofficial motto of "whatever is best for the Senate" but rather use that phrase as a daily affirmation of what we should do. Because I firmly believe that if we do "what is best for the Senate" then we will also do what is best for the people of South Carolina.

So in conclusion, and without reservation, Mr. PRESIDENT, I second the nomination of the Senator from Cherokee, HARVEY PEELER as PRESIDENT of the South Carolina Senate.

On motion of Senator FANNING, with unanimous consent, the remarks of Senators MASSEY, SETZLER and MALLOY, were ordered printed in the Journal.

TUESDAY, JANUARY 8, 2019

PRIVILEGE OF THE FLOOR

On motion of Senator SETZLER, with unanimous consent, the Privilege of the floor was extended to the family of the PRESIDENT.

Administration of Oath of Office

Senator PEELER presented himself at the Bar and the Oath of Office was administered by former Lieutenant Governor Bob Peeler.

Motion Adopted

Senator LEATHERMAN asked unanimous consent for the PRESIDENT to address the Senate.

Senator PEELER was recognized for brief remarks.

Remarks by Senator PEELER, PRESIDENT of the Senate

Senator MASSEY, Senator SETZLER, Senator LEATHERMAN and my fellow South Carolina State Senators -- thank you. Thank you for this high honor. I wish I could capture the words to express what this means to me.

To be chosen the very first PRESIDENT and Presiding Officer of the Senate from within the membership of the Body is both historic and futuristic.

My family can share with you story, after story, after story about events that have happened in my life that would have easily killed a normal man. After each event my mother would whisper to me, "God is saving you for something good, son." Well Mama -- I think this is it!

Long before I served as an officer in the United States Army, I lived by the chain of command. Rank has its privileges but much more important than that, rank has responsibility. Our individual Senate districts loaned us the rank of South Carolina State Senator. With that rank, we are responsible for over 5 million people and over 20 million acres of land and water we call South Carolina.

It's been said that a Body takes on the personality of its leader. If that is true -- if this Body takes on the personality of its leader -- then we will laugh a lot, we will cry a little, and we will love and respect each member and this institution -- every day for the rest of our lives.

This Senate will never pick a fight. But if someone feels the need to come to our door looking for a fight -- they came to the right place. Members of the Senate, we are standing on holy ground. There are angels all around and I expect us to act accordingly.

Now -- we have work to do. You chose me to be your leader. And so help me God -- lead you I will!

On motion of Senator SHEHEEN, with unanimous consent, the remarks of the PRESIDENT, were ordered printed in the Journal.

Senator LEATHERMAN was recognized for brief remarks.

Remarks by Senator LEATHERMAN

The Senate is an institution steeped in tradition. We do not change easily or often, but today we do. Today, we usher in a new era where a fellow Senator instead of a Lieutenant Governor presides over us. Over the last several months, the best minds in this Body worked on a proposed set of new rules to implement this new system. Hopefully, this transition will go smoothly and we will continue to operate the Senate without missing a beat. But perhaps there will be bumps in the road and we will recognize changes that need to be made. This is part of the challenge of starting something new and having an understanding that whatever we can possibly do, we can possibly do better.

What I really believe, is that we cannot improve on the person we have chosen to lead us into this new day and new Senate. Senator PEELER brings to his new role the ability, the experience, and the desire to do this job and to do this job well.

I know that he undertakes his role with two primary focuses -- that the institution of the Senate and what it represents must be maintained and that we operate the Senate in a manner that allows us the opportunity to succeed for our constituents, the people of South Carolina.

This is a Body designed to debate. Ideas and Bills must both go through vigorous consideration in order to be deemed worthy of enactment. It is not an easy process nor was it designed to be. We are a Body that in many circumstances requires compromise to move forward. Our founders believed that a better legislative product could be obtained if we listened to minority viewpoints and then tried to accommodate those views. This striving for consensus is what makes the Senate the Senate.

We must never become a mirror of the House for if that were to happen our State would be the worse for it. Despite what the House says publicly, they know and share privately that some ideas that come from there need to be fixed or to be humanely killed. Yes, we are good at accommodating both.

For this difficult process to work as our framers intended, it requires a referee to ensure the process is fair. It requires a person who is above

reproach regarding his impartiality to rule on points of order that govern. Finally, it requires someone who can bring people together even in the midst of battle to do what is best for our State.

I know that Senator PEELER is that person. I firmly believe that he will be successful in this role, and because of that this Senate will be successful. One concern that crosses the mind of any leader when leaving is wondering whether the next leader can keep the organization going well. It was an easy decision for me not to seek the office of Senate PRESIDENT when I knew that Senator PEELER was there to take on that mantle. I knew immediately and without question that our future, and that of the Senate, was in good hands.

It was the honor of a lifetime to serve the Senate as its PRESIDENT *Pro Tempore*, and I am still deeply appreciative of the members of the Senate for granting me that privilege to serve you and this great institution. Now as we enter this new era, I ask everyone in this Chamber to grant Senator PEELER the same counsel, assistance and patience you gave me so that he can lead the South Carolina Senate and let us do the work of those who sent us here. Thank you.

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On motion of Senator SHEHEEN, with unanimous consent, the remarks of Senator LEATHERMAN, were ordered printed in the Journal.

Adopted

S. 299 -- Senators Setzler, Peeler, Massey, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Malloy, Martin, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Rankin, Reese, Rice, Sabb, Scott, Senn, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR AND RECOGNIZE SENATOR HUGH K. LEATHERMAN, SR., FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA SENATE AND THE STATE OF SOUTH CAROLINA AND TO BESTOW UPON HIM THE TITLE OF PRESIDENT PRO TEMPORE EMERITUS.

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On motion of Senator SETZLER, the Resolution was taken up for immediate consideration.

Senator SETZLER spoke on the Resolution.

The Senate Resolution was adopted.

PRESIDENT *Pro Tempore Emeritus*

Senator LEATHERMAN was congratulated on being named PRESIDENT *Pro Tempore Emeritus*.

Election of Senate Officers

The Senate proceeded to the election of Clerk of the Senate, the Reading Clerk, Chaplain, and the Sergeant-at-Arms, *en banc*.

Senator SETZLER placed the names of Mr. Jeffrey Stephen Gossett in nomination as Clerk of the Senate, Mr. John Othniel Wienges as Reading Clerk, Reverend Dr. Francis M. Burriss as Chaplain and Mr. Charles D. Williams, Jr. as Sergeant-at-Arms.

Senator SETZLER moved that the nominations be closed and that Mr. Jeffrey Stephen Gossett be elected as Clerk of the Senate, Mr. John Othniel Wienges be elected as Reading Clerk, Reverend Dr. Francis M. Burriss be elected as the Chaplain and Mr. Charles D. Williams, Jr. be elected as Sergeant-at-Arms by acclamation.

The PRESIDENT announced that Mr. Jeffrey Stephen Gossett was elected Clerk of the Senate, Mr. John Othniel Wienges was elected Reading Clerk, Reverend Dr. Francis M. Burriss was elected Chaplain and Mr. Charles D. Williams, Jr. was elected Sergeant-at-Arms by acclamation.

Administration of the Oath of Office

The Clerk, Reading Clerk, Chaplain and Sergeant-at-Arms presented themselves at the Bar, and the Oath of Office was administered to them by the PRESIDENT.

Clerk's Appointments

The Clerk announced the following appointments:

Mr. Kenneth M. Moffitt	Assistant Clerk
Ms. Sara Parrish	Counsel to the Clerk
Mr. John P. Hazzard V	Assistant Parliamentarian
Mrs. Michele Neal	Journal Clerk
Mrs. Cynthia C. Alston	Journal Clerk
Ms. Agnes H. Walker	General Desk Clerk
Mrs. Lesley Stone	Calendar Clerk
Mrs. Betty Graham	Chief Administrative Assistant to the Clerk of the Senate
Mrs. Ann John	Records Management Clerk

Mrs. Beth Dworjanyn	Director of Senate Finance
Mrs. Jean Tisdale	Accounts Manager
Mrs. Stephanie Jones-Fitts	Payroll/Personnel Manager
Ms. Alicia Eatmon	Bill Clerk
Ms. Kathleen Burns	Assistant Bill Clerk

Remarks by Senator SHEHEEN

Senator SHEHEEN was recognized for brief remarks regarding the service and retirement of former Sergeant-at-Arms James R. Melton.

Expression of Personal Interest

Senator REESE rose for an Expression of Personal Interest.

STANDING COMMITTEES OF THE SENATE

The Senate proceeded to the election of committees as follows:

AGRICULTURE AND NATURAL RESOURCES

Campbell, Paul G., Jr., Chairman
Matthews, John W., Jr.
Verdin, Daniel B. "Danny", III
Williams, Kent M.
Sheheen, Vincent A.
Gregory, Chauncey K. "Greg"
Massey, A. Shane
McElveen, J. Thomas, III
Sabb, Ronnie A.
Climer, David Wesley "Wes"
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
Rice, Rex
Talley, Scott
Campsen, George E. "Chip", III
Hembree, Greg
Harpootlian, Richard A. "Dick"

BANKING AND INSURANCE

Cromer, Ronnie W., Chairman
Setzler, Nikki G.
Matthews, John W., Jr.
Reese, Glenn G.
Jackson, Darrell

Rankin, Luke A.
Alexander, Thomas C.
Malloy, Gerald
Davis, Tom
Bennett, Sean
Williams, Kent M.
Hutto, Brad
Shealy, Katrina F.
Turner, Ross
Gambrell, Michael W. "Mike"
Campbell, Paul G., Jr.
Senn, Sandra J. "Sandy"

CORRECTIONS AND PENOLOGY
Martin, Shane R., Chairman
Allen, Karl B.
Shealy, Katrina F.
Turner, Ross
Kimpson, Marlon E.
Matthews, Margie Bright
Davis, Tom
Nicholson, Floyd
Fanning, Michael "Mike"
McLeod, Mia
Rice, Rex
Senn, Sandra J. "Sandy"
Cash, Richard J.
Goldfinch, Stephen L., Jr.
Harpootlian, Richard A. "Dick"

EDUCATION
Hembree, Greg, Chairman
Setzler, Nikki G.
Matthews, John W., Jr.
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. "Larry"
Malloy, Gerald
Hutto, Brad
Sheheen, Vincent A.

Nicholson, Floyd
Young, Tom, Jr.
Turner, Ross
Rice, Rex
Talley, Scott
Massey, A. Shane
Cash, Richard J.

ETHICS
Bennett, Sean, Chairman
Rankin, Luke A.
Leatherman, Hugh K., Sr.
Peeler, Harvey S., Jr.
Reese, Glenn G.
Hutto, Brad
Matthews, John W., Jr.
Jackson, Darrell
Setzler, Nikki G.
Campbell, Paul G., Jr.

FAMILY AND VETERANS' SERVICES COMMITTEE
Shealy, Katrina F., Chairwoman
Sheheen, Vincent A.
Young, Tom, Jr.
Johnson, Kevin L.
McElveen, J. Thomas, III
Turner, Ross
Climer, David Wesley "Wes"
Fanning, Mike
McLeod, Mia
Talley, Scott
Gambrell, Michael W. "Mike"
Cash, Richard J.
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Gregory, Chauncey "Greg"
Matthews, Margie Bright
Harpootlian, Richard A. "Dick"

TUESDAY, JANUARY 8, 2019

FINANCE
Leatherman, Hugh K., Sr., Chairman
Setzler, Nikki G.
Peeler, Harvey S., Jr.
Matthews, John W., Jr.
Reese, Glenn G.
Alexander, Thomas C.
Grooms, Lawrence K., "Larry"
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Jackson, Darrell
Williams, Kent M.
Campbell, Paul G., Jr.
Davis, Tom
Nicholson, Floyd
Sheheen, Vincent A.
Martin, Shane R.
Scott, John L., Jr.
Allen, Karl B.
Gregory, Chauncey "Greg"
Bennett, Sean
Corbin, Thomas D. "Tom"
Hembree, Greg
Johnson, Kevin L.

FISH, GAME AND FORESTRY
Campsen, George E. "Chip", III, Chairman
Hutto, Brad
Cromer, Ronnie W.
Williams, Kent M.
Sheheen, Vincent A.
Gregory, Chauncey K. "Greg"
McElveen, J. Thomas, III
Young, Tom, Jr.
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
Rice, Rex
Talley, Scott
Corbin, Thomas D. "Tom"
Reese, Glenn G.
Nicholson, Floyd

Bennett, Sean
Shealy, Katrina F.

INTERSTATE COOPERATION
Peeler, Harvey S., Jr., Chairman
Setzler, Nikki G.
Leatherman, Hugh K., Sr.
Reese, Glenn G.
Alexander, Thomas C.

JUDICIARY
Rankin, Luke A., Chairman
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Massey, A. Shane
McElveen, J. Thomas, III
Shealy, Katrina F.
Turner, Ross
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Matthews, Margie Bright
Gambrell, Michael W. "Mike"
Climer, David Wesley "Wes"
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
McLeod, Mia
Rice, Rex
Senn, Sandra J. "Sandy"
Talley, Scott
Cash, Richard J.
Harpootlian, Richard A. "Dick"

LABOR, COMMERCE AND INDUSTRY
Alexander, Thomas C., Chairman
Setzler, Nikki G.
Reese, Glenn G.
Leatherman, Hugh K., Sr.

Williams, Kent M.
Massey, A. Shane
Davis, Tom
Scott, John L., Jr.
Bennett, Sean
Corbin, Thomas D. "Tom"
Johnson, Kevin L.
Allen, Karl B.
Sabb, Ronnie A.
Gambrell, Michael W. "Mike"
Climer, David Wesley "Wes"
Goldfinch, Stephen L., Jr.
Senn, Sandra J. "Sandy"

LEGISLATIVE OVERSIGHT
Peeler, Harvey S., Jr., Chairman
Setzler, Nikki G.
Jackson, Darrell
Hutto, Brad
Malloy, Gerald
Sheheen, Vincent A.
Campsen, George E. "Chip", III
Williams, Kent M.
Massey A. Shane
Davis, Tom
Young, Tom, Jr.
Climer, David Wesley "Wes"
Talley, Scott

MEDICAL AFFAIRS
Verdin, Daniel B. "Danny", III, Chairman
Peeler, Harvey S., Jr.
Jackson, Darrell
Hutto, Brad
Martin, Shane R.
Nicholson, Floyd
Scott, John L., Jr.
Alexander, Thomas C.
Davis, Tom
Johnson, Kevin L.
Campbell, Paul G., Jr.

Corbin, Thomas D. “Tom”
Kimpson, Marlon
Matthews, Margie Bright
Gambrell, Michael W. “Mike”
Senn, Sandra J. “Sandy”
Cash, Richard J.

RULES
Massey, A. Shane, Chairman
Cromer, Ronnie W.
Reese, Glenn G.
Malloy, Gerald
Leatherman, Hugh K., Sr.
Martin, Shane R.
Gregory, Chauncey K. “Greg”
Campsen, George E. “Chip”, III
Scott, John L., Jr.
Allen, Karl B.
Corbin, Thomas D. “Tom”
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Grooms, Lawrence K. “Larry”
Hembree, Greg
McLeod, Mia

TRANSPORTATION
Grooms, Lawrence K. “Larry”, Chairman
Leatherman, Hugh K., Sr.
Rankin, Luke A.
Verdin, Daniel B. “Danny”, III
Malloy, Gerald
Campsen, George E. “Chip”, III
Peeler, Harvey S., Jr.
Campbell, Paul G., Jr.
Bennett, Sean
Hembree, Greg
McElveen, J. Thomas, III
Johnson, Kevin L.
Kimpson, Marlon E.
Sabb, Ronnie A.

Matthews, Margie Bright
Climer, David Wesley "Wes"
McLeod, Mia

INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE SENATE

ALEXANDER, THOMAS C.
Banking and Insurance
Finance
Interstate Cooperation
Labor, Commerce and Industry, Chairman
Medical Affairs

ALLEN, KARL B.
Corrections and Penology
Finance
Labor, Commerce and Industry
Rules

BENNETT, SEAN
Banking and Insurance
Ethics, Chairman
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Transportation

CAMPBELL, PAUL G., JR.
Agriculture and Natural Resources, Chairman
Banking and Insurance
Ethics
Finance
Medical Affairs
Transportation

CAMPSEN, GEORGE E. "CHIP", III
Agriculture and Natural Resources
Fish, Game and Forestry, Chairman
Judiciary
Legislative Oversight
Rules
Transportation

CASH, RICHARD J.
Corrections and Penology
Education
Family and Veterans' Services
Judiciary

CLIMER, DAVID WESLEY "WES"
Agriculture and Natural Resources
Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Transportation

CORBIN, THOMAS D. "TOM"
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Medical Affairs
Rules

CROMER, RONNIE W.
Banking and Insurance, Chairman
Family and Veterans Services'
Finance
Fish, Game and Forestry
Rules

DAVIS, TOM
Banking and Insurance
Corrections and Penology
Finance
Labor, Commerce and Industry

Legislative Oversight
Medical Affairs

FANNING, MICHAEL "MIKE"
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans Services'
Fish, Game and Forestry
Judiciary

GAMBRELL, MICHAEL W. "MIKE"
Banking and Insurance
Family and Veterans Services
Judiciary
Labor, Commerce and Industry
Medical Affairs

GOLDFINCH, STEPHEN L., JR.
Agriculture and Natural Resources
Corrections and Penology
Fish, Game and Forestry
Judiciary
Labor, Commerce and Industry

GREGORY, CHAUNCEY K. "GREG"
Agriculture and Natural Resources
Family and Veterans' Services
Finance
Fish, Game and Forestry
Rules

GROOMS, LAWRENCE K. "LARRY"
Education
Finance
Rules
Transportation, Chairman

HARPOOTLIAN, RICHARD A. "DICK"
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary

HEMBREE, GREG
Agriculture and Natural Resources
Education, Chairman
Finance
Rules
Transportation

HUTTO, BRAD
Banking and Insurance
Education
Ethics
Fish, Game and Forestry
Judiciary
Legislative Oversight
Medical Affairs

JACKSON, DARRELL
Banking and Insurance
Education
Ethics
Finance
Legislative Oversight
Medical Affairs

JOHNSON, KEVIN L.
Family and Veterans' Services
Finance
Labor, Commerce and Industry
Medical Affairs
Transportation

KIMPSON, MARLON E.
Corrections and Penology
Judiciary
Medical Affairs

Rules
Transportation

LEATHERMAN, HUGH K., SR.
Ethics
Finance, Chairman
Interstate Cooperation
Labor, Commerce and Industry
Rules
Transportation

MALLOY, GERALD
Banking and Insurance
Education
Judiciary
Legislative Oversight
Rules
Transportation

MARTIN, SHANE R.
Corrections and Penology, Chairman
Finance
Medical Affairs
Rules

MASSEY, A. SHANE
Agriculture and Natural Resources
Education
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Rules, Chairman

MATTHEWS, JOHN W., JR.
Agriculture and Natural Resources
Banking and Insurance
Education
Ethics
Finance

MATTHEWS, MARGIE BRIGHT
Corrections and Penology
Family and Veterans' Services
Judiciary
Medical Affairs
Transportation

McELVEEN, J. THOMAS, III
Agriculture and Natural Resources
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Transportation

McLEOD, MIA S.
Corrections and Penology
Family and Veterans' Services
Judiciary
Rules
Transportation

NICHOLSON, FLOYD
Corrections and Penology
Education
Finance
Fish, Game and Forestry
Medical Affairs

PEELER, HARVEY S., JR.
Education
Ethics
Finance
Interstate Cooperation, Chairman
Legislative Oversight, Chairman
Medical Affairs
Transportation

RANKIN, LUKE A.
Banking and Insurance
Education
Ethics
Judiciary, Chairman
Transportation

REESE, GLENN G.
Banking and Insurance
Ethics
Finance
Fish, Game and Forestry
Interstate Cooperation
Labor, Commerce and Industry
Rules

RICE, REX
Agriculture and Natural and Resources
Corrections and Penology
Education
Fish, Game and Forestry
Judiciary

SABB, RONNIE A.
Agriculture and Natural Resources
Judiciary
Labor, Commerce and Industry
Rules
Transportation

SCOTT, JOHN L., JR.
Finance
Labor, Commerce and Industry
Medical Affairs
Rules

SENN, SANDRA J. "SANDY"
Banking and Insurance
Corrections and Penology
Judiciary
Labor, Commerce and Industry
Medical Affairs

SETZLER, NIKKI G.
Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Labor, Commerce and Industry
Legislative Oversight

SHEALY, KATRINA F.
Banking and Insurance
Corrections and Penology
Family and Veterans' Services, Chairwoman
Fish, Game and Forestry
Judiciary

SHEHEEN, VINCENT A.
Agriculture and Natural Resources
Education
Finance
Family and Veterans' Services
Fish, Game and Forestry
Legislative Oversight

TALLEY, SCOTT
Agriculture and Natural Resources
Education
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Legislative Oversight

TURNER, ROSS
Banking and Insurance
Corrections and Penology
Education
Family and Veterans' Services
Judiciary

VERDIN, DANIEL B. "DANNY", III
Agriculture and Natural Resources
Family and Veterans' Services
Finance
Medical Affairs, Chairman
Transportation

WILLIAMS, KENT M.
Agriculture and Natural Resources
Banking and Insurance
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Legislative Oversight

YOUNG, TOM, JR.
Education
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Legislative Oversight
Rules

STANDING COMMITTEE CHAIRMEN

Pursuant to Rule 19E, the following members are designated as Standing Committee Chairmen:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE
Senator Paul G. Campbell, Jr.

BANKING AND INSURANCE COMMITTEE
Senator Ronnie W. Cromer

TUESDAY, JANUARY 8, 2019

CORRECTIONS AND PENOLOGY COMMITTEE
Senator Shane R. Martin

EDUCATION COMMITTEE
Senator Greg Hembree

ETHICS COMMITTEE
Senator Sean M. Bennett

FINANCE COMMITTEE
Senator Hugh K. Leatherman

FISH, GAME AND FORESTRY COMMITTEE
Senator George E. "Chip" Campsen III

FAMILY AND VETERANS' SERVICES COMMITTEE
Senator Katrina F. Shealy

INTERSTATE COOPERATION COMMITTEE
Senator Harvey S. Peeler, Jr.

JUDICIARY COMMITTEE
Senator Luke A. Rankin

LABOR, COMMERCE AND INDUSTRY COMMITTEE
Senator Thomas C. Alexander

LEGISLATIVE OVERSIGHT COMMITTEE
Senator Harvey S. Peeler, Jr.

MEDICAL AFFAIRS COMMITTEE
Senator Daniel B. "Danny" Verdin III

RULES COMMITTEE
Senator A. Shane Massey

TRANSPORTATION COMMITTEE
Senator Lawrence K. "Larry" Grooms

TUESDAY, JANUARY 8, 2019

SEATING SELECTIONS

Pursuant to the Rules, the Senate proceeded to the selection of seats.

The Reading Clerk called the seniority roll for the purpose of seating selections as follows:

Seat 1 Sen. Leatherman
Seat 2 Sen. Alexander
Seat 3 Sen. Peeler
Seat 4 Sen. Rankin
Seat 5 Sen. Grooms
Seat 6 Sen. Massey
Seat 7 Sen. Cromer
Seat 8 Sen. Campsen
Seat 9 Sen. Campbell
Seat 10 Sen. Verdin
Seat 11 Sen. Climer
Seat 12 Sen. Goldfinch
Seat 13 Sen. Martin
Seat 14 Sen. Davis
Seat 15 Sen. Corbin
Seat 16 Sen. Gambrell
Seat 17 Sen. Gregory
Seat 18 Sen. Hembree
Seat 19 Sen. Bennett
Seat 20 Sen. Turner
Seat 21 Sen. Shealy
Seat 22 Sen. Young
Seat 23 Sen. Talley
Seat 24 Sen. Reese
Seat 25 Sen. Setzler
Seat 26 Sen. J. Matthews
Seat 27 Sen. Hutto
Seat 28 Sen. Sheheen
Seat 29 Sen. Nicholson
Seat 30 Sen. Malloy
Seat 31 Sen. Williams
Seat 32 Sen. Jackson
Seat 33 Sen. McElveen
Seat 34 Sen. M.B. Matthews
Seat 35 Sen. Kimpson
Seat 36 Sen. Johnson

Seat 37 Sen. Scott
Seat 38 Sen. Sabb
Seat 39 Sen. Allen
Seat 40 Sen. Cash
Seat 41 Sen. Rice
Seat 42 Sen. Senn
Seat 43 Sen. McLeod
Seat 44 Sen. Harpootlian
Seat 45 Vacant
Seat 46 Sen. Fanning

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 4812
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Withdrawal of Certification of Law Enforcement Officers
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary

Document No. 4813
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Denial of Certification for Misconduct
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary

Document No. 4816
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-104-20
SUBJECT: Palmetto Fellows Scholarship Program
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education

Document No. 4819
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-21-540(11), 59-33-20(c), and 59-33-30
SUBJECT: Medical Homebound Instruction
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education

Document No. 4820
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-6-50, and 40-6-60
SUBJECT: Auctioneers' Commission
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4821
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, and 40-57-70
SUBJECT: Real Estate Commission
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4822
Agency: Department of Labor, Licensing and Regulation - Board of Pharmacy
Chapter: 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(C) and (D)(8), 40-43-86(B), and 40-43-150
SUBJECT: Administrative Citations and Penalties
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4824
Agency: Department of Labor, Licensing and Regulation - Manufactured Housing Board
Chapter: 79

Statutory Authority: 1976 Code Section 40-2-10(D)(3)-(7)
SUBJECT: Manufactured Home Installation Requirements
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4828
Agency: South Carolina Human Affairs Commission
Chapter: 65
Statutory Authority: 1976 Code Section 1-13-70
SUBJECT: Notices to be Posted
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary

Document No. 4830
Agency: South Carolina Human Affairs Commission
Chapter: 65
Statutory Authority: 1976 Code Sections 31-21-30 and 31-21-100
SUBJECT: Hearing Procedures (Review and Enforcement)
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary

Document No. 4831
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 5-7-12, 16-17-420, 59-5-60, and 59-5-65
SUBJECT: School Resource Officers
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education

Document No. 4832
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 30-4-10 et seq., 59-13-60, 59-13-70, 59-13-80, 59-13-90, 59-13-140, 59-17-100, 59-20-10 et seq., 59-21-510 et seq., 59-25-130, 59-25-140, and 59-33-10 et seq.
SUBJECT: Accounting and Reporting
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education

Document No. 4833
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 56-5-180, 56-5-190, 56-5-195, 56-5-196, 59-5-60, 59-67-10, 59-67-20, 59-67-30, 59-67-40, 59-67-160, 59-67-240, 59-67-410, 59-67-470, 59-67-520, 59-67-535, and 59-67-570
SUBJECT: Operation of Public Pupil Transportation Services
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education

Document No. 4834
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210
SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Fish, Game and Forestry

Document No. 4835
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110. 38-3-110, 38-13-80, 38-90-150, and 38-90-630
SUBJECT: Annual Audited Financial Reporting Regulation
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Banking and Insurance

Document No. 4836
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-21-430
SUBJECT: Corporate Governance Annual Disclosure Regulation
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Banking and Insurance

TUESDAY, JANUARY 8, 2019

Document No. 4837
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-29-40
SUBJECT: South Carolina Immunization Registry
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4838
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 48-5-10 et seq.
SUBJECT: Requirements for State Water Pollution Control Revolving Fund Loan Assistance
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Agriculture and Natural Resources

Document No. 4839
Agency: Department of Transportation
Chapter: 63
Statutory Authority: 1976 Code Section 57-3-110(8)
SUBJECT: Transportation Project Prioritization
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Transportation

Document No. 4841
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-56-30
SUBJECT: Hazardous Waste Management Regulations
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4842
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-1-140(2), 44-1-150, and 44-1-180
SUBJECT: Retail Food Establishments; and Retail Food Establishment Inspection Fees

TUESDAY, JANUARY 8, 2019

Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4843
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-45-50(B), 40-45-530, and 40-45-540
SUBJECT: Board of Physical Therapy Examiners
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4844
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, and 40-35-50
SUBJECT: Long Term Health Care Administrators Board
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4846
Agency: Department of Labor, Licensing and Regulation - Auctioneers' Commission
Chapter: 14
Statutory Authority: 1976 Code Section 40-6-40
SUBJECT: Auctioneers' Commission (Repeal Specific Regulations)
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4847
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Building Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

TUESDAY, JANUARY 8, 2019

Document No. 4848
Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board
Chapter: 29
Statutory Authority: 1976 Code Section 40-11-60
SUBJECT: Contractor's Licensing Board
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4849
Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board
Chapter: 29
Statutory Authority: 1976 Code Section 40-11-60
SUBJECT: Surety Bond Claims
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4850
Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4851
Agency: Department of Labor, Licensing and Regulation - Panel for Dietetics
Chapter: 40
Statutory Authority: 1976 Code Sections 40-1-70 and 40-20-50
SUBJECT: Licensure by Registration; and Licensure by Endorsement
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4852
Agency: Department of Labor, Licensing and Regulation - Board of Long Term Health Care Administrators
Chapter: 93
Statutory Authority: 1976 Code Sections 40-1-70 and 40-35-60
SUBJECT: Board of Long Term Health Care Administrators
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4853
Agency: Department of Labor, Licensing and Regulation - Board of Medical Examiners
Chapter: 81
Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, and 40-47-110
SUBJECT: Requirements to Take Step 3 of the United States Medical Licensing Examination
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4854
Agency: Department of Labor, Licensing and Regulation - Board of Occupational Therapy
Chapter: 94
Statutory Authority: 1976 Code Sections 40-1-70 and 40-36-60
SUBJECT: Reactivation of Inactive or Lapsed Licenses; and Code of Ethics
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4855
Agency: Department of Labor, Licensing and Regulation - Board of Examiners in Optometry
Chapter: 95
Statutory Authority: 1976 Code Sections 40-1-70 and 40-37-40(A)(7)
SUBJECT: Licensure Requirements; Continuing Education; and Licensure By Endorsement
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4856
Agency: Department of Labor, Licensing and Regulation - Board of Physical Therapy Examiners
Chapter: 101
Statutory Authority: 1976 Code Sections 40-1-70 and 40-45-60
SUBJECT: Amend Regulations to Conform to Requirements Established by 2018 Act 226, Physical Therapy Licensure Compact
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4857
Agency: Department of Labor, Licensing and Regulation - Real Estate Appraisers Board
Chapter: 137
Statutory Authority: 1976 Code Sections 40-60-10(I)(3) and 40-60-360
SUBJECT: Education and Experience Requirements for Licensure; and Minor Corrections
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4858
Agency: Department of Labor, Licensing and Regulation - Board of Examiners in Speech-Language Pathology and Audiology
Chapter: 115
Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70
SUBJECT: General Licensing Provisions; Speech-Language Pathology Assistants; and Continuing Education
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs

Document No. 4859
Agency: Department of Labor, Licensing and Regulation - Board of Veterinary Medical Examiners
Chapter: 120
Statutory Authority: 1976 Code Sections 40-1-70, 40-69-60, and 40-69-70
SUBJECT: Veterinary Medicine and Animal Shelters
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Agriculture and Natural Resources

TUESDAY, JANUARY 8, 2019

Document No. 4860
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210
SUBJECT: Additional Regulations Applicable to Specific Properties
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Fish, Game and Forestry

Document No. 4861
Agency: State Fiscal Accountability Authority
Chapter: 19
Statutory Authority: 1976 Code Sections 11-35-10 et seq.
SUBJECT: Consolidated Procurement Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Finance

Document No. 4862
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, and 40-75-60
SUBJECT: Board of Examiners for Licensure of Professional Counselors and Marital and Family Therapists
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4863
Agency: Department of Labor, Licensing and Regulation - Board of Nursing
Chapter: 91
Statutory Authority: 1976 Code Sections 40-33-10(E), (I) and 40-33-70
SUBJECT: Code of Ethics
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4864
Agency: Department of Labor, Licensing and Regulation - Board of Social Work Examiners
Chapter: 110
Statutory Authority: 1976 Code Sections 40-1-70 and 40-63-10
SUBJECT: Continuing Education Advisory Committee

TUESDAY, JANUARY 8, 2019

Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4865
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fire Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4866
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fuel Gas Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4867
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: National Electrical Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4868
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Residential Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

Document No. 4869
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Mechanical Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry

REGULATIONS RESUBMITTED

The following were received:

Document No. 4809
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-7-260
SUBJECT: Standards for Licensing Crisis Stabilization Unit Facilities
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2019
Resubmitted January 8, 2019

Document No. 4811
Agency: Department of Consumer Affairs
Chapter: 28
Statutory Authority: 1976 Code Sections 37-2-410, 37-2-710, 37-3-403, 37-6-104, 37-6-402, 37-6-403, and 37-6-506
SUBJECT: Employee's Revocable Authorization of a Deduction of Earnings
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Banking and Insurance
Resubmitted January 8, 2019

Doctor of the Day

Senator SETZLER introduced Dr. March E. Seabrook of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CAMPBELL, Senator GROOMS was granted a leave of absence for today.

TUESDAY, JANUARY 8, 2019

CO-SPONSORS ADDED

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

S. 1 Sen. Campsen
S. 2 Sens. Malloy and Massey
S. 4 Sen. Johnson
S. 6 Sen. McLeod
S. 9 Sen. Johnson
S. 23 Sen. Cromer
S. 32 Sen. Hembree
S. 36 Sen. Johnson
S. 51 Sen. Senn
S. 112 Sen. Senn
S. 125 Sen. Senn
S. 132 Sen. Alexander
S. 160 Sen. Davis
S. 162 Sen. Johnson
S. 182 Sen. Johnson
S. 188 Sens. Hutto and Jackson
S. 189 Sens. Hutto and Jackson
S. 196 Sens. Hutto and Jackson
S. 266 Sen. Senn
S. 295 Sen. Climer

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion that the list of prefiled Bills, a copy of which has been made available to each member be entered in the Journal *en banc* as having been read and referred, as noted, unless any member shall make a motion to refer a Bill to a different committee.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1 -- Senators Leatherman, Peeler, Setzler, Massey, Malloy, Rankin and Campsen: A BILL TO AMEND SECTION 1-3-210 OF THE 1976 CODE, RELATING TO FILLING VACANCIES WHEN THE SENATE IS NOT IN SESSION, TO CLARIFY THAT THE GOVERNOR MAY ONLY MAKE AN INTERIM APPOINTMENT TO AN OFFICE REQUIRING THE SENATE'S ADVICE AND CONSENT IF THE APPOINTMENT IS MADE DURING THE SAME INTERIM DURING WHICH THE OFFICE BECOMES VACANT; TO

PROVIDE THAT, IF THE SENATE DOES NOT CONFIRM AN INTERIM APPOINTMENT DURING THE NEXT ENSUING REGULAR LEGISLATIVE SESSION, THE GOVERNOR MAY NOT MAKE ANOTHER INTERIM APPOINTMENT; AND TO PROVIDE THAT THE GOVERNOR'S AUTHORITY TO MAKE AN INTERIM APPOINTMENT TERMINATES WHEN THE GENERAL ASSEMBLY CONVENES FOR THE REGULAR LEGISLATIVE SESSION FOLLOWING THE INTERIM PERIOD DURING WHICH THE OFFICE BECAME VACANT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 2 -- Senators Campsen, Massey and Malloy: A BILL TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE", "PRESIDENT PRO TEMPORE", OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

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Prefiled and referred to the Committee on Judiciary.

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

S. 3 -- Senator Leatherman: A BILL TO AMEND ARTICLE 13, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO CAMPAIGN PRACTICES, TO PROVIDE FOR DISCLOSURES AND DISCLAIMERS BY AN INDEPENDENT EXPENDITURE COMMITTEE RELATED TO THE INDEPENDENT EXPENDITURE

COMMITTEE'S ELECTION COMMUNICATIONS; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 4 -- Senators Setzler and Johnson: A BILL TO AMEND SECTION 59-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEACHER SALARY SCHEDULE, SO AS TO REQUIRE A FIVE PERCENT INCREASE IN EACH STEP ON THE SCHEDULE.
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Prefiled and referred to the Committee on Education.

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

S. 5 -- Senator Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-43-168 SO AS TO ESTABLISH THE INTERSTATE LANE EXPANSION FUND TO INCREASE THE NUMBER OF LANES ON EXISTING MAINLINE INTERSTATES AND TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK SELECTS ELIGIBLE PROJECTS; AND TO AMEND SECTION 56-3-627, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE, SO AS TO CREDIT A PORTION OF THE FEE TO THE INTERSTATE LANE EXPANSION FUND.
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Prefiled and referred to the Committee on Finance.

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

S. 6 -- Senators Setzler, Harpootlian and McLeod: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO THE SOUTH CAROLINA CONSTITUTION, 1895, BY ADDING ARTICLE XVIII, TO PROVIDE FOR AN INDEPENDENT REAPPORTIONMENT COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE CHOSEN, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, TO PROVIDE FOR THE APPROVAL OF PROPOSED APPORTIONMENT PLANS, TO PROVIDE FOR APPORTIONMENT IN THE EVENT THAT A PROPOSED APPORTIONMENT PLAN IS NOT APPROVED BY

REFERENDUM, AND TO EXEMPT THE PROVISIONS OF THIS ARTICLE FROM THE PROVISIONS CONTAINED IN SECTION 1, ARTICLE III OF THE SOUTH CAROLINA CONSTITUTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley and Harpootlian: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.
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Prefiled and referred to the Committee on Judiciary.

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

S. 8 -- Senator Peeler: A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PERTAINING TO PUBLIC HEALTH, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTALLY RELATED RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF

BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM FUNCTIONS RELATED TO ENVIRONMENTAL REGULATION AND PROTECTION; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 9 -- Senators Peeler and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO DRIVE A VEHICLE IN THE LEFT LANE OF AN INTERSTATE HIGHWAY, AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A TRAFFIC TICKET MAY BE ISSUED FOR THE VIOLATION OF THIS PROVISION.
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Prefiled and referred to the Committee on Transportation.

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

S. 10 -- Senator Peeler: A BILL TO AMEND SECTION 50-9-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT A PERSON BORN AFTER JUNE 30, 1979, MAY NOT OBTAIN A HUNTING LICENSE UNLESS HE OBTAINS A CERTIFICATE OF COMPLETION OF A HUNTER EDUCATION PROGRAM, SO AS TO DELETE THE AGE RESTRICTION REQUIREMENT FOR COMPLETING A HUNTER EDUCATION PROGRAM.
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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 11 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.
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Prefiled and referred to the Committee on Judiciary.

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

S. 12 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS "BARBERS' DAY" IN SOUTH CAROLINA.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 13 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-325 SO AS TO PROHIBIT THE DISPLAY OF A BARBER POLE FOR THE PURPOSE OF OFFERING OR IMPLYING TO OFFER BARBER SERVICES TO THE CONSUMING PUBLIC WITHOUT A BARBER LICENSE OR BARBER SHOP LICENSE ISSUED BY THE BOARD OF BARBER EXAMINERS; AND TO AMEND SECTION 40-7-20, RELATING TO DEFINITIONS RELATED TO THE REGULATION OF BARBERING, SO AS TO DEFINE NECESSARY TERMINOLOGY.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 14 -- Senators Rankin, Young, Sabb, Peeler, Alexander, Verdin and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 6, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 3, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 4, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE

JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 14, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 15, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN

JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, UPON HIS ELECTION TO THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE

FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 5, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 6, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, FIFTH CONGRESSIONAL DISTRICT, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2020; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020; AND TO ELECT TWO AT-LARGE MEMBERS TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, WHOSE TERMS WILL EXPIRE JUNE 30, 2020.

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Prefiled and referred to the Committee on Judiciary.

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

S. 15 -- Senator Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION

BEGINNING WITH THE 2020-2021 SCHOOL YEAR.
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Prefiled and referred to the Committee on Education.
Read the first time and referred to the Committee on Education.

S. 16 -- Senator Rankin: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.
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Prefiled and referred to the Committee on Medical Affairs.
Read the first time and referred to the Committee on Medical Affairs.

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 18 -- Senator Hutto: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO

LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE

PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 19 -- Senator Hutto: A BILL TO AMEND SECTION 7-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESIDENTIAL PRIMARIES, SO AS TO DECREASE THE MAXIMUM FILING FEE THAT MAY BE CHARGED BY THE STATE ELECTION COMMISSION TO EACH CANDIDATE CERTIFIED BY A POLITICAL PARTY FOR THE CONDUCT OF A PRESIDENTIAL PREFERENCE PRIMARY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 20 -- Senators Hutto, Malloy, Johnson, Setzler, Harpootlian, Kimpson, McElveen, Nicholson, Scott, Sabb and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-6-42 SO AS TO REQUIRE THE STATE PLAN PREPARED AND SUBMITTED BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR FEDERAL APPROVAL PURSUANT TO SUBCHAPTER XIX, CHAPTER 7, TITLE 42 OF THE UNITED STATES CODE TO PROVIDE THAT HEALTH INSURANCE PLANS OFFERED BEGINNING JANUARY 1, 2020, BE AVAILABLE TO ADULTS UNDER SIXTY-FIVE YEARS OF AGE WHOSE INCOME DOES NOT EXCEED ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, WITH A FIVE PERCENT INCOME DISREGARD.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 22 -- 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, 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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Prefiled and referred to the Committee on Judiciary.

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

S. 23 -- Senators Hutto, Shealy, Jackson and Cromer: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PROSTITUTION OFFENSES, SO AS TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE WHEN A VICTIM OF HUMAN TRAFFICKING IS CHARGED WITH A PROSTITUTION OFFENSE; TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 RELATING TO PROSTITUTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 24 -- Senators Hutto and Jackson: A BILL TO AMEND SECTION 12-21-625, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SURTAX ON CIGARETTES, INCLUDING THE DEFINITION OF "CIGARETTE", SO AS TO REVISE THE WEIGHT LIMITATION ON CIGARETTES FROM THREE POUNDS OR LESS PER ONE THOUSAND CIGARETTES TO FOUR AND ONE-HALF POUNDS OR LESS PER ONE THOUSAND CIGARETTES AND TO EXEMPT THOSE WRAPPED TOTALLY IN TOBACCO LEAF WITH NO FILTER, AND TO DEFINE "CIGARETTE" TO INCLUDE 0.325 OUNCES OF TOBACCO LIKELY INTENDED TO BE PURCHASED TO ROLL YOUR OWN CIGARETTES; AND TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF REVENUE TO DETERMINE IF THERE ARE BARRIERS TO THE ENFORCEMENT OR COLLECTION OF CIGARETTE TAXES, TO MAKE RECOMMENDATIONS TO REMOVE THESE BARRIERS, AND TO REPORT THEIR FINDINGS TO THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Finance.

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

S. 25 -- Senators Hutto, Setzler, Jackson, Nicholson, Scott, Johnson, Kimpson, McElveen, Sabb, Fanning and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PROMISE SCHOLARSHIP ACT" BY ADDING ARTICLE 11 TO CHAPTER 111, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION SHALL ADMINISTER THE SCHOLARSHIP PROGRAM, TO PROVIDE RELATED POWERS AND DUTIES OF THE BOARD, AND TO PROVIDE REQUIREMENTS FOR SCHOLARSHIP RECIPIENTS.
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Prefiled and referred to the Committee on Finance.

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

S. 26 -- Senator Hutto: A BILL TO AMEND SECTION 56-1-146 OF THE 1976 CODE, RELATING TO THE VIOLENT CRIME IDENTIFYING CODE REQUIRED ON A DRIVER'S LICENSE FOR A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE; AND TO AMEND SECTION 56-1-148 RELATING TO IMPLEMENTATION OF THE IDENTIFICATION CODE, TO MAKE CORRESPONDING CHANGES TO CODE SECTION REFERENCES.
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Prefiled and referred to the Committee on Transportation.

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

S. 27 -- Senator Hutto: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, TO PROHIBIT THE POSSESSION OF ONE DOSAGE UNIT OR LESS OF A CONTROLLED SUBSTANCE, AND TO PROVIDE PENALTIES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 28 -- Senator Grooms: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES, TO BE CALLED BY

CONGRESS, RESTRICTED TO PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION IN ORDER TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, TO LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND TO LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 29 -- Senator Grooms: A BILL TO AMEND CHAPTER 1, TITLE 14 OF THE 1976 CODE, RELATING TO THE COURTS, BY ADDING SECTION 14-1-250, TO PREVENT A COURT OR OTHER ENFORCEMENT AUTHORITY FROM ENFORCING FOREIGN LAW IN THIS STATE FROM A FORUM OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES UNDER CERTAIN CIRCUMSTANCES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 30 -- Senator Grooms: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS CONSTITUTIONAL MATTERS, BY ADDING SECTION 16, TO ESTABLISH A SPECIFIED PROCEDURE FOR THE ENACTMENT OR REPEAL OF LAWS AND CONSTITUTIONAL AMENDMENTS BY INITIATIVE PETITION AND REFERENDUM AND TO PROVIDE EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 31 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2019, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY, ANNUALLY, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT

INDIVIDUALS LIVING WITH MYALGIC ENCEPHALOMYELITIS.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 32 -- Senators Grooms and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT PROTECTION FROM ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN AND TO PROHIBIT THE PERFORMANCE OF AN ABORTION WHEN A FETAL HEARTBEAT IS DETECTED, BOTH WITH MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460, RELATING TO REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN PREGNANCY INFORMATION, SO AS TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 33 -- Senator Grooms: A BILL TO AMEND CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO COLLEGES AND INSTITUTIONS OF HIGHER LEARNING, GENERALLY, BY ADDING ARTICLE 4, TO ENACT THE CAMPUS FREE EXPRESSION ACT, TO PROVIDE THAT OUTDOOR AREAS OF CAMPUSES OF PUBLIC COLLEGES AND INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL BE DEEMED

TRADITIONAL PUBLIC FORUMS, TO PROVIDE THAT ANY PERSON WISHING TO ENGAGE IN NONCOMMERCIAL EXPRESSIVE ACTIVITY ON CAMPUS SHALL BE PERMITTED TO DO SO FREELY UNLESS THE PERSON'S CONDUCT IS UNLAWFUL OR MATERIALLY AND SUBSTANTIALLY DISRUPTS THE FUNCTIONING OF THE INSTITUTION, TO PROVIDE FOR PERMISSIBLE RESTRICTIONS THAT A PUBLIC INSTITUTION OF HIGHER LEARNING MAY PLACE IN CERTAIN AREAS, TO PROVIDE THAT A PUBLIC INSTITUTION OF HIGHER LEARNING SHALL INCLUDE A RANGE OF DISCIPLINARY SANCTIONS FOR ANYONE WITHIN ITS JURISDICTION WHO MATERIALLY AND SUBSTANTIALLY INTERFERES WITH THE FREE EXPRESSION OF OTHERS, TO PROVIDE THAT THE GOVERNING BOARD OF EACH STATE INSTITUTION OF HIGHER LEARNING SHALL DEVELOP AND ADOPT A POLICY ON FREE EXPRESSION BY JANUARY 1, 2020, TO PROVIDE FOR THE CONTENTS OF SUCH POLICY, TO PROVIDE THAT THE ATTORNEY GENERAL AND PERSONS WHOSE EXPRESSIVE RIGHTS HAVE BEEN VIOLATED BY A VIOLATION OF THIS ARTICLE MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO ENJOIN ANY VIOLATION OF THIS ARTICLE OR TO RECOVER COMPENSATORY DAMAGES, REASONABLE COURT COSTS, AND ATTORNEYS' FEES, TO PROVIDE THAT THE GOVERNING BOARD OF EACH PUBLIC INSTITUTION OF HIGHER LEARNING SHALL ISSUE AN ANNUAL REPORT ON THE ADMINISTRATIVE HANDLING OF FREE SPEECH ISSUES WITHIN ITS RESPECTIVE INSTITUTION, TO PROVIDE FOR EXCLUSIONS TO THIS ARTICLE, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Education.

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

S. 34 -- Senator Grooms: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 12 OF THE 1976 CODE, RELATING TO TAXABLE INCOME CALCULATIONS, BY ADDING SECTION 12-6-1145 TO AUTHORIZE A DEDUCTION FROM STATE OF SOUTH CAROLINA TAXABLE INCOME UP TO SPECIFIED AMOUNTS FOR TUITION PAID BY A PARENT OR LEGAL GUARDIAN FOR THEIR CHILD OR WARD TO ATTEND AN INDEPENDENT

SCHOOL OR A PUBLIC SCHOOL OUTSIDE THE CHILD'S OR WARD'S SCHOOL DISTRICT OF RESIDENCE, AND TO ALSO AUTHORIZE A SIMILAR INCOME TAX DEDUCTION UP TO A SPECIFIED AMOUNT TO A PARENT OR LEGAL GUARDIAN FOR HOME SCHOOL EXPENDITURES; AND BY ADDING SECTION 12-6-1146 TO AUTHORIZE A CREDIT AGAINST A TAXPAYER'S SOUTH CAROLINA INCOME TAX LIABILITY OR CERTAIN OTHER TAX LIABILITY FOR CONTRIBUTIONS MADE TO NONPROFIT SCHOLARSHIP FUNDING ORGANIZATIONS THAT PROVIDE GRANTS FOR CHILDREN WHO ARE ELIGIBLE FOR THE FEDERAL FREE OR REDUCED SCHOOL LUNCH PROGRAM, WHO ARE "EXCEPTIONAL NEEDS" CHILDREN, OR WHOSE FAMILIES MEET THE REQUIREMENTS FOR FEDERAL MEDICAID BENEFITS TO ATTEND INDEPENDENT SCHOOLS OF THEIR CHOICE, AND TO PROVIDE THE PROCEDURES FOR, AND CONDITIONS AND LIMITATIONS OF, THESE TAX CREDITS.

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Prefiled and referred to the Committee on Finance.

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

S. 35 -- Senator Grooms: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE

UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.
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Prefiled and referred to the Committee on Education.

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

S. 36 -- Senators Malloy, Hutto, Kimpson, M. B. Matthews, Nicholson, McElveen, Sabb, McLeod and Johnson: A JOINT RESOLUTION TO PROVIDE FOR A STATEWIDE ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2020 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF THIS STATE FAVOR MEDICAID EXPANSION.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 37 -- Senator Malloy: A BILL TO AMEND SECTION 7-13-710 OF THE 1976 CODE, RELATING TO A PRESENTATION OF IDENTIFICATION WHEN AN ELECTOR PRESENTS HIMSELF TO VOTE, TO PROVIDE THAT ELECTORS WHO FAIL TO PRODUCE A VALID AND CURRENT PHOTOGRAPH IDENTIFICATION MAY COMPLETE A WRITTEN STATEMENT AT THE POLLING PLACE AND AFFIRM THAT THE ELECTOR MEETS CERTAIN QUALIFICATIONS; TO PROVIDE THAT, UPON COMPLETION OF THE WRITTEN STATEMENT, THE STATEMENT AND THE ELECTOR'S PROVISIONAL BALLOT MUST BE FILED WITH THE COUNTY BOARD OF REGISTRATION AND ELECTIONS; AND TO PROVIDE THAT, IF THE COUNTY BOARD OF REGISTRATION AND ELECTIONS DETERMINES THE VOTER WAS CHALLENGED ONLY FOR THE INABILITY TO PROVIDE PROOF OF IDENTIFICATION AND THE REQUIRED STATEMENT IS SUBMITTED, THE COUNTY BOARD OF REGISTRATION AND ELECTIONS SHALL FIND THAT THE PROVISIONAL BALLOT IS VALID UNLESS THE BOARD HAS GROUNDS TO BELIEVE THE STATEMENT IS FALSE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 38 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 39 -- Senator Malloy: A BILL TO AMEND SECTION 59-156-120 OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO EXPAND THE PROGRAM IN THE 2017-2018 SCHOOL YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON THE DISTRICT'S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2019-2020 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN WITHIN FIVE YEARS OF THE PROGRAM'S EXPANSION FOR ALL DISTRICTS; TO AMEND SECTION 59-156-140 OF THE 1976 CODE, RELATING TO PROVIDER APPLICATIONS, TO MAKE A CONFORMING AMENDMENT; AND TO AMEND SECTION 56-156-220 OF THE 1976 CODE, RELATING TO FUNDING OF THE PROGRAM, TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM

IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2019-2020 SCHOOL YEAR.
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Prefiled and referred to the Committee on Education.

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

S. 40 -- Senators Malloy and Harpootlian: A BILL TO AMEND TITLE 15 OF THE 1976 CODE, BY ADDING CHAPTER 85, TO ENACT THE "SOUTH CAROLINA FALSE CLAIMS ACT" PROVIDING FOR DEFINITIONS OF CERTAIN TERMS, LIABILITY FOR FALSE OR FRAUDULENT CLAIMS UNDER CERTAIN CIRCUMSTANCES, PROCEDURES FOR CIVIL ACTIONS FOR FALSE CLAIMS, THE PROCEDURE AND CONTENTS OF CIVIL INVESTIGATIVE DEMANDS, AND CREATING THE STATE FALSE CLAIMS ACT INVESTIGATION AND PROSECUTION FUND.
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Prefiled and referred to the Committee on Judiciary.

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

S. 41 -- Senator Malloy: A BILL TO AMEND SECTION 59-156-120 OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO EXPAND THE PROGRAM IN THE 2017-2018 SCHOOL YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON THE DISTRICT'S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2019-2020 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN WITHIN FIVE YEARS OF THE PROGRAM'S EXPANSION FOR ALL DISTRICTS; TO AMEND SECTION 59-156-140 OF THE 1976 CODE, RELATING TO PROVIDER APPLICATIONS, TO MAKE A CONFORMING AMENDMENT; AND TO AMEND SECTION 56-156-220 OF THE 1976 CODE, RELATING TO FUNDING OF THE PROGRAM, TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2019-2020 SCHOOL YEAR.
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Prefiled and referred to the Committee on Education.

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

S. 42 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE THE SALARY OF THE CHIEF JUSTICE AND TO PROVIDE FOR A TWO PERCENT ANNUAL INCREASE IN A FISCAL YEAR IN WHICH COMPENSATION IS INCREASED FOR ALL FULL-TIME STATE-APPROPRIATED EMPLOYEES; TO AMEND SECTION 1-7-325 OF THE 1976 CODE, RELATING TO COMPENSATION FOR SOLICITORS, TO PROVIDE THAT THIS SALARY IS NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES IN SECTION 14-1-200; AND TO AMEND SECTION 22-8-40(B)(2) OF THE 1976 CODE, RELATING TO MAGISTRATE SALARIES, TO PROVIDE THAT SALARIES ARE DETERMINED BY THE ANNUAL GENERAL APPROPRIATIONS ACT AND ARE NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES IN SECTION 14-1-200.

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Prefiled and referred to the Committee on Finance.

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

S. 43 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE A SALARY SCHEDULE FOR THOSE JUDGES.

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Prefiled and referred to the Committee on Finance.

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

S. 44 -- Senator Malloy: A BILL TO AMEND SECTION 16-3-20(C)(a) OF THE 1976 CODE, RELATING TO STATUTORY AGGRAVATING CIRCUMSTANCES APPLICABLE TO THE PUNISHMENT FOR MURDER, TO ADD AS A STATUTORY AGGRAVATING CIRCUMSTANCE CASES IN WHICH THE MURDER WAS COMMITTED AGAINST A PERSON BECAUSE OF THE PERSON'S ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL

ORIENTATION, GENDER IDENTITY, OR DISABILITY.
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 45 -- Senator Malloy: A BILL TO AMEND SECTION 16-5-50 OF THE 1976 CODE, RELATING TO HINDERING A LAW ENFORCEMENT OFFICER, TO PROVIDE THAT A PERSON WHO HINDERS A LAW ENFORCEMENT OFFICER IS GUILTY OF A MISDEMEANOR, AND TO PROVIDE THAT SUCH AN OFFENSE DOES NOT APPLY TO A PERSON WHO PHOTOGRAPHS OR RECORDS A LAW ENFORCEMENT OFFICER PERFORMING THE OFFICER'S OFFICIAL DUTIES WHILE THE OFFICER IS IN A PUBLIC PLACE OR THE PERSON IS IN A PLACE THE PERSON HAS THE RIGHT TO OCCUPY.
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 46 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 47 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 17 OF THE 1976 CODE, RELATING TO JUDGMENT AND EXECUTION, TO PROVIDE THAT, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MUST NOT BE SENTENCED TO DEATH OR A TERM OF IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY OF

PAROLE IF THAT PERSON WAS LESS THAN EIGHTEEN YEARS OF AGE AT THE TIME THE OFFENSE WAS COMMITTED.
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Prefiled and referred to the Committee on Judiciary.

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

S. 48 -- Senator Malloy: A BILL TO AMEND CHAPTER 28, TITLE 24 OF THE 1976 CODE, RELATING TO THE SENTENCING REFORM OVERSIGHT COMMITTEE, TO REESTABLISH THE SENTENCING REFORM OVERSIGHT COMMITTEE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 49 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO QUALIFICATIONS OF OFFICERS, TO EXEMPT MEMBERS OF COLLEGE OR UNIVERSITY BOARDS OF TRUSTEES FROM THE REQUIREMENT THAT THEY POSSESS THE QUALIFICATIONS OF AN ELECTOR, AND TO REMOVE ARCHAIC REFERENCES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 50 -- Senator Malloy: A BILL TO AMEND CHAPTER 22, TITLE 17 OF THE 1976 CODE, RELATING TO CRIMINAL INTERVENTION PROGRAMS, BY ADDING ARTICLE 13, TO ENACT THE "DRUG COURT PROGRAM ACT"; TO DIRECT EACH CIRCUIT SOLICITOR TO ESTABLISH A DRUG COURT PROGRAM FOR ADULTS AND JUVENILES; TO PROVIDE CRITERIA FOR THE ELIGIBILITY OF PERSONS CHARGED WITH NONVIOLENT OFFENSES; TO ALLOW EACH CIRCUIT SOLICITOR TO ESTABLISH AN OFFICE OF DRUG COURT PROGRAM COORDINATOR; TO DIRECT THE COMMISSION ON PROSECUTION COORDINATION TO ESTABLISH A STATE OFFICE OF DRUG COURT COORDINATION; TO PROVIDE FOR FEES FOR PARTICIPATION IN A DRUG COURT PROGRAM; TO PROVIDE FOR ANNUAL REPORTS DETAILING THE ACTIVITIES OF DRUG COURT PROGRAMS TO THE COMMISSION ON PROSECUTION COORDINATION, WITH A

COPY PROVIDED TO THE SENTENCING REFORM OVERSIGHT COMMITTEE; AND TO PROVIDE FOR THE APPOINTMENT OF DRUG COURT JUDGES AND THEIR COMPENSATION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 51 -- Senators Malloy and Senn: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, TO PROVIDE A DEFINITION FOR "FIRST RESPONDER" AND TO MODIFY THE REQUIREMENTS OF SUCH AN EMPLOYEE SEEKING WORKERS' COMPENSATION FOR PERSONAL INJURY CAUSED BY POST TRAUMATIC STRESS DISORDER ARISING FROM THE FIRST RESPONDER'S DIRECT INVOLVEMENT IN A SIGNIFICANT TRAUMATIC EXPERIENCE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 52 -- Senator Malloy: A CONCURRENT RESOLUTION TO CREATE THE "STUDY COMMITTEE ON RACIAL PROFILING" TO REVIEW LAW ENFORCEMENT POLICIES, PRACTICES, AND PROCEDURES REGARDING RACIAL PROFILING AND MAKE A REPORT OF RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING PROPOSED CHANGES TO THE LAWS REGARDING SUCH POLICIES, PRACTICES, AND PROCEDURES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 53 -- Senator Malloy: A BILL TO AMEND SECTION 40-5-20 OF THE 1976 CODE, RELATING TO THE SUPREME COURT'S AUTHORITY TO PROMULGATE RULES AND REGULATIONS CONCERNING THE PRACTICE OF LAW AND THE ESTABLISHMENT OF THE SOUTH CAROLINA BAR, TO PROVIDE THAT THE SUPREME COURT MAY PROMULGATE RULES AND REGULATIONS DEFINING AND REGULATING THE PRACTICE OF LAW SUBJECT TO STATUTORY LAW AND DETERMINING THE QUALIFICATIONS AND REQUIREMENTS

FOR THE ADMISSION TO THE PRACTICE OF LAW AND THE LICENSURE OF ATTORNEYS IN THIS STATE, TO PROVIDE THAT ANY PROVISION OF LAW OR RULE THAT REQUIRES AN ATTORNEY TO BE A MEMBER OF THE SOUTH CAROLINA BAR IS SUPERSEDED AND OF NO FORCE AND EFFECT, AND TO DELETE INCONSISTENT PROVISIONS RELATED TO THE BAR; AND TO AMEND SECTION 40-5-310, RELATING TO PRACTICING LAW OR SOLICITING THE LEGAL CAUSE OF ANOTHER WITHOUT BEING ENROLLED AS A MEMBER OF THE SOUTH CAROLINA BAR, TO PROVIDE THAT NO PERSON MAY PRACTICE LAW UNLESS HE IS LICENSED BY THE SUPREME COURT, AND TO DELETE THE REQUIREMENT THAT A PERSON BE A MEMBER OF THE SOUTH CAROLINA BAR.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 54 -- Senator Malloy: A BILL TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 11, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, UNTIL AT LEAST TWENTY-EIGHT DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 55 -- Senator Malloy: A BILL TO AMEND CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES INVOLVING WEAPONS, BY ADDING ARTICLE 9, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, UNTIL AT LEAST TWENTY-EIGHT DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND

CHECK, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 56 -- Senator Malloy: A BILL TO AMEND CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT, TO PROVIDE THAT A PERSON WHO ACCEPTS A CHECK FOR A DEFERRED PRESENTMENT TRANSACTION VIOLATES THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT, AND TO REPEAL CHAPTER 39, TITLE 34, RELATING TO DEFERRED PRESENTMENT SERVICES.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 57 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 16 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY BY LAW, IN SPECIFIED AREAS OF THE STATE, MAY PROVIDE FOR THE CONDUCT OF GAMBLING AND GAMING ACTIVITIES ON WHICH BETS ARE MADE TO INCLUDE PARI-MUTUEL BETTING ON HORSE RACING, SPORTS BETTING ON PROFESSIONAL SPORTS, CASINO ACTIVITIES, SUCH AS CARD AND DICE GAMES WHERE THE SKILL OF THE PLAYER IS INVOLVED IN THE OUTCOME, AND GAMES OF CHANCE WITH THE USE OF ELECTRONIC DEVICES OR GAMING TABLES, ALL OF WHICH MUST BE STRICTLY REGULATED AND MAY BE CONDUCTED IN ONE LOCATION OR IN SEPARATE LOCATIONS WITHIN THE SPECIFIED AREA SUBJECT TO SPECIAL LAWS, INCLUDING CRIMINAL LAWS, ENACTED BY THE GENERAL ASSEMBLY, APPLICABLE ONLY IN THE SPECIFIED AREA, WITH THE REVENUE REALIZED BY THE STATE TO BE ALLOCATED TO THE STATE'S RETIREMENT SYSTEMS IN ORDER TO ACHIEVE AND MAINTAIN A RATIO OF THE ACTUARIAL VALUE OF THE

SYSTEMS ASSETS TO THE ACTUARIAL ACCRUED LIABILITY OF THE SYSTEMS THAT IS EQUAL TO OR GREATER THAN NINETY PERCENT, TO PROVIDE THAT ANY REVENUE REALIZED ABOVE THE AMOUNT NECESSARY TO ACHIEVE AND MAINTAIN THAT RATIO SHALL BE DEPOSITED IN THE STATE'S GENERAL FUND; AND BY PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY DELETING SECTION 8 WHICH MAKES IT UNLAWFUL FOR A PERSON HOLDING AN OFFICE OF HONOR, TRUST OR PROFIT TO ENGAGE IN GAMBLING OR BETTING ON GAMES OF CHANCE, AND REQUIRES THE OFFICER'S REMOVAL FROM OFFICE UPON CONVICTION FOR A GAMBLING OFFENSE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 58 -- Senator Malloy: A BILL TO AMEND SECTION 16-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO HOMICIDE, TO REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR A PERSON CONVICTED OF MURDER, TO REMOVE THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE DEATH PENALTY, TO REMOVE THE REQUIRED PROCEDURES FOR A DEATH PENALTY TRIAL, TO REMOVE DESIGNATED AGGRAVATING AND MITIGATING CIRCUMSTANCES USED TO ENHANCE THE PENALTY TO DEATH, TO REMOVE JURY INSTRUCTION REQUIREMENTS AND THE PROCEDURES FOR APPEALS, AND TO MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 16-3-655 TO REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR CRIMINAL SEXUAL CONDUCT WITH A MINOR WHO IS LESS THAN ELEVEN YEARS OF AGE, SECOND OFFENSE, TO REMOVE THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE DEATH PENALTY, TO REMOVE THE REQUIRED PROCEDURES FOR A DEATH PENALTY TRIAL, TO REMOVE DESIGNATED AGGRAVATING AND MITIGATING CIRCUMSTANCES USED TO ENHANCE THE PENALTY TO DEATH, TO REMOVE JURY INSTRUCTION REQUIREMENTS AND THE PROCEDURES FOR APPEALS, AND TO MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 10-11-325 TO

REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR THE USE OF AN EXPLOSIVE DEVICE ON THE CAPITOL GROUNDS RESULTING IN DEATH; TO AMEND SECTION 16-23-490 TO REMOVE THE REFERENCE TO THE DEATH PENALTY AS AN EXEMPTION TO THE FIVE YEAR CONSECUTIVE PENALTY FOR DISPLAYING A FIREARM IN THE COMMISSION OF A VIOLENT CRIME; TO AMEND SECTION 16-23-715 TO REMOVE THE PENALTY OF DEATH FOR A PERSON CONVICTED OF USE OF A WEAPON OF MASS DESTRUCTION IN FURTHERANCE OF AN ACT OF TERRORISM; TO AMEND SECTION 16-23-720 TO REMOVE THE PENALTY OF DEATH FOR A PERSON CONVICTED OF INTENTIONAL USE OF A DESTRUCTIVE DEVICE; TO AMEND SECTION 1-7-100 TO REMOVE THE OBLIGATION OF THE ATTORNEY GENERAL TO ASSIST SOLICITORS BY ATTENDING THE GRAND JURY IN CAPITAL CASES; TO AMEND SECTION 17-3-330 TO DELETE THE REQUIREMENT THAT THE OFFICE OF INDIGENT DEFENSE ROLL OVER UNEXPENDED FUNDS INTO A FUND FOR THE DEFENSE OF CAPITAL CASES; TO AMEND SECTION 17-3-520 TO REMOVE THE REQUIREMENT THAT A CIRCUIT PUBLIC DEFENDER BE CERTIFIED TO DEFEND CAPITAL CASES AND TO REMOVE THE REQUIREMENT THAT THE CIRCUIT PUBLIC DEFENDER MUST ESTABLISH PROCEDURES FOR ASSIGNING COUNSEL IN CAPITAL CASES; TO AMEND SECTION 17-17-10 TO REMOVE REFERENCES TO SOMEONE CHARGED WITH A FELONY PUNISHABLE BY DEATH RELATING TO THE ENTITLEMENT OF A WRIT OF HABEAS CORPUS; TO AMEND SECTION 17-25-45 TO REMOVE REFERENCES TO CASES INVOLVING THE DEATH PENALTY RELATING TO THE SENTENCING OF SERIOUS AND MOST SERIOUS OFFENSES; TO AMEND SECTION 17-27-130 TO REMOVE THE REQUIREMENT THAT COUNSEL FOR A DEFENDANT SENTENCED TO DEATH MUST MAINTAIN HIS FILES EXCEPT FOR THAT WHICH WAS ADMITTED INTO EVIDENCE AT TRIAL; TO AMEND SECTION 17-27-150 TO REMOVE THE PROVISION THAT A PARTY IN A CAPITAL POST CONVICTION RELIEF PROCEEDING IS ENTITLED TO DISCOVERY; TO AMEND SECTION 18-1-90 TO REMOVE THE REFERENCE TO DEFENDANTS SENTENCED TO DEATH FOR THE EXCLUSION OF THE RIGHT OF A DEFENDANT FOR BAIL; TO AMEND SECTION 22-5-310 TO REMOVE THE REFERENCE

TO THE EXCEPTION OF CAPITAL CASES RELATING TO THE JURISDICTION OF MAGISTRATES; TO AMEND SECTION 24-3-40 TO REMOVE THE REFERENCE TO A PRISONER SENTENCED TO DEATH RELATING TO THE RIGHT TO HAVE PRISONER'S ESCROWED WAGES DISTRIBUTED TO THE PERSON OF HIS CHOICE; TO AMEND SECTIONS 24-13-125, 24-13-150, AND 24-21-560 TO REMOVE THE EXCEPTION OF DEATH PENALTY CASES IN REGARDS TO THE ELIGIBILITY OF WORK RELEASE, EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FOR INMATES IN THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 25-7-40 TO REMOVE THE PENALTY OF DEATH FOR SOMEONE WHO, DURING TIMES OF WAR, COLLECTS, RECORDS, OR ATTEMPTS TO ELICIT CERTAIN MILITARY INFORMATION OR PLANS WITH THE INTENT TO COMMUNICATE THE INFORMATION TO THE ENEMY; TO REPEAL SECTION 1-7-340 RELATING TO THE ATTENDANCE AT INQUESTS AND PRELIMINARY HEARINGS IN CAPITAL CASES BY SOLICITORS; TO REPEAL SECTION 16-3-21 RELATING TO JURY INSTRUCTIONS IN CAPITAL CASES; TO REPEAL SECTION 16-3-25 RELATING TO THE REVIEW OF DEATH PENALTY CASES BY THE SUPREME COURT; TO REPEAL SECTION 16-3-26 RELATING TO THE APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS IN CASES WHERE THE DEATH PENALTY IS SOUGHT AND THE PAYMENT OF COSTS AND EXPENSES BY THE OFFICE OF INDIGENT DEFENSE; TO REPEAL SECTION 16-3-28 RELATING TO THE RIGHT OF A CAPITAL DEFENDANT TO HAVE LAST ARGUMENT AT TRIAL; TO REPEAL SECTION 17-19-80 RELATING TO THE RIGHT OF A PERSON INDICTED FOR A CAPITAL OFFENSE TO HAVE A COPY OF THE INDICTMENT; TO REPEAL SECTION 17-25-370 RELATING TO THE EXECUTION OF THE DEATH SENTENCE UPON AFFIRMANCE OF JUDGEMENT OR DISMISSAL OR ABANDONMENT OF APPEAL; TO REPEAL SECTION 17-25-380 RELATING TO THE NOTICE FOR THE IMPOSITION OF THE SENTENCE OF DEATH SENT TO THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS; TO REPEAL SECTION 17-25-390 RELATING TO THE RECEIPT OF THE NOTICE OF THE IMPOSITION OF THE SENTENCE OF DEATH; TO REPEAL SECTION 17-25-400 RELATING TO THE SERVICE OF NOTICE OF THE IMPOSITION OF THE SENTENCE OF DEATH ON THE DEFENDANT; TO REPEAL SECTION 17-27-

160 RELATING TO POST-CONVICTION RELIEF PROCEDURES FOR CAPITAL CASES; TO REPEAL SECTION 18-9-20 RELATING TO REQUIREMENT THAT THE SUPREME COURT REVIEW THE CONVICTION OF EACH CAPITAL CASE; TO REPEAL SECTION 24-21-615 RELATING TO THE REVIEW OF PRISONER BENEFITS FOR PERSONS CONVICTED OF A CAPITAL OFFENSE BY THE PAROLE BOARD; AND TO REPEAL ARTICLE 5, CHAPTER 3, TITLE 24 RELATING TO THE REQUIREMENTS OF THE IMPOSITION OF A DEATH SENTENCE BY THE DEPARTMENT OF CORRECTIONS, INCLUDING PROCEDURES, POSSIBLE WITNESSES TO THE EXECUTION, PAYMENT OF EXPENSES, AND THE DISPOSITION OF THE BODY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 59 -- Senator Malloy: A BILL TO REPEAL ACT 233 OF 2018, RELATING TO THE PROVISION THAT WORKERS' COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, BUT NO GREATER THAN SEVENTY-FIVE MILES FROM THE COUNTY SEAT OF THE COUNTY IN WHICH THE INJURY OCCURRED, AND TO THE DEFINITION OF NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 60 -- Senator Malloy: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT CERTAIN STATEMENTS MADE DURING QUESTIONING OR INTERROGATION MUST BE AUDIO OR VIDEO RECORDED, TO PROVIDE THAT A COURT MUST INSTRUCT A JURY THAT IT MAY DRAW AN ADVERSE INFERENCE FOR A LAW ENFORCEMENT OFFICER WHO FAILS TO RECORD A STATEMENT AS REQUIRED, TO PROVIDE THE CIRCUMSTANCES IN WHICH A PERSON'S STATEMENT MAY BE USED FOR IMPEACHMENT PURPOSES, TO PROVIDE THE CIRCUMSTANCES IN WHICH A STATEMENT OBTAINED IN

ANOTHER STATE OR BY THE FEDERAL GOVERNMENT IS ADMISSIBLE IN THIS STATE, TO PROVIDE THAT AN INAUDIBLE PORTION OF A RECORDING DOES NOT RENDER IT INADMISSIBLE, AND TO DEFINE CERTAIN TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 61 -- Senator Malloy: A BILL TO REPEAL ACT 140 OF 2016, RELATING TO THE DELETION OF THE PROHIBITION OF SERVING CONSECUTIVE TERMS BY THE CHAIRMAN OF THE WORKERS' COMPENSATION COMMISSION, THE PROVISION THAT THE GOVERNOR MAY REAPPOINT A CHAIRMAN, AND THE PROVISION THAT MEMBERS APPOINTED TO THE WORKERS' COMPENSATION COMMISSION ARE SUBJECT TO REMOVAL BY THE GOVERNOR IN CERTAIN CIRCUMSTANCES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 62 -- Senator Malloy: A BILL TO AMEND SECTION 34-39-180(E) OF THE 1976 CODE, RELATING TO RESTRICTIONS AND REQUIREMENTS FOR DEFERRED PRESENTMENT OR DEPOSIT OF CHECKS, TO PROVIDE THAT THE EFFECTIVE ANNUAL PERCENTAGE RATE CHARGED ON A DEFERRED PRESENTMENT TRANSACTION CANNOT EXCEED THIRTY-SIX PERCENT.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 63 -- Senator Malloy: A BILL TO AMEND SECTION 37-3-501 OF THE 1976 CODE, RELATING TO SUPERVISED LOANS, BY ADDING SECTION 37-3-501(1)(c), TO PROVIDE THAT SHORT-TERM VEHICLE SECURED LOANS ARE NOT SUPERVISED LOANS; TO AMEND CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT, TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR SUPERVISED LENDERS TO PROVIDE SHORT-

TERM VEHICLE SECURED LOANS; TO AMEND SECOND 37-3-413, RELATING TO SHORT-TERM VEHICLE LOANS, BY ELIMINATING THE REPAYMENT TERM FROM THE DEFINITION, BY CAPPING THE LOAN INTEREST RATE FOR SPECIFIC LOAN AMOUNTS; TO AMEND CHAPTER 3, TITLE 37 OF THE 1976 CODE, TO PROVIDE FOR A DATABASE TO PREVENT A PERSON FROM HAVING A SHORT-TERM VEHICLE SECURED LOAN THAT EXCEEDS A CERTAIN LIMIT AND TO TRACK LOAN TRANSACTIONS IN GENERAL, AND TO PROVIDE THAT ALL SHORT-TERM VEHICLE SECURED LOANS MAY ONLY BE MADE BY A LICENSEE.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 64 -- Senator Malloy: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO REQUIRE THE GENERAL ASSEMBLY, IN THE ANNUAL GENERAL APPROPRIATIONS ACT, TO APPROPRIATE FUNDS TO INSTALL, MAINTAIN, AND PROVIDE WIRELESS LOCAL AREA NETWORKS IN EVERY K-12 SCHOOL IN THIS STATE AND THEREAFTER TO APPROPRIATE FUNDS TO INSTALL, MAINTAIN, AND PROVIDE WIRELESS LOCAL AREA NETWORKS IN EVERY SCHOOL BUS IN THIS STATE; TO REQUIRE EACH DISTRICT TO ADOPT A PLAN TO MAKE THE SCHOOL BUSES AVAILABLE TO STUDENTS ON NON-SCHOOL DAYS; AND TO REQUIRE EACH DISTRICT TO ISSUE A REPORT DETAILING THE USE OF THE FUNDS APPROPRIATED.

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Prefiled and referred to the Committee on Finance.

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

S. 65 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 59 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING TEACHERS, BY ADDING SECTION 59-25-35, TO PROVIDE THAT SCHOOL DISTRICTS MAY PAY LUMP SUM BONUSES TO AID IN RETAINING TEACHERS WHO EXCEL IN PROVIDING QUALITY INSTRUCTION, LEADERSHIP, OR BOTH; TO REQUIRE THAT

BONUSES MUST BE APPROVED BY THE SCHOOL BOARD; TO CAP BONUSES AT NOT MORE THAN TWENTY PERCENT OF THE TEACHER'S BASE SALARY; AND TO PROVIDE THAT PAYMENT OF THESE BONUSES IS NOT A PART OF THE EMPLOYEE'S BASE SALARY AND IS NOT EARNABLE COMPENSATION FOR PURPOSES OF EMPLOYEE AND EMPLOYER CONTRIBUTIONS TO RESPECTIVE RETIREMENT SYSTEMS.

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Prefiled and referred to the Committee on Education.

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

S. 66 -- Senator Malloy: A BILL TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO THE STATUTORY SCHOOL YEAR, TO REMOVE REQUIREMENTS CONCERNING THE SPECIFIC NUMBER OF DAYS THAT MUST BE INCLUDED IN A SCHOOL YEAR; TO PROVIDE THAT A DISTRICT SHALL REPORT THE SCHOOL CALENDAR THAT IT SELECTS TO THE STATE BOARD OF EDUCATION, ALONG WITH A RATIONALE BEHIND THE STRUCTURE OF THE CALENDAR; AND TO PROVIDE THAT WHEN DEVELOPING A CALENDAR, THE LOCAL SCHOOL DISTRICT BOARD SHALL FOCUS ON STRUCTURING THE CALENDAR TO MAXIMIZE THE EDUCATIONAL BENEFIT IN THE UNIQUE CIRCUMSTANCES OF EACH SCHOOL BECAUSE CIRCUMSTANCES VARY AMONG DISTRICTS AND SCHOOLS WITHIN DISTRICTS.

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Prefiled and referred to the Committee on Education.

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

S. 67 -- Senator Malloy: A BILL TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO THE STATUTORY SCHOOL TERM, TO PROVIDE THAT A SCHOOL SEEKING A WAIVER FROM THE STATUTORY SCHOOL TERM TO OPERATE ON A YEAR-ROUND MODIFIED SCHOOL CALENDAR SHALL SUBMIT TO THE STATE BOARD OF EDUCATION A PLAN DETAILING THE GOALS THAT SCHOOLS SEEK CONSEQUENTLY TO ACHIEVE, TO REQUIRE APPROVAL OF THE PLAN BY THE STATE BOARD OF EDUCATION BEFORE A WAIVER MAY BE GRANTED, TO REQUIRE THAT THE SCHOOL ANNUALLY REPORT ITS PROGRESS TOWARD MEETING

THESE GOALS TO THE STATE BOARD, TO REQUIRE THAT THE STATE BOARD REVIEW THE REPORT AND MAKE A DETERMINATION ON WHETHER THIS PROGRESS IS SATISFACTORY, TO PROVIDE THAT THE STATE BOARD INITIALLY MAY NOT REVOKE A WAIVER OF A SCHOOL FOR UNSATISFACTORY PROGRESS, TO PROVIDE THAT A SCHOOL CONSIDERED BY THE BOARD TO HAVE MADE UNSATISFACTORY PROGRESS MUST BE PLACED ON PROBATION FOR ONE YEAR DURING WHICH TIME IT MUST DEVELOP WITH THE STATE BOARD A PROBATION IMPROVEMENT PLAN, TO PROVIDE THAT THE BOARD SHALL REVOKE THE WAIVER OF A SCHOOL THAT FAILS TO MAKE SATISFACTORY PROGRESS ON A PROBATION IMPROVEMENT PLAN AND DIRECT THE TRANSITION OF THE SCHOOL BACK TO THE STATUTORY SCHOOL TERM, AND TO PROVIDE THAT A SCHOOL WHOSE WAIVER IS REVOKED SUBSEQUENTLY MAY APPLY FOR A WAIVER.

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Prefiled and referred to the Committee on Education.

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

S. 68 -- Senator Malloy: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 138, TO ESTABLISH THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS AND PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE FOR THE SERVICE OF TRUSTEES OR MEMBERS OF THE GOVERNING BODY OF CONSTITUENT INSTITUTIONS; TO PROVIDE THAT, ON THE EFFECTIVE DATE OF THIS ACT, THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE STATE COMMISSION ON HIGHER EDUCATION AND THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, NOT INCONSISTENT WITH CHAPTER 138, TITLE 59, ARE DEVOLVED UPON THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS; AND TO REPEAL SECTION 59-53-10, RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND SECTION 59-103-10, RELATING TO THE STATE COMMISSION ON HIGHER EDUCATION.

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Prefiled and referred to the Committee on Education.

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

S. 69 -- Senator Malloy: A BILL TO AMEND SECTION 22-3-10 OF THE 1976 CODE, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES COURT, TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO FIFTEEN THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 70 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTHCARE PROFESSIONALS, BY ADDING SECTION 40-47-39, TO PROVIDE THAT A PHYSICIAN MUST BE A MEMBER OF THE SOUTH CAROLINA MEDICAL ASSOCIATION TO PRACTICE MEDICINE IN THIS STATE.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 71 -- Senator Malloy: A JOINT RESOLUTION TO CREATE THE "GAMBLING STUDY COMMITTEE" TO EXAMINE ISSUES RELATED TO REGULATING GAMBLING, TO PROVIDE FOR THE MEMBERSHIP, DUTIES, STAFFING, AND RESPONSIBILITIES OF THE STUDY COMMITTEE, AND TO PROVIDE THAT THE COMMITTEE SHALL REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 31, 2020, AT WHICH TIME THE STUDY COMMITTEE IS DISSOLVED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 72 -- Senator Malloy: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING LAW ENFORCEMENT, TO PROVIDE THAT EACH LAW ENFORCEMENT AGENCY SHALL HAVE A WRITTEN POLICY REGARDING THE INVESTIGATION OF OFFICER-INVOLVED DEATHS; TO PROVIDE FOR THE CONTENTS OF THE POLICY; TO PROVIDE FOR INVESTIGATIONS; TO PROVIDE FOR REPORTS; TO PROVIDE FOR THE RELEASE OF A REPORT IF PROSECUTION IS NOT PURSUED; TO PROVIDE FOR NOTICES OF VICTIM'S RIGHTS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 73 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE A SALARY SCHEDULE FOR THOSE JUDGES; TO AMEND SECTION 1-7-325 OF THE 1976 CODE, RELATING TO SOLICITOR COMPENSATION, TO PROVIDE THAT EACH FULL-TIME CIRCUIT SOLICITOR SHALL EARN A SALARY NOT LESS THAN THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 14-11-30 OF THE 1976 CODE, RELATING TO MASTER-IN-EQUITY COMPENSATION, TO PROVIDE FOR A PAY SCHEDULE BASED ON THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 17-3-510(C) OF THE 1976 CODE, RELATING TO CIRCUIT PUBLIC DEFENDERS, TO PROVIDE THAT THE CIRCUIT PUBLIC DEFENDER FOR EACH JUDICIAL CIRCUIT MUST EARN A SALARY NOT LESS THAN THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTIONS 22-8-40(B)(2) AND (3) OF THE 1976 CODE, RELATING TO FULL-TIME AND PART-TIME MAGISTRATE SALARIES, TO PROVIDE FOR A PAY SCHEDULE BASED ON THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 42-3-40 OF THE 1976 CODE, RELATING TO SALARIES OF WORKERS' COMPENSATION COMMISSIONERS, TO PROVIDE THAT THE ANNUAL SALARY FOR EACH

COMMISSIONER SHALL BE EIGHTY-FIVE PERCENT OF THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR.
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Prefiled and referred to the Committee on Finance.

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

S. 74 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA COVERING AUTISM RESPONSIBLY FOR EVERYONE (SC CARES) ACT"; BY ADDING SECTION 38-74-65 SO AS TO ESTABLISH THE SOUTH CAROLINA COVERING AUTISM RESPONSIBLY FOR EVERYONE PROGRAM, TO PROVIDE FUNDING FOR THE PROGRAM, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR THE PROGRAM, AND TO AUTHORIZE THE AWARD OF PREMIUM ASSISTANCE FOR APPROVED APPLICANTS; AND BY ADDING SECTION 11-11-250 SO AS TO CREATE THE PALMETTO AUTISM TRUST FUND.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 75 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER

WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 76 -- Senator Cromer: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

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Prefiled and referred to the Committee on Finance.

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

S. 77 -- Senator Sheheen: A BILL TO AMEND SECTION 59-18-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENTS AND TO DELETE THE FORMATIVE ASSESSMENT REQUIREMENTS; TO AMEND SECTION 59-18-320, RELATING TO THE ADMINISTRATION OF ASSESSMENT TESTING, SO AS TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENT; TO AMEND SECTION 59-18-325, RELATING TO COLLEGE AND

CAREER READINESS ASSESSMENTS, SO AS TO REMOVE THE REQUIREMENT THAT CAREER READINESS ASSESSMENTS ARE ADMINISTERED, TO PROVIDE THAT A STUDENT WHOSE PARENT OR GUARDIAN COMPLETES A FORM DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE DISTRICT MAY OPT THE STUDENT OUT OF EITHER THE COLLEGE ENTRANCE ASSESSMENT OR CAREER READINESS ASSESSMENT, TO REQUIRE SUMMATIVE ASSESSMENTS TO MEET MINIMAL FEDERAL REQUIREMENTS AND INCLUDE SCIENCE, TO REQUIRE A STANDARDS-BASED ASSESSMENT IN SCIENCE BE ADMINISTERED IN GRADES FOUR AND SEVEN, AND TO REMOVE FORMATIVE ASSESSMENT REQUIREMENTS; AND TO REPEAL SECTION 59-10-50 RELATING TO THE ADMINISTRATION OF THE SOUTH CAROLINA PHYSICAL EDUCATION ASSESSMENTS.

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Prefiled and referred to the Committee on Education.

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

S. 78 -- Senator Sheheen: A BILL TO AMEND SECTION 50-13-645 OF THE 1976 CODE, RELATING TO THE TAKING LIMITS OF EELS FOR RECREATIONAL FISHERMEN, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE OR POSSESS ELVERS; TO AMEND SECTION 50-5-1555 OF THE 1976 CODE, RELATING TO COMMERCIAL EEL TAKING PERMITS, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE OR POSSESS ELVERS; TO AMEND SECTION 50-9-420 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR TAKING SHAD, HERRING, OR EELS FOR COMMERCIAL PURPOSES, TO PROVIDE THAT THE LICENSES AND PERMITS REQUIRED FOR TAKING SHAD, HERRING, OR EELS FOR COMMERCIAL PURPOSES DO NOT AUTHORIZE A PERSON TO TAKE OR POSSESS ELVERS; TO AMEND SECTION 50-9-545 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR TAKING SHAD, HERRING, OR EELS FOR RECREATIONAL PURPOSES, TO PROVIDE THAT THE LICENSES AND PERMITS REQUIRED FOR TAKING SHAD, HERRING, OR EELS FOR RECREATIONAL PURPOSES DO NOT AUTHORIZE A PERSON TO TAKE OR POSSESS ELVERS; TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTIONS 50-13-10(A)(8), 50-13-615(5), 50-13-675(10)(b), 50-5-500(A)(9), AND 50-9-410(C)(3) OF

THE 1976 CODE, ALL RELATING TO FISHING DEVICES AND METHODS USED FOR TAKING ELVERS.
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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 79 -- Senator Sheheen: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".
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Prefiled and referred to the Committee on Judiciary.

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

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 81 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-125 SO AS TO ESTABLISH A PROCEDURE FOR AN OWNER OF A DAM TO DETERMINE IF THE DAM FALLS UNDER THE AUTHORITY OF THE "DAMS AND RESERVOIRS SAFETY ACT"; TO AMEND SECTION 49-11-120, RELATING TO DEFINITIONS APPLICABLE TO THE DAMS AND RESERVOIRS SAFETY ACT, SO AS TO REDEFINE THE TERM "DAM"; TO AMEND SECTION 49-11-160, RELATING TO AN ORDER TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ISSUE AN ORDER WHEN A DAM BECOMES DANGEROUS TO HUMAN LIFE OR THE PROPERTY OF SOMEONE OTHER THAN THE OWNER OF THE DAM; TO AMEND SECTION 49-11-200, RELATING TO THE APPROVAL REQUIREMENT FOR CONSTRUCTION OR

ALTERATION OF A DAM, SO AS TO PROVIDE EXEMPTIONS TO THE REQUIREMENT WHEN THE DAM DOES NOT POSE A SIGNIFICANT DANGER TO HUMAN LIFE OR THE PROPERTY OF SOMEONE OTHER THAN THE OWNER OF THE DAM.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 82 -- Senator Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS THAT THE CONSTITUTION REQUIRES TO BE ELECTED AND TO PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 83 -- Senator Campsen: A BILL TO AMEND ARTICLE 9, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO FORMS AND REPORTS BY CANDIDATES FOR ELECTION BY THE GENERAL ASSEMBLY, TO ENACT THE "BOARDS AND COMMISSIONS ELECTION REFORM ACT", BY ADDING SECTION 8-13-940, TO PROVIDE THAT CANDIDATES FOR ELECTION BY THE GENERAL ASSEMBLY MUST FILE A CAMPAIGN CONTRIBUTION REPORT WITH THE HOUSE AND SENATE ETHICS COMMITTEE, TO PROVIDE THAT NO VOTE CAN BE TAKEN ON A CANDIDATE FOR ELECTION UNTIL TEN DAYS AFTER THE REPORT IS FILED, TO PROVIDE THAT A CAMPAIGN CONTRIBUTION REPORT MUST ACCOMPANY THE APPOINTMENT TRANSMISSION TO THE SENATE, TO PROVIDE THAT AN APPOINTEE MAY NOT BE CONFIRMED UNLESS THE

REPORT ACCOMPANIES THE TRANSMISSION TO THE SENATE, TO PROHIBIT CAMPAIGN CONTRIBUTIONS FROM CANDIDATES AND APPOINTEES TO CANDIDATES FOR OR MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 84 -- Senator Campsen: A BILL TO AMEND SECTION 63-3-530(A) OF THE 1976 CODE, RELATING TO THE JURISDICTION OF THE FAMILY COURT IN DOMESTIC MATTERS, TO AUTHORIZE THE FAMILY COURT TO ESTABLISH A RECOVERY COURT PROGRAM IN EACH JUDICIAL CIRCUIT; AND TO AMEND SECTION 63-7-1690 OF THE 1976 CODE, RELATING TO PLACEMENT PLANS IN CHILD ABUSE AND NEGLECT CASES IN WHICH SUBSTANCE ABUSE IS A BASIS FOR REMOVAL, TO PROVIDE THAT THE FAMILY COURT IS ALLOWED TO PERMIT A PARENT TO PARTICIPATE IN A RECOVERY COURT PROGRAM OPERATED BY THE DEPARTMENT OF SOCIAL SERVICES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 85 -- Senator Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 86 -- Senator Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 87 -- Senator Campsen: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO FREEDOM OF RELIGION FOR STUDENT ASSOCIATIONS, BY ADDING SECTION 59-1-436, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING SHALL TAKE ANY ACTION OR ENFORCE ANY POLICY THAT DENIES A RELIGIOUS STUDENT ASSOCIATION ANY BENEFIT AVAILABLE TO ANY OTHER STUDENT ASSOCIATION BASED ON THE RELIGIOUS STUDENT ASSOCIATION'S REQUIREMENT THAT ITS LEADERS OR MEMBERS ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS OR STANDARDS OF CONDUCT; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Education.

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

S. 88 -- Senator Campsen: A BILL TO AMEND SECTION 12-6-5060(A) OF THE 1976 CODE, RELATING TO VOLUNTARY CONTRIBUTIONS TO CERTAIN FUNDS, TO PROVIDE THAT EACH TAXPAYER REQUIRED TO FILE A STATE INDIVIDUAL INCOME TAX RETURN MAY CONTRIBUTE TO THE SOUTH CAROLINA HISTORICAL SOCIETY BY DESIGNATING THE CONTRIBUTION ON THE RETURN, AND TO PROVIDE THAT CONTRIBUTIONS MADE TO THE SOUTH CAROLINA

HISTORICAL SOCIETY AS PROVIDED IN THIS ACT MAY BE DESIGNATED ON AN INCOME TAX RETURN FOR YEARS BEGINNING AFTER 2017.

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Prefiled and referred to the Committee on Finance.

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

S. 89 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-43-400 SO AS TO PROHIBIT THE APPROVAL OF INFRASTRUCTURE USED TO FACILITATE THE TRANSPORTATION OF OFFSHORE OIL INTO THE LAND AND WATERS OF THIS STATE BY THE STATE OF SOUTH CAROLINA, A STATE AGENCY, OR A POLITICAL SUBDIVISION OF THIS STATE.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 90 -- Senator Campsen: A BILL TO AMEND SECTION 12-6-3515 OF THE 1976 CODE, RELATING TO THE STATE INCOME TAX CREDIT FOR CONSERVATION OR A QUALIFIED CONSERVATION CONTRIBUTION OF REAL PROPERTY, TO PROVIDE THAT THE CREDIT EQUALS TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF THE GIFT RATHER THAN TWENTY-FIVE PERCENT OF THE CHARITABLE DEDUCTION FOR THE GIFT ALLOWED ON THE TAXPAYER'S FEDERAL INCOME TAX RETURN, TO INCREASE THE MAXIMUM ANNUAL CREDIT ALLOWED A TAXPAYER FROM FIFTY-TWO THOUSAND FIVE HUNDRED DOLLARS TO ONE HUNDRED FIFTY THOUSAND DOLLARS, TO ADJUST THE MAXIMUM ANNUAL CREDIT FOR INCREASES IN THE CONSUMER PRICE INDEX, AND TO DELETE OBSOLETE PROVISIONS.

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Prefiled and referred to the Committee on Finance.

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

S. 91 -- Senator Campsen: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO STATE INCOME TAX CREDITS, TO ENACT THE "LONG-TERM CARE TAX CREDIT ACT", BY ADDING SECTION 12-6-3395, TO ALLOW A STATE INDIVIDUAL INCOME TAX CREDIT OF FIFTEEN PERCENT OF THE TOTAL AMOUNT OF PREMIUMS PAID BY A TAXPAYER PURSUANT TO A LONG-TERM CARE INSURANCE CONTRACT, NOT TO EXCEED TWO THOUSAND DOLLARS IN A TAXABLE YEAR FOR EACH INDIVIDUAL, AND TO PROHIBIT A DOUBLE BENEFIT.
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Prefiled and referred to the Committee on Finance.

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

S. 92 -- Senator Campsen: A BILL TO AMEND SECTION 49-4-35 OF THE 1976 CODE, RELATING TO THE REGISTRATION OF SURFACE WATER USE WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ENACT THE "SURFACE WATER STEWARDSHIP ACT", TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS UNDER CERTAIN CONDITIONS MUST OBTAIN A SURFACE WATER WITHDRAWAL PERMIT RATHER THAN REGISTERING WITHDRAWALS, TO PROVIDE THAT CERTAIN REGISTERED SURFACE WATER WITHDRAWERS ARE EXEMPT FROM THE PERMITTING REQUIREMENT, AND TO PROVIDE THAT INCREASES IN SURFACE WATER WITHDRAWALS BY REGISTERED SURFACE WATER WITHDRAWERS ARE SUBJECT TO PERMITTING REQUIREMENTS ON THE INCREASED AMOUNT UNDER CERTAIN CIRCUMSTANCES.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 93 -- Senator Campsen: A BILL TO AMEND CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO DAMS, BY ADDING ARTICLE 5, TO ENACT THE "WETLANDS RESTORATION ACT", TO PROVIDE THAT CERTAIN IMPOUNDMENTS THAT ORIGINALLY IMPOUNDED A PARCEL OF TIDELAND OR

MARSHLAND BUT NO LONGER COMPLETELY IMPOUND THAT PARCEL MAY BE REPAIRED OR RESTORED.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 94 -- Senator Campsen: A BILL TO AMEND SECTION 24-21-710 OF THE 1976 CODE, RELATING TO FILM, VIDEOTAPE, OR OTHER ELECTRONIC INFORMATION THAT MAY BE CONSIDERED BY THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IN PAROLE DETERMINATION, TO PROVIDE THAT THE VICTIM OF A CRIME'S IMMEDIATE FAMILY MAY SUBMIT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION, TO PROVIDE THAT ANY FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OR THE VICTIM'S IMMEDIATE FAMILY MUST BE RETAINED BY THE BOARD AND MUST BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS UNLESS THE SUBMITTING PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION NO LONGER REPRESENTS THE PRESENT POSITION OF THE PERSON, AND TO PROVIDE THAT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE PROSECUTING SOLICITOR'S OFFICE OR THE PERSON WHOSE PAROLE IS BEING CONSIDERED MAY BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS EACH TIME THE SUBMITTING OFFICE OR PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION REPRESENTS THE PRESENT POSITION OF THE OFFICE OR PERSON; AND TO AMEND SECTION 30-4-40(a) OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE THAT A PUBLIC BODY MAY EXEMPT FROM DISCLOSURE FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OF A CRIME FOR WHICH A PRISONER HAS BEEN SENTENCED OR

BY THE VICTIM'S IMMEDIATE FAMILY.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 95 -- Senator Campsen: A BILL TO AMEND SECTION 2-19-70(C) OF THE 1976 CODE, RELATING TO JUDICIAL CANDIDATES SEEKING PLEDGES FROM MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-19-80(E), RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, TO PROVIDE THAT A PERIOD OF AT LEAST TWENTY-TWO DAYS MUST ELAPSE BETWEEN THE DATE OF THE JUDICIAL MERIT SELECTION COMMISSION'S INITIAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND THE DATE THE GENERAL ASSEMBLY CONDUCTS THE ELECTION FOR THESE JUDGESHIPS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 96 -- Senator Campsen: A BILL TO AMEND SECTION 16-11-311 OF THE 1976 CODE, RELATING TO BURGLARY IN THE FIRST DEGREE, TO ENACT THE "HOME INVASION PROTECTION ACT", TO PROVIDE PENALTIES FOR BURGLARY IN THE FIRST DEGREE IF A PERSON WHO IS NOT A PARTICIPANT IN THE CRIME IS PRESENT IN THE DWELLING.
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Prefiled and referred to the Committee on Judiciary.

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

S. 97 -- Senator Campsen: A BILL TO AMEND SECTION 17-25-326 OF THE 1976 CODE, RELATING TO THE ALTERATION, MODIFICATION, OR RESCISSION OF A COURT ORDER, TO PROVIDE THAT A COURT SHALL NOT ALTER, MODIFY, OR

RESCIND A DEFENDANT'S CRIMINAL SENTENCE UNLESS THE COURT HAS HELD A HEARING ALLOWING THE DEFENDANT, ATTORNEY GENERAL OR SOLICITOR, AND VICTIM TO TESTIFY REGARDING THE DECISION TO ALTER, MODIFY, OR RESCIND THE SENTENCE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 98 -- Senator Campsen: A BILL TO AMEND SECTION 22-3-10 OF THE 1976 CODE, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES' COURT, TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TEN THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 99 -- Senator Campsen: A BILL TO AMEND ARTICLE 4, CHAPTER 5, TITLE 7 OF THE 1976 CODE, RELATING TO MULTIPLE SITE VOTER REGISTRATION AND THE RESPONSIBILITIES OF THE STATE ELECTION COMMISSION IN IMPLEMENTING THE NATIONAL VOTER REGISTRATION ACT OF 1993, BY ADDING SECTION 7-5-321, TO PROVIDE THAT AN ELECTOR REGISTERED TO VOTE OR SUBMITTING AN APPLICATION FOR VOTER REGISTRATION MAY HAVE THE INFORMATION RELATING TO HIS RESIDENCE ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS DECLARED CONFIDENTIAL UPON PRESENTATION OF A CERTIFIED COPY OF AN INJUNCTION OR A RESTRAINING ORDER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 100 -- Senator Campsen: A BILL TO AMEND SECTION 2-20-30 OF THE 1976 CODE, RELATING TO PUBLIC HEARINGS OF NONJUDICIAL CANDIDATE QUALIFICATIONS, TO ELIMINATE THE REQUIREMENT THAT HEARINGS BE CONDUCTED NO LATER THAN TWO WEEKS PRIOR TO THE DATE SET FOR THE ELECTION, TO PROVIDE THAT CANDIDATES MAY NOT OBTAIN PLEDGES OR COMMITMENTS UNTIL THE TWELFTH

DAY AFTER THE NAMES OF THE NOMINEES HAVE BEEN RELEASED, AND TO REQUIRE THAT A PERIOD OF TWENTY-TWO DAYS ELAPSE BETWEEN THE DATE THAT THE REPORT OF NOMINATIONS IS RELEASED AND THE TIME SET FOR THE ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 101 -- Senator Campsen: A BILL TO AMEND SECTION 22-2-5(A) OF THE 1976 CODE, RELATING TO THE ELIGIBILITY EXAMINATION FOR MAGISTRATES, TO EXTEND THE TIME PERIOD FOR THE VALIDITY OF THE EXAMINATION SCORES FROM SIX MONTHS BEFORE AND SIX MONTHS AFTER THE TIME THE APPOINTMENT IS TO BE MADE TO ONE YEAR BEFORE AND TWO YEARS AFTER THE TIME THE APPOINTMENT IS TO BE MADE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 102 -- Senator Campsen: A BILL TO AMEND SECTION 11-11-410 OF THE 1976 CODE, RELATING TO APPROPRIATIONS SUBJECT TO A SPENDING LIMITATION, TO IMPOSE AN ANNUAL LIMIT ON THE STATE GENERAL FUND REVENUES AVAILABLE FOR APPROPRIATION BY RESTRICTING ANY INCREASE TO A PERCENTAGE THAT IS EQUAL TO THE AVERAGE ANNUAL PERCENTAGE CHANGE FROM THE PREVIOUS TEN COMPLETED STATE FISCAL YEARS, TO CREATE A SEPARATE BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT, TO PROVIDE FOR DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND, TO PROVIDE FOR THE SUSPENSION OF THIS APPROPRIATION LIMIT IN EMERGENCIES, TO PROVIDE FOR THE DISBURSEMENT OF SURPLUS FUNDS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 103 -- Senator Campsen: A BILL TO AMEND SECTION 6-27-30 OF THE 1976 CODE, RELATING TO THE FUNDING OF THE LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES, TO DELETE THE REQUIREMENT THAT NOT LESS THAN FOUR AND ONE-HALF PERCENT OF GENERAL FUND REVENUES MUST BE APPROPRIATED, AND TO PROVIDE THAT APPROPRIATIONS MUST BE NO LESS THAN THE GREATER OF THE ALLOCATION RATIO OF THE LATEST FISCAL YEAR OR THE AVERAGE OF THE ALLOCATION RATIO OF THE LAST FIVE FISCAL YEARS.
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Prefiled and referred to the Committee on Finance.

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

S. 104 -- Senator Campbell: A BILL TO AMEND SECTION 47-11-85 OF THE 1976 CODE, RELATING TO THE IDENTIFICATION OF ANIMALS SOLD IN THE PUBLIC LIVESTOCK MARKET OR AN EQUINE SALES FACILITY, TO PROVIDE THAT, PRIOR TO THE SALE OF A HORSE, A PERSON OPERATING AN EQUINE SALES FACILITY MUST DETERMINE WHETHER THE HORSE BEARS IDENTIFICATION, COORDINATE WITH LOCAL RESCUES TO PROVIDE INFORMATION TO THE PUBLIC ONLINE, PROVIDE A COGGINS CERTIFICATE AND BILL OF SALE AND MAKE SUCH INFORMATION AVAILABLE UPON REQUEST, CHECK WITH NATIONAL AND LOCAL HORSE RESCUE ORGANIZATIONS TO DETERMINE WHETHER THE HORSE WAS REPORTED AS MISSING, LOST, OR STOLEN, AND MAINTAIN RECORDS FOR AT LEAST FIVE YEARS; AND TO PROVIDE FOR PENALTIES.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 105 -- Senator Campbell: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE,

RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO

REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 106 -- Senator Campbell: A BILL TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO RECKLESS HOMICIDE, RECKLESS DRIVING, AND DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS, BY ADDING SECTION 56-5-2925, TO PROVIDE THAT THE DRIVER OF A MOTOR VEHICLE WHO COMMITS ANY ACT FORBIDDEN BY LAW OR NEGLECTS ANY DUTY IMPOSED BY LAW RELATED TO DRIVING A MOTOR VEHICLE, IF THE ACT OR NEGLECT RESULTS IN GREAT BODILY HARM TO ANOTHER PERSON, IS GUILTY OF A MISDEMEANOR, TO PROVIDE THAT THE DRIVER OF A MOTOR VEHICLE WHO COMMITS ANY ACT FORBIDDEN BY LAW OR NEGLECTS ANY DUTY IMPOSED BY LAW RELATED TO DRIVING A MOTOR VEHICLE, IF THE ACT OR NEGLECT RESULTS IN THE DEATH OF ANOTHER PERSON, IS GUILTY OF A FELONY, AND TO PROVIDE APPROPRIATE PENALTIES; AND TO AMEND SECTION 56-5-2946(A) OF THE 1976 CODE, RELATING TO SUBMISSION TO TESTING FOR ALCOHOL OR DRUGS, TO PROVIDE THAT A PERSON MUST SUBMIT TO TESTING FOR ALCOHOL OR DRUGS IF THE PERSON COMMITS ANY ACT FORBIDDEN BY LAW OR NEGLECTS ANY DUTY IMPOSED BY LAW IN THE DRIVING OF A MOTOR VEHICLE

AND THE ACT OR NEGLECT PROXIMATELY CAUSES GREAT BODILY INJURY OR DEATH TO ANOTHER PERSON.
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Prefiled and referred to the Committee on Judiciary.

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

S. 107 -- Senator Campbell: A BILL TO AMEND SECTION 49-11-120(4) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "DAM", TO INCLUDE THE ERECTION OF AN ARTIFICIAL BARRIER FOR THE PURPOSE OF CREATING A RESERVOIR, TO CLARIFY THAT FAILURE OF A DAM MUST CAUSE DANGER TO HUMAN LIFE OR THE PROPERTY OF OTHERS, AND TO ADD NEW EXCEPTIONS TO THE DEFINITION; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO THE DAMS AND RESERVOIRS SAFETY ACT, TO PROVIDE THAT OWNERS OF EXISTING DAMS OR PROPERTY OWNERS INTENDING TO CONSTRUCT OR ENLARGE A DAM MAY RECEIVE FROM THE DEPARTMENT A DETERMINATION CONCERNING WHETHER THE DAM IS SUBJECT TO THE PROVISIONS OF ARTICLE 3; TO AMEND SECTION 49-11-150 OF THE 1976 CODE, RELATING TO AN OWNER'S RESPONSIBILITY FOR THE SAFE MAINTENANCE OF A DAM OR RESERVOIR, TO PROVIDE THAT THE OWNER OF A DAM OR RESERVOIR MUST PROVIDE CONTACT INFORMATION AND A COMPLETED DAM OWNER CHECKLIST TO THE DEPARTMENT ON A CERTAIN SCHEDULE, TO PROVIDE FOR A CURRENT EMERGENCY ACTION PLAN, AND TO PROVIDE FOR NOTICE OF POTENTIAL OR ACTUAL FAILURES; TO AMEND SECTION 49-11-160 OF THE 1976 CODE, RELATING TO ORDERS TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM OR RESERVOIR, TO CHANGE THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT MAY ISSUE AN ORDER DIRECTING THE OWNER OF A DAM OR RESERVOIR TO UNDERTAKE NECESSARY MAINTENANCE, ALTERATIONS, REPAIRS, OR REMOVAL; TO AMEND SECTION 49-11-170 OF THE 1976 CODE, RELATING TO BRINGING UNSAFE DAMS TO THE ATTENTION OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT CANNOT REQUIRE CHANGES TO A DAM OR RESERVOIR DUE TO RECLASSIFICATION UNLESS NECESSARY TO PREVENT THE LOSS OF HUMAN LIFE; TO AMEND SECTION 49-11-200 OF THE 1976 CODE, RELATING TO THE DEPARTMENT APPROVAL

REQUIRED FOR CONSTRUCTION OR ALTERATION, TO PROVIDE THAT CONSTRUCTION OF A NEW DAM OR RESERVOIR OR THE ENLARGEMENT, REMOVAL, OR REPAIR OF AN EXISTING DAM OR RESERVOIR MAY NOT BEGIN UNLESS APPROVED BY THE DEPARTMENT AND TO PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 12-6-3370 OF THE 1976 CODE, RELATING TO TAX CREDITS FOR THE CONSTRUCTION, INSTALLATION, OR RESTORATION OF WATER IMPOUNDMENTS AND WATER CONTROL STRUCTURES, TO PROVIDE THAT A TAXPAYER MAY CLAIM A CREDIT OF UP TO FIFTY THOUSAND DOLLARS FOR REPAIRS REQUIRED AS A RESULT OF THE DEPARTMENT RECLASSIFYING THE DAM.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

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Prefiled and referred to the Committee on Finance.

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

S. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR "ELECTRIC FENCE", AND TO MAKE TECHNICAL CORRECTIONS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 110 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 58-27-1025 TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS DUE TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR OR ABANDONMENT OF A PROJECT AUTHORIZED UNDER ARTICLE 4, CHAPTER 33, TITLE 58, AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 111 -- Senator Massey: A BILL TO AMEND SECTION 8-13-1120(A)(4) OF THE 1976 CODE, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, TO REQUIRE DISCLOSURE ON A STATEMENT OF ECONOMIC INTERESTS FOR PAYMENT OR REIMBURSEMENT BY AN ORGANIZATION TO THE FILER OR THE GOVERNMENT ENTITY WITH WHICH THE FILER SERVES FOR THE FILER SPEAKING BEFORE A PUBLIC OR PRIVATE GROUP OR ANY PAYMENT OR REIMBURSEMENT RECEIVED BY THE FILER OR THE GOVERNMENT ENTITY WITH WHICH THE FILER SERVES OR IS EMPLOYED FOR ACTUAL EXPENSES INCURRED BY THE FILER OR THE GOVERNMENTAL ENTITY FOR WHICH THE FILER SERVES OR IS EMPLOYED FOR THE FILER'S ATTENDANCE OR PARTICIPATION IN AN EVENT BASED UPON THE FILER'S OFFICE OR POSITION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 112 -- Senators Massey and Senn: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT

THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.
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Prefiled and referred to the Committee on Judiciary.

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

S. 113 -- Senator Massey: A BILL TO AMEND SECTION 6-1-320(A) OF THE 1976 CODE, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, TO CREATE A NEW ITEM ALLOWING MUNICIPALITIES WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2018, OR MUNICIPALITIES THAT INCORPORATE AFTER JANUARY 1, 2018, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 114 -- Senator Massey: A BILL TO AMEND ARTICLE 1, CHAPTER 111, TITLE 59 OF THE 1976 CODE, BY ADDING SECTION 59-111-190, TO PROVIDE THAT A SOUTH CAROLINA RESIDENT WHO OTHERWISE QUALIFIES FOR THE LIFE, HOPE, OR PALMETTO FELLOWS SCHOLARSHIP BUT WHO ATTENDS SCHOOL IN ANOTHER STATE BECAUSE NO PUBLIC COLLEGE OR UNIVERSITY OFFERS HIS CHOSEN MAJOR SHALL RECEIVE THE SCHOLARSHIP FOR WHICH HE QUALIFIES TO BE USED FOR PAYMENT OF TUITION AT THE OUT-OF-STATE INSTITUTION.
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Prefiled and referred to the Committee on Education.

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

S. 115 -- Senator Massey: A BILL TO AMEND SECTION 1-3-240(C)(1)(m) OF THE 1976 CODE, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO REMOVE THE GOVERNOR'S ABILITY TO REQUIRE A DIRECTOR TO RESIGN FROM THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA

PUBLIC SERVICE AUTHORITY WITHOUT CAUSE FOR REMOVAL.
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Prefiled and referred to the Committee on Judiciary.

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

S. 116 -- Senator Massey: A BILL TO AMEND SECTION 50-9-525(A) OF THE 1976 CODE, RELATING TO DISABILITY LICENSES FOR HUNTING AND FISHING, TO ALLOW RESIDENTS RECEIVING BENEFITS FROM ANOTHER STATE RETIREMENT SYSTEM TO OBTAIN A THREE YEAR COMBINATION OR FISHING LICENSE AT NO COST.
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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 117 -- Senator Massey: A BILL TO AMEND SECTION 56-5-2910 OF THE 1976 CODE, RELATING TO RECKLESS VEHICULAR HOMICIDE, TO PROVIDE THAT A PERSON WHO IS CONVICTED OF, PLEADS GUILTY TO, OR PLEADS NOLO CONTENDERE TO RECKLESS VEHICULAR HOMICIDE IS GUILTY OF A FELONY AND MUST BE FINED NOT LESS THAN FIVE THOUSAND DOLLARS NOR MORE THAN FIFTEEN THOUSAND DOLLARS, OR IMPRISONED NOT MORE THAN FIFTEEN YEARS, OR BOTH, AND TO PROVIDE THAT A PERSON MAY PETITION THE CIRCUIT COURT IN THE COUNTY OF THE PERSON'S CONVICTION FOR REINSTATEMENT OF THE PERSON'S DRIVER'S LICENSE AFTER ONE YEAR FROM THE DATE OF REVOCATION OF THE PERSON'S DRIVER'S LICENSE; AND TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56, RELATING TO RECKLESS HOMICIDE, RECKLESS DRIVING, AND DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS, BY ADDING SECTION 56-5-2925, TO DEFINE "GREAT BODILY INJURY" AS BODILY INJURY THAT CREATES A SUBSTANTIAL RISK OF DEATH OR THAT CAUSES SERIOUS, PERMANENT DISFIGUREMENT OR PROTRACTED LOSS OR IMPAIRMENT OF THE FUNCTION OF ANY BODILY MEMBER OR ORGAN, TO PROVIDE FOR THE OFFENSE OF FELONY RECKLESS DRIVING, TO PROVIDE FOR THE PENALTIES OF FELONY RECKLESS DRIVING, TO PROVIDE

FOR THE PROCEDURE FOR REINSTATEMENT OF THE DRIVER'S LICENSE OF A PERSON CONVICTED OF FELONY RECKLESS DRIVING, AND TO PROVIDE THAT, IF THE PERSON'S PRIVILEGE TO OPERATE A MOTOR VEHICLE IS REINSTATED, A SUBSEQUENT VIOLATION OF THE MOTOR VEHICLE LAWS FOR ANY MOVING VIOLATION REQUIRES THE AUTOMATIC CANCELLATION OF THE PERSON'S DRIVER'S LICENSE AND IMPOSITION OF THE FULL PERIOD OF REVOCATION FOR THE FELONY RECKLESS DRIVING VIOLATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 118 -- Senator Massey: A BILL TO AMEND SECTION 38-75-750 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR THE RENEWAL OF POLICIES OF INSURANCE, TO PROVIDE THAT AN INSURED MUST HAVE NOTICE OF AND GIVE WRITTEN CONSENT TO ANY INCREASE IN THE AMOUNT OF A DEDUCTIBLE PRIOR TO RENEWAL.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 119 -- Senator Massey: A BILL TO AMEND SECTION 56-3-1150 OF THE 1976 CODE, RELATING TO FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, TO PROVIDE THAT THE SECTION APPLIES TO ALL FORMER PRISONERS OF WAR; AND TO AMEND SECTION 12-37-220(B)(29), RELATING TO GENERAL PROPERTY TAX EXEMPTIONS, TO PROVIDE THAT THE PROPERTY TAX EXEMPTION FOR VEHICLES THAT IS AFFORDED TO FORMER PRISONERS OF WAR APPLIES TO ALL FORMER PRISONERS OF WAR.

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Prefiled and referred to the Committee on Transportation.

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

S. 120 -- Senator Massey: A BILL TO AMEND SECTION 56-5-6540 OF THE 1976 CODE, RELATING TO THE ADMISSIBILITY AS EVIDENCE OF NEGLIGENCE IN A CIVIL ACTION REGARDING THE USE OF SAFETY BELTS, TO REMOVE THE PROVISION THAT A VIOLATION OF THIS ARTICLE IS NOT NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE, AND TO REMOVE THE PROVISION THAT A VIOLATION IS NOT ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 121 -- Senator Massey: A BILL TO AMEND SECTION 38-77-122 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF AUTOMOBILE INSURANCE COVERAGE AND THE AMOUNT OF AUTOMOBILE INSURANCE PREMIUMS, TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING COVERAGE OR THE AMOUNT OF A PREMIUM; AND TO AMEND SECTION 38-77-123, RELATING TO RENEWALS OF AUTOMOBILE INSURANCE POLICIES, TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING RENEWAL OF A POLICY FOR AUTOMOBILE INSURANCE.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 122 -- Senator Massey: A BILL TO AMEND SECTION 12-43-220(d)(4) OF THE 1976 CODE, RELATING TO ROLL-BACK PROPERTY TAXES, TO PROVIDE FOR THE APPLICABILITY OF ROLL-BACK TAXES TO CERTAIN PROPERTY THAT IS NO LONGER USED AS AGRICULTURAL PROPERTY.
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Prefiled and referred to the Committee on Finance.

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

S. 123 -- Senator Massey: A BILL TO AMEND SECTION 1-11-10(A) OF THE 1976 CODE OF LAWS, RELATING TO THE DEPARTMENT OF ADMINISTRATION, TO MOVE THE PROCUREMENT SERVICES DIVISION TO THE DEPARTMENT; TO AMEND SECTION 1-11-20, RELATING TO THE TRANSFER OF OFFICES, DIVISIONS, AND OTHER AGENCIES FROM THE STATE BUDGET AND CONTROL BOARD TO APPROPRIATE ENTITIES, TO REMOVE THE PROCUREMENT SERVICES DIVISION FROM THE STATE FISCAL AFFAIRS AUTHORITY; AND TO AMEND SECTION 11-35-310(2), RELATING TO THE SOUTH CAROLINA PROCUREMENT CODE, TO CHANGE REFERENCES TO THE STATE FISCAL AFFAIRS AUTHORITY TO THE DEPARTMENT OF ADMINISTRATION.
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Prefiled and referred to the Committee on Finance.

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

S. 124 -- Senator Massey: A BILL TO AMEND SECTION 16-1-57 OF THE 1976 CODE, RELATING TO THE CLASSIFICATION OF A THIRD OR SUBSEQUENT CONVICTION OF CERTAIN PROPERTY CRIMES, TO PROVIDE THAT ONLY VIOLATIONS OCCURRING WITHIN TEN YEARS OF, INCLUDING AND PRECEDING, THE DATE OF THE LAST VIOLATION SHALL CONSTITUTE PRIOR VIOLATIONS WITHIN THE MEANING OF THIS SECTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 125 -- Senators Massey and Senn: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL

GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.
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Prefiled and referred to the Committee on Judiciary.

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

S. 126 -- Senator Massey: A BILL TO AMEND SECTION 59-29-120(B) OF THE 1976 CODE, RELATING TO TOPICS OF STUDY ON VETERANS DAY AND ATTENDANCE AT VETERANS DAY ACTIVITIES, TO PROVIDE THAT PUBLIC SCHOOLS IN THIS STATE REQUIRE AT LEAST ONE HOUR OF INSTRUCTION ON NOVEMBER ELEVENTH ON THE HISTORY AND MEANING OF VETERANS DAY.
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Prefiled and referred to the Committee on Education.

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

S. 127 -- Senator Massey: A BILL TO AMEND SECTION 59-67-420 OF THE 1976 CODE, RELATING TO THE EXTENT OF SCHOOL TRANSPORTATION PROVIDED, TO REVISE THE TRANSPORTATION OBLIGATION THAT THE STATE ASSUMES FROM ONE AND ONE-HALF MILES TO ONE-HALF MILE.
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Prefiled and referred to the Committee on Education.

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

S. 128 -- Senator Massey: A BILL TO AMEND SECTION 15-39-410 OF THE 1976 CODE, RELATING TO PROPERTY THAT MAY BE ORDERED TO BE APPLIED TOWARD THE SATISFACTION OF A JUDGMENT, TO PROVIDE, INSTEAD OF A COMPLETE EXEMPTION OF THE EARNINGS OF A JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES, THAT ONLY SEVENTY-FIVE PERCENT OF THE EARNINGS OF THE DEBTOR FOR HIS PERSONAL SERVICES CANNOT BE APPLIED, AND THAT THE EARNINGS OF THE JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES TO BE WITHHELD MAY NOT EXCEED THE LIMITS

SET FORTH BY THE FEDERAL CONSUMER CREDIT PROTECTION ACT.
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Prefiled and referred to the Committee on Judiciary.

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

S. 129 -- Senator Massey: A BILL TO AMEND CHAPTER 1, TITLE 56 OF THE 1976 CODE, RELATING TO DRIVER'S LICENSES, BY ADDING SECTION 56-1-45, TO PROVIDE THAT, IN ADDITION TO OTHER REQUIREMENTS TO OBTAIN FULL LICENSURE, A PERSON AT LEAST FIFTEEN YEARS OF AGE AND UNDER TWENTY-ONE YEARS OF AGE WHO HAS NEVER HELD A FORM OF LICENSE EVIDENCING PREVIOUS DRIVING EXPERIENCE MUST ENROLL IN AND SUCCESSFULLY COMPLETE A DRIVER TRAINING COURSE CONDUCTED BY A DRIVER TRAINING SCHOOL LICENSED UNDER CHAPTER 23 OF THIS TITLE OR, IF REGULARLY ENROLLED IN A HIGH SCHOOL OF THIS STATE THAT CONDUCTS A DRIVER'S TRAINING COURSE, A COURSE TAUGHT BY A QUALIFIED INSTRUCTOR; AND TO PROVIDE THAT A PERSON TWENTY-ONE YEARS OF AGE OR OLDER WHO HAS NEVER HELD A FORM OF LICENSE EVIDENCING PREVIOUS DRIVING EXPERIENCE MUST ENROLL IN AND SUCCESSFULLY COMPLETE AN EIGHT-HOUR DEFENSIVE DRIVING COURSE.
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Prefiled and referred to the Committee on Transportation.

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

S. 130 -- Senator Davis: A BILL TO AMEND SECTION 59-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEACHER SALARY REQUIREMENTS, SO AS TO REQUIRE EACH TEACHER BE PAID THE NATIONAL AVERAGE TEACHER SALARY INSTEAD OF THE SOUTHEASTERN AVERAGE, AND TO REQUIRE THE TRANSITION TO NATIONAL AVERAGE OCCUR OVER THE NEXT FIVE FISCAL YEARS; AND BY ADDING SECTION 11-11-120 SO AS TO REQUIRE THE REDUCTION OF THE APPROPRIATION OF CERTAIN FUNDS TO INCREASE TEACHER PAY TO THE NATIONAL AVERAGE.
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Prefiled and referred to the Committee on Finance.

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

S. 131 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3685 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT.
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Prefiled and referred to the Committee on Finance.

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

S. 132 -- Senators Davis, Nicholson, Hutto, M. B. Matthews, Kimpson and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY

INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO

AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION

40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 133 -- Senator Davis: A BILL TO AMEND SECTION 38-75-485 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 134 -- Senator Davis: A BILL TO AMEND SECTION 9-1-1085 OF THE 1976 CODE, RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES, TO PROVIDE THAT THE DEFINED BENEFIT PLAN IS CLOSED TO NEW EMPLOYEES IMMEDIATELY FOLLOWING AN ACTUARIAL DETERMINATION THAT THE SYSTEM IS FULLY FUNDED; TO AMEND ARTICLE 1, CHAPTER 1 OF TITLE 9 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM GENERALLY, BY ADDING SECTION 9-1-65, TO ESTABLISH AN ANNUAL JOINT LEGISLATIVE COMMITTEE TO REVIEW THE ANNUAL ACTUARIAL VALUATION AND ESTABLISH THE JOINT LEGISLATIVE COMMITTEE'S AUTHORITY TO REVIEW ANY ACTUARIAL INVESTIGATION AND VALUATIONS PREPARED PURSUANT TO SECTIONS 9-1-250 AND 9-1-260; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Finance.

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

S. 135 -- Senator Davis: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO THE SOUTH CAROLINA CONSTITUTION, 1895, BY ADDING ARTICLE XVIII, TO PROVIDE FOR AN INDEPENDENT REAPPORTIONMENT COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE

CHOSEN, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, TO PROVIDE FOR THE APPROVAL OF PROPOSED APPORTIONMENT PLANS, TO PROVIDE FOR APPORTIONMENT IN THE EVENT THAT A PROPOSED APPORTIONMENT PLAN IS NOT APPROVED BY REFERENDUM, AND TO EXEMPT THE PROVISIONS OF THIS ARTICLE FROM THE PROVISIONS CONTAINED IN SECTION 1, ARTICLE III OF THE SOUTH CAROLINA CONSTITUTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 137 -- Senator Davis: A BILL TO AMEND SECTION 58-27-970 OF THE 1976 CODE, RELATING TO AN ELECTRIC UTILITY'S PARTICIPATION IN PROFITS ARISING FROM EFFICIENCY, TO REQUIRE THE PUBLIC SERVICE COMMISSION TO ESTABLISH PERFORMANCE INCENTIVES AND PENALTY MECHANISMS THAT DIRECTLY TIE AN ELECTRIC UTILITY'S REVENUES TO THAT UTILITY'S ACHIEVEMENT ON PERFORMANCE METRICS, TO PROVIDE FACTORS THAT THE PUBLIC SERVICE COMMISSION MUST CONSIDER IN THIS DETERMINATION, AND TO PROVIDE AN EXCEPTION FOR MEMBER-OWNED ELECTRIC COOPERATIVES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 138 -- Senator Martin: A BILL TO AMEND SECTION 59-67-520 OF THE 1976 CODE, RELATING TO THE TRANSPORTATION OF HANDICAPPED SCHOOL PUPILS, TO PROVIDE THAT, BEGINNING WITH THE 2019-2020 SCHOOL YEAR, ALL BUSES PROVIDED FOR HANDICAPPED SCHOOL PUPILS MUST BE

EQUIPPED WITH CLIMATE CONTROL SYSTEMS IN GOOD WORKING ORDER, AND TO PROVIDE THAT, IN THE EVENT OF A MECHANICAL FAILURE, A FULLY FUNCTIONING ALTERNATIVE MODE OF TRANSPORTATION SHALL BE IMMEDIATELY PROVIDED TO TRANSPORT THE BUS'S PASSENGERS TO THE APPROPRIATE DESTINATION.

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Prefiled and referred to the Committee on Education.

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

S. 139 -- Senator Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2017", TO AMEND SECTION 16-23-20 RELATING TO THE UNLAWFUL CARRYING OF A FIREARM, TO AFFIRMATIVELY ASSERT THAT IT IS LEGAL TO CARRY A HANDGUN IN THIS STATE, UNLESS OTHERWISE PROHIBITED, WITH LOCATION EXCEPTIONS WHERE FIREARMS ARE PROHIBITED; TO AMEND SECTION 16-23-50(A)(2) TO PROVIDE THAT A PERSON WHO ENTERS A PREMISES WITH A SIGN PROHIBITING FIREARMS WHILE POSSESSING A FIREARM MUST BE CHARGED WITH TRESPASS; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO DELETE SECTION 16-23-460 RELATED TO THE UNLAWFUL CARRYING OF A CONCEALED WEAPON; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR CONSUMPTION ON THE PREMISES, TO DELETE A REFERENCE TO A PERSON CARRYING A CONCEALABLE WEAPON PURSUANT TO ARTICLE 4, CHAPTER 31, TITLE 23, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON LAWFULLY CARRYING A WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING A WEAPON ON THE BUSINESS PREMISES AND TO REMOVE

REFERENCE TO "CONCEALABLE WEAPON" AND REPLACE WITH "WEAPON"; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT; TO DELETE SECTIONS 23-31-225 AND 23-31-230 RELATING TO THE UNLAWFUL CARRYING OF A CONCEALED WEAPON INTO A RESIDENCE AND THE CARRYING OF A WEAPON BETWEEN AN AUTOMOBILE AND AN ACCOMMODATION; TO AMEND SECTION 23-31-235 RELATING TO THE POSTING OF SIGNS PROHIBITING "CONCEALED WEAPONS" AND REPLACE WITH CONFORMING LANGUAGE OF "WEAPONS"; AND BY AMENDING SECTION 10-11-320 RELATED TO THE TRESPASSES AND OFFENSES OF PUBLIC BUILDINGS ON CAPITOL GROUNDS, TO DELETE THE TERM "CONCEALABLE WEAPONS' PERMIT" AND REPLACE WITH THE TERM "FIREARM".
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Prefiled and referred to the Committee on Judiciary.

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

S. 140 -- Senator Scott: A JOINT RESOLUTION TO REQUIRE THE SOUTH CAROLINA STATE ELECTION COMMISSION TO SUBMIT A PLAN AND PROCESS FOR THE PURCHASE OF NEW VOTING MACHINES BY DECEMBER 31, 2019, TO PROHIBIT THE PURCHASE OF NEW VOTING MACHINES UNTIL THE GENERAL ASSEMBLY REVIEWS AND APPROVES THE PLAN, AND TO PROHIBIT THE PURCHASE OF NEW VOTING MACHINES UNLESS THE SYSTEM PROVIDES A PAPER RECORD OF EACH VOTE CAST, PRODUCED AT THE TIME THE VOTE IS CAST AND IS ABLE TO BE TESTED BOTH BEFORE AN ELECTION AND

PRIOR TO THE DATE OF CANVASS, WHICH TEST SHALL INCLUDE THE ABILITY TO MATCH THE PAPER RECORD OF THE MACHINE TO THE VOTE TOTAL CONTAINED IN THE MACHINE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 141 -- Senator Scott: A BILL TO AMEND SECTION 7-15-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 9:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 142 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; TO AMEND SECTION 7-3-20, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; AND TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 143 -- Senator Scott: A BILL TO AMEND SECTION 59-26-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE STATE BOARD OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION, SO AS TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL DEVELOP A SCHOLARSHIP PROGRAM FOR CERTAIN RESIDENTS THAT INTEND ON BECOMING CERTIFIED TEACHERS EMPLOYED IN THE STATE IN AREAS OF CRITICAL NEED; TO AMEND SECTION 59-149-10, RELATING TO THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE)

SCHOLARSHIPS, SO AS TO PROVIDE FOR THE AMOUNT OF THE SCHOLARSHIP BASED ON THE STUDENT'S HOUSEHOLD INCOME; TO AMEND SECTION 59-150-370, RELATING TO THE SC HOPE SCHOLARSHIPS, SO AS TO INCREASE THE AMOUNT OF THE SCHOLARSHIP TO THREE THOUSAND DOLLARS AND TO PROVIDE THAT A STUDENT IS ELIGIBLE FOR THE HOPE SCHOLARSHIP IF HIS ANNUAL HOUSEHOLD INCOME IS LESS THAN SEVENTY-FIVE THOUSAND DOLLARS.
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Prefiled and referred to the Committee on Education.

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

S. 144 -- Senator Scott: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A REVOLVING FUND TO OPERATE A FINANCIAL ASSISTANCE PROGRAM TO PROVIDE GRANTS TO DAM OWNERS TO CONDUCT ENGINEERING AND SAFETY STUDIES ON THE DAMS.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 145 -- Senator Scott: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ALL SALES MADE TO MILITARY VETERANS ON VETERANS DAY.
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Prefiled and referred to the Committee on Finance.

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

S. 146 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-39-105 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL AWARD A SPECIAL EDUCATION DIPLOMA INSTEAD OF A CERTIFICATE OF ATTENDANCE OR OTHER CERTIFICATE TO A HANDICAPPED HIGH SCHOOL STUDENT LAWFULLY ASSIGNED TO A SPECIAL EDUCATION PROGRAM AND WHO COMPLETES AN INDIVIDUAL

EDUCATION PLAN IN CERTAIN CIRCUMSTANCES BEGINNING WITH THE 2019-2020 SCHOOL YEAR, TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND TO ADOPT RELATED ALTERNATE ASSESSMENTS TO EXISTING STATEWIDE ASSESSMENTS, TO PROVIDE THESE ALTERNATE ASSESSMENTS MUST BE ADMINISTERED TO SPECIAL EDUCATION STUDENTS IN CERTAIN CIRCUMSTANCES, TO PROVIDE A SPECIAL EDUCATION STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM MUST SERVE AS AN ALTERNATE ASSESSMENT FOR THE STUDENT, AND TO PROVIDE REQUIREMENTS FOR SPECIAL EDUCATION DIPLOMAS AND THE STATUS OF RECIPIENTS OF SPECIAL EDUCATION DIPLOMAS AS BEING HIGH SCHOOL GRADUATES; TO AMEND SECTION 59-33-20, RELATING TO DEFINITIONS CONCERNING SPECIAL EDUCATION FOR HANDICAPPED CHILDREN, SO AS TO DEFINE NECESSARY TERMINOLOGY.

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Prefiled and referred to the Committee on Education.

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

S. 147 -- Senator Scott: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 16 TO ARTICLE XVII RELATING TO MISCELLANEOUS MATTERS, SO AS TO IMPOSE A MANDATORY MINIMUM WAGE FOR PEOPLE EMPLOYED IN THE STATE WHO ARE ELIGIBLE FOR THE MINIMUM WAGE PROVIDED BY FEDERAL LAW, IF ANY; TO PROVIDE A PRIVATE CAUSE OF ACTION FOR A VIOLATION; TO PROVIDE THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION; TO PROVIDE REMEDIES FOR CIVIL ACTIONS BROUGHT PRIVATELY AND BY THE ATTORNEY GENERAL; TO PROVIDE A CLASS ACTION MAY BE USED TO BRING AN ACTION UNDER THIS SECTION; TO REQUIRE THE GENERAL ASSEMBLY DESIGNATE A STATE OFFICE OR AGENCY TO IMPLEMENT THE PROVISIONS OF THIS SECTION IN A CERTAIN MANNER; AND TO LIMIT THE SCOPE OF AUTHORITY OF THIS STATE OFFICE OR AGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 148 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ESTABLISH THE SCHOOL DISTRICT TEACHER RECRUITMENT AND RETENTION PROGRAM UNDER THE STATE DEPARTMENT OF EDUCATION, AND TO PROVIDE THAT CERTAIN TEACHERS QUALIFY FOR CERTAIN MONTHLY STIPENDS, STUDENT LOAN PAYMENTS, AND ONE-TIME PAYMENTS FOR A DOWN PAYMENT ON A HOME.
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Prefiled and referred to the Committee on Education.

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

S. 149 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA MINIMUM WAGE ACT" BY ADDING ARTICLE 3 TO CHAPTER 10, TITLE 41 SO AS TO PROVIDE FOR A CITATION AND THE PURPOSE OF THE ACT, TO PROVIDE EMPLOYERS SHALL PAY EMPLOYEES A CERTAIN MINIMUM WAGE, TO PROVIDE A MECHANISM FOR THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO ADJUST THIS MINIMUM WAGE BY THE RATE OF INFLATION ANNUALLY, TO PROVIDE IT IS UNLAWFUL FOR AN EMPLOYER TO RETALIATE AGAINST AN EMPLOYEE WHO EXERCISES HIS RIGHTS WITH RESPECT TO THIS MINIMUM WAGE, AND TO PROVIDE CERTAIN REMEDIES TO THE EMPLOYEE AND STATE, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE THAT AN ACTION BROUGHT UNDER THE ACT MAY BE BROUGHT AS A CLASS ACTION, AND TO LIMIT AUTHORITY OF THE DEPARTMENT WITH RESPECT TO IMPLEMENTING THE ACT; TO AMEND SECTION 6-1-130, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION OF THE STATE TO SET A MINIMUM WAGE RATE, TO AMEND SECTION 44-22-160, RELATING TO COMPENSATION OF MENTAL HEALTH PATIENTS FOR THERAPEUTIC EMPLOYMENT, TO AMEND SECTION 53-1-100, RELATING TO COMPENSATION FOR SUNDAY WORK BY MACHINE SHOP EMPLOYEES, AND TO AMEND SECTION 53-1-110, RELATING TO COMPENSATION FOR SUNDAY WORK BY A PERSON EMPLOYED IN THE MANUFACTURE OR FINISHING OF TEXTILE PRODUCTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO

DESIGNATE THE EXISTING SECTIONS OF CHAPTER 10, TITLE 41 AS ARTICLE 1 ENTITLED "PAYMENT OF WAGES GENERALLY".
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 150 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-625 SO AS TO PROVIDE THAT STATE EMPLOYEES EARNING ANNUAL LEAVE AT THE RATE OF THIRTY DAYS A YEAR MUST RECEIVE A LUMP SUM PAYMENT FOR DAYS OF ANNUAL LEAVE FEWER THAN THIRTY DAYS NOT USED OR DONATED BY THE EMPLOYEE IN A CALENDAR YEAR, TO PROVIDE ELIGIBILITY REQUIREMENTS, AND TO PROVIDE THAT SUCH PAYMENTS ARE NOT CONSIDERED EARNABLE COMPENSATION IN THE CALCULATION OF RETIREMENT BENEFITS.
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Prefiled and referred to the Committee on Finance.

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

S. 151 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 10-1-165 RELATING TO THE PROHIBITION ON THE RELOCATION, REMOVAL, OR RENAMING OF CERTAIN MONUMENTS AND MEMORIALS ERECTED ON PUBLIC PROPERTY.
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Prefiled and referred to the Committee on Finance.

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

S. 152 -- Senator Scott: A BILL TO AMEND SECTION 10-1-165, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALTERATION, RELOCATION, OR REMOVAL OF CERTAIN MONUMENTS OR MEMORIALS ERECTED ON PUBLIC PROPERTY, OR THE RENAMING OR REDEDICATION OF STRUCTURES, STREETS, PARKS, OR OTHER PUBLIC AREAS, SO AS TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO SUCH PROPERTY UNDER THE JURISDICTION AND

CONTROL OF POLITICAL SUBDIVISIONS OF THIS STATE, INCLUDING SCHOOL DISTRICTS, AND PUBLIC INSTITUTIONS OF HIGHER LEARNING.
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Prefiled and referred to the Committee on Finance.

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

S. 153 -- Senator Gregory: A CONCURRENT RESOLUTION TO LIFT THE MORATORIUM ON NEW MONUMENTS ON THE STATE HOUSE GROUNDS, PURSUANT TO SECTION 2-1-240 OF THE 1976 CODE, FOR THE SOLE PURPOSE OF ERECTING A MONUMENT TO ROBERT SMALLS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 154 -- Senators Gregory and Kimpson: A BILL TO AMEND SECTION 14-17-325 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATED TO CLERKS OF COURT, TO REQUIRE THAT EVERY CLERK OF COURT SHALL REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 22 BY ADDING SECTION 22-1-200 TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND

ARTICLE 1, CHAPTER 25, TITLE 14 BY ADDING SECTION 14-25-250 TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 23 BY ADDING SECTION 23-1-250 TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO REPORT TO SLED WITHIN TWENTY-FOUR HOURS, THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; TO AMEND TITLE 14 BY ADDING CHAPTER 32 TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE, TO ESTABLISH MEMBERSHIP, DUTIES, AND RESPONSIBILITIES OF THE COMMITTEE TO INCLUDE THE STUDY OF, AND TO MAKE RECOMMENDATIONS FOR, THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING; TO AMEND CHAPTER 23, TITLE 16 BY ADDING ARTICLE 9, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, OR UNTIL AT LEAST FIVE DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK AND THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM HAS NOT REPORTED THAT THE SALE WOULD VIOLATE STATE OR FEDERAL LAW, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE; AND TO PROVIDE A SUNSET FOR THE FIVE-DAY BACKGROUND CHECK PROVISIONS UPON THE FULL IMPLEMENTATION OF THE REPORTING REQUIREMENTS OF

THIS ACT BUT NOT LATER THAN TWO YEARS FROM THE EFFECTIVE DATE OF THE ACT.
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Prefiled and referred to the Committee on Judiciary.

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

S. 155 -- Senator Allen: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EARLY RELEASE, DISCHARGE, AND COMMUNITY SUPERVISION ELIGIBILITY FOR AN INMATE CONVICTED OF A "NO PAROLE OFFENSE", SO AS TO PROVIDE ELIGIBILITY FOR AN INMATE WHO HAS COMPLETED SIXTY-FIVE PERCENT OF HIS SENTENCE UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE THAT AN INMATE'S WORK CREDITS, EDUCATION CREDITS, AND GOOD CONDUCT CREDITS MUST BE USED TO CALCULATE HIS DATE OF ELIGIBILITY FOR THESE PROGRAMS.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 156 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 157 -- Senator Allen: A BILL TO AMEND SECTION 59-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEACHER SALARY REQUIREMENTS, SO AS TO REQUIRE EACH TEACHER BE PAID THE NATIONAL AVERAGE TEACHER SALARY INSTEAD OF THE SOUTHEASTERN AVERAGE.
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Prefiled and referred to the Committee on Education.

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

S. 158 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 63, TITLE 59 SO AS TO ALLOW PRINCIPALS OR SENIOR ADMINISTRATORS, AFTER CONSULTING WITH A SCHOOL COUNSELOR, RESOURCE OFFICER, OR SAFETY OFFICER, AND AFTER PROVIDING PARENTAL NOTIFICATION, TO PETITION THE PROBATE COURT TO DETERMINE WHETHER A STUDENT IS IN NEED OF MENTAL HEALTH SERVICES IF, IN THE PRINCIPAL'S OR SENIOR ADMINISTRATION'S OPINION, THE STUDENT POSES A THREAT OF HARM TO HIMSELF OR OTHERS, TO PROVIDE EXCEPTIONS TO THE REQUIREMENT TO NOTIFY A PARENT OR LEGAL GUARDIAN, TO PROVIDE IMMUNITY FROM SUIT FOR CERTAIN SCHOOL OFFICIALS, AND TO REQUIRE LOCAL SCHOOL DISTRICTS TO ESTABLISH CERTAIN POLICIES AND GUIDELINES; TO AMEND SECTION 44-24-90, RELATING TO JUDICIAL ADMISSIONS OF CHILDREN IN NEED OF SERVICES, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 44-24-140, RELATING TO DETERMINATIONS OF A PETITION FOR THE JUDICIAL ADMISSION OF A CHILD IN NEED OF SERVICES, SO AS TO REQUIRE THE COURT TO REPORT INFORMATION ABOUT THE CHILD TO SLED FOR TRANSMITTING TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) IN CERTAIN CIRCUMSTANCES AND TO PROVIDE A CHILD WHOSE NAME HAS BEEN TRANSMITTED TO NICS THE RIGHT TO PETITION A COURT TO REMOVE THE PROHIBITIONS PLACED INVOLVING THE RIGHT TO POSSESS OR HAVE ACCESS TO FIREARMS.
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Prefiled and referred to the Committee on Education.

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

S. 159 -- Senator Allen: A BILL TO AMEND SECTION 44-53-370, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR TRAFFICKING OF MARIJUANA, SO AS TO CHANGE THE PENALTY FOR FIRST OFFENSE TRAFFICKING OF AT LEAST TEN POUNDS BUT LESS THAN ONE HUNDRED POUNDS OF MARIJUANA.
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Prefiled and referred to the Committee on Judiciary.

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

S. 160 -- Senators Allen and Davis: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.
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Prefiled and referred to the Committee on Finance.

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

S. 161 -- Senator Allen: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EARLY RELEASE, DISCHARGE, AND COMMUNITY SUPERVISION ELIGIBILITY FOR AN INMATE CONVICTED OF A "NO PAROLE OFFENSE" SO AS TO PROVIDE ELIGIBILITY FOR AN INMATE WHO HAS COMPLETED SIXTY-FIVE PERCENT OF HIS SENTENCE UNDER CERTAIN CIRCUMSTANCES.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 162 -- Senators Bennett and Johnson: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE

HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.
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Prefiled and referred to the Committee on Finance.

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

S. 163 -- Senator Bennett: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 148, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "AIR MEDAL" SPECIAL LICENSE PLATES.
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Prefiled and referred to the Committee on Transportation.

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

S. 164 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515(A), (B)(1), (D), AND (E) OF THE 1976 CODE, RELATING TO SALES OF BEER FOR ON - AND OFF-PREMISES CONSUMPTION, TO REMOVE THE PROVISION THAT BEER MUST BE PRODUCED ON A PERMITTED PREMISES, AND TO REMOVE CERTAIN LIMITATIONS TO SALES; TO AMEND ARTICLE 15, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION AND OPERATION OF BREWERIES AND WINERIES, BY ADDING SECTION 61-4-1505, TO CREATE A NEW LICENSE FOR BREWERIES TO ALLOW THE WAREHOUSING OF BREWED PRODUCTS BY THE BREWERY AND THEIR TRANSFER TO A SEPARATE LICENSED LOCATION OF THE BREWERY WITHIN THIS STATE; AND TO AMEND ARTICLE 15, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION AND OPERATION OF BREWERIES AND WINERIES, BY ADDING SECTION 61-4-1525, TO ALLOW A BREWERY WITH MULTIPLE LOCATIONS WITHIN THE STATE TO TRANSFER PRODUCT BETWEEN FACILITIES AS SPECIFIED BY FEDERAL LAW.
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Prefiled and referred to the Committee on Judiciary.

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

S. 165 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515 OF THE 1976 CODE, RELATING TO SALES OF BEER FOR ON- AND OFF-PREMISES CONSUMPTION, TO PROVIDE FOR THE ABILITY OF LICENSED BREWERIES TO ACQUIRE ADDITIONAL ON-PREMISES BEER AND WINE PERMITS IN THIS STATE, AND TO PROVIDE CONDITIONS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 166 -- Senator Bennett: A BILL TO AMEND SECTION 61-4-1515 OF THE 1976 CODE, RELATING TO SALES OF BEER FOR ON- AND OFF-PREMISES CONSUMPTION, TO REMOVE LIMITATIONS ON BEER SALES FOR PERMITTED PREMISES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 167 -- Senators Bennett, Turner and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-1-5 TO CLOSE THE SOUTH CAROLINA RETIREMENT SYSTEM; BY ADDING CHAPTER 22 TO TITLE 9 TO ESTABLISH THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED BENEFIT RETIREMENT PLAN AND TO PROVIDE DETAILS OF THE PLAN; BY ADDING CHAPTER 24 TO TITLE 9 TO ESTABLISH THE "SOUTH CAROLINA WEALTHBUILDER-PRIMARY RETIREMENT SAVINGS PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED CONTRIBUTION RETIREMENT PLAN AND TO PROVIDE DETAILS OF THE PLAN; TO AMEND SECTION 9-1-310, RELATING TO ADMINISTRATIVE COSTS, TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; TO AMEND SECTION 9-1-1340, RELATING TO CERTAIN CONFLICTS OF INTEREST, TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; TO AMEND SECTION 9-11-40, RELATING TO DEFINITIONS, TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION OF "CORRELATED SYSTEM"; TO AMEND SECTION 9-16-10, RELATING TO DEFINITIONS, TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION

OF "RETIREMENT SYSTEM"; TO AMEND SECTION 9-16-335, RELATING TO THE ASSUMED ANNUAL RATE OF RETURN ON THE INVESTMENTS OF THE SYSTEM, TO PROVIDE THAT THE ASSUMED ANNUAL RATE OF RETURN ON INVESTMENTS OF THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN MAY NOT EXCEED THE LESSER OF SIX PERCENT OR THREE HUNDRED BASIS POINTS ABOVE THE THREE-YEAR AVERAGE OF TWENTY-YEAR TREASURY YIELDS; TO REPEAL CHAPTER 20, TITLE 9 RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CHANGES.
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Prefiled and referred to the Committee on Finance.

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

S. 168 -- Senator Hembree: A JOINT RESOLUTION TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RECOMMENDATIONS FOR REDUCING AND STREAMLINING THE AMOUNT OF PAPERWORK AND REPORTING REQUIREMENTS OF TEACHERS, SCHOOLS, AND SCHOOL DISTRICTS, TO PROVIDE REQUIREMENTS FOR THE CONTENT OF THESE RECOMMENDATIONS, AND TO PROVIDE THE DEPARTMENT SHALL REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 15, 2020.
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Prefiled and referred to the Committee on Education.

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

S. 169 -- Senator Hembree: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 170 -- Senator Hembree: A BILL TO AMEND SECTION 2-19-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION AND THE COMMISSION'S APPOINTMENT, QUALIFICATIONS, AND TERM, SO AS TO REVISE THE MEMBERSHIP AND TERMS OF THE COMMISSION; TO AMEND SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES BY THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-19-90, RELATING TO THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY, SO AS TO REQUIRE A MAJORITY VOTE FROM EACH HOUSE OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 171 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 41 TO TITLE 5 SO AS TO ENACT THE "MUNICIPAL TAX RELIEF ACT", TO ALLOW A MUNICIPALITY TO IMPOSE A SALES AND USE TAX NOT TO EXCEED ONE PERCENT, SUBJECT TO A REFERENDUM, FOR MUNICIPAL TAX RELIEF OR TO DEFRAY DEBT SERVICE FOR CERTAIN AUTHORIZED PROJECTS, AND TO SPECIFY THE MANNER IN WHICH THE TAX IS IMPOSED, COLLECTED, AND EXPENDED; TO AMEND SECTION 4-10-320, RELATING TO THE CAPITAL PROJECT SALES TAX ACT, SO AS TO ALLOW A MUNICIPALITY TO CREATE A COMMISSION; AND TO AMEND SECTION 4-10-970, AS AMENDED, RELATING TO THE USE OF REVENUES FROM THE LOCAL OPTION TOURISM DEVELOPMENT FEE, SO AS TO PROVIDE THAT IF THE FEE IS IMPOSED IN A MUNICIPALITY THAT IS IMPOSING THE SALES AND USE TAX AUTHORIZED BY CHAPTER 41, TITLE 5, THEN AT LEAST TWENTY PERCENT OF THE

REVENUES MUST BE USED TO PROVIDE A PROPERTY TAX CREDIT.
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Prefiled and referred to the Committee on Finance.

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

S. 172 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 14 TO TITLE 6 SO AS TO ENACT THE "LOCAL OPTION MOTOR FUEL USER FEE ACT", TO PROVIDE THAT A COUNTY MAY IMPOSE BY ORDINANCE, APPROVED BY REFERENDUM, A USER FEE OF ONE CENT A GALLON ON RETAIL SALES OF MOTOR FUEL FOR THE SOLE PURPOSE OF BEACH RENOURISHMENT WITHIN THE COUNTY, TO PROVIDE THE PROCESS BY WHICH THE USER FEE MAY BE IMPOSED, AND TO PROVIDE THE MANNER IN WHICH THE DEPARTMENT OF REVENUE SHALL COLLECT AND DISTRIBUTE THE USER FEE.
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Prefiled and referred to the Committee on Finance.

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

S. 173 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-1172 SO AS TO ALLOW A SOUTH CAROLINA INCOME TAX DEDUCTION OF ALL MILITARY RETIREMENT INCOME AND FIRST RESPONDER RETIREMENT INCOME; AND TO AMEND SECTION 12-6-1170, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO MAKE A CONFORMING CHANGE.
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Prefiled and referred to the Committee on Finance.

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

S. 174 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-23-25 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, OR TRANSPORT FOR SALE IN THIS STATE ANY HANDGUN TO A PERSON WHO IS UNDER THE AGE OF EIGHTEEN AND TO PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 16-23-10, RELATING TO DEFINITIONS FOR PURPOSES OF THE CHAPTER REGARDING OFFENSES

INVOLVING WEAPONS, SO AS TO ADD NECESSARY TERMS; TO AMEND SECTION 16-23-30, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, TRANSPORT FOR SALE INTO THIS STATE, OR OTHERWISE DISPOSE OF ANY FIREARM TO A PERSON KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON MEETS A CERTAIN CATEGORY; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES, DISPOSITION OF FINES, AND THE FORFEITURE AND DISPOSITIONS OF HANDGUNS, SO AS TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE FOR PENALTIES FOR A PERSON WHO VIOLATES THE PROVISIONS OF THIS ARTICLE, EXCEPT SECTION 16-23-20, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM PURSUANT TO THIS SECTION SHALL ADMINISTRATIVELY RELEASE THE FIREARM TO AN INNOCENT OWNER UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTIONS 16-23-500 AND 23-31-1040 RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE OR ADJUDICATED AS A MENTAL DEFICIENT, RESPECTIVELY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 175 -- Senator Hembree: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY NAMING A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY NOT NAME A BUILDING, HIGHWAY FACILITY, OR CERTAIN TRACTS OF LAND AFTER CERTAIN ELECTED STATE OR LOCAL OFFICIALS, AND TO PROVIDE THAT WHEN THE GENERAL ASSEMBLY HONORS AN INDIVIDUAL PURSUANT TO THIS PROVISION, IT SHALL BE FOR A PERIOD NOT TO EXCEED

TWENTY-FIVE YEARS UNLESS THE PERIOD IS EXTENDED BY THE GENERAL ASSEMBLY.
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Prefiled and referred to the Committee on Transportation.

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

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 177 -- Senator Hembree: A SENATE RESOLUTION TO AMEND RULE 7B OF THE SENATE, RELATING TO THE INTRODUCTION OF VISITORS AND GUESTS, TO PROVIDE THAT SENATORS MAY INTRODUCE VISITORS, GUESTS, OR FAMILY MEMBERS WITHOUT LEAVE OF THE SENATE DURING THE FIRST FORTY-FIVE MINUTES AFTER THE SENATE CONVENES ON A LEGISLATIVE DAY.
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Prefiled and referred to the Committee on Rules.

The Senate Resolution was introduced and referred to the Committee on Rules.

S. 178 -- Senators Johnson and Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-3-619 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO IMPOSE A TOLL ALONG INTERSTATE HIGHWAY 95 WHERE IT CROSSES LAKE MARION IN EITHER ORANGEBURG COUNTY OR CLARENDON COUNTY.
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Prefiled and referred to the Committee on Transportation.

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

S. 179 -- Senators McElveen, Campbell, Johnson, McLeod, Climer, Shealy, Young and Davis: A BILL TO AMEND SECTION 12-6-1171(A) OF THE 1976 CODE, RELATING TO MILITARY RETIREMENT INCOME DEDUCTION, TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT", TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES.
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Prefiled and referred to the Committee on Finance.

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

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL

MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 182 -- Senators McElveen, Harpootlian and Johnson: A BILL TO AMEND ARTICLE 7, CHAPTER 13, TITLE 7 OF THE 1976 CODE, RELATING TO VOTING PROVISIONS APPLICABLE TO ALL ELECTIONS, BY ADDING SECTION 13-7-705, TO REQUIRE THAT ELECTORS CAST BALLOTS ON VOTING MACHINES THAT PROVIDE A VOTER-VERIFIED PAPER AUDIT TRAIL, AND TO PROVIDE THAT MACHINES REQUIRED PURSUANT TO THIS ACT ARE PLACED IN SERVICE NO LATER THAN THE 2020 PRESIDENTIAL PREFERENCE PRIMARIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 183 -- Senators McElveen and Harpootlian: A BILL TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENT OF ADMINISTRATION TO PURCHASE ELECTRONIC VOTING MACHINES THAT PRODUCE A PAPER AUDIT TRAIL; AND TO ALLOW THE DEPARTMENT OF ADMINISTRATION TO CARRY FORWARD UNEXPENDED FUNDS APPROPRIATED IN THIS ACT.
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Prefiled and referred to the Committee on Finance.

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

S. 184 -- Senators McElveen and Massey: A BILL TO AMEND SECTION 8-13-1312 OF THE 1976 CODE, RELATING TO CAMPAIGN BANK ACCOUNTS, TO PROVIDE THAT ALL CONTRIBUTIONS RECEIVED BY CANDIDATES SHALL BE DEPOSITED INTO AN INTEREST ON CAMPAIGN ACCOUNT KNOWN AS AN "IOCA", TO PROVIDE THAT AN IOCA BENEFITS THE STATE ETHICS COMMISSION, TO PROVIDE THAT AN IOCA SHALL BE ESTABLISHED WITH AN ELIGIBLE INSTITUTION THAT VOLUNTARILY CHOOSES TO PARTICIPATE, TO PROVIDE FOR THE RATE OF INTEREST OR DIVIDENDS PAYABLE ON ANY IOCA, TO PROVIDE THAT ONE PERCENT OF ALL CONTRIBUTIONS DEPOSITED INTO AN IOCA SHALL BE REMITTED TO BENEFIT THE COMMISSION, AND TO PROVIDE THAT THE FUNDS REMITTED TO THE COMMISSION SHALL BE USED BY THE COMMISSION TO CREATE A POSITION OR POSITIONS WITHIN ITS EMPLOY TO CHECK AND CONFIRM THE COMPLETENESS OF CANDIDATE FILINGS; TO AMEND SECTION 8-13-320 OF THE 1976 CODE, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THOSE DUTIES AND RESPONSIBILITIES INCLUDE RECEIVING, ADMINISTERING, INVESTING, DISBURSING, AND SEPARATELY ACCOUNTING FOR FUNDS REMITTED TO IT; TO AMEND SECTION 8-13-340 OF THE 1976 CODE, RELATING TO THE ANNUAL REPORT OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THE STATE ETHICS COMMISSION AT THE CLOSE OF EACH FISCAL YEAR SHALL REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR CONCERNING THE ACTION IT HAS TAKEN, THE NAMES, SALARIES, AND DUTIES OF ALL PERSONS IN ITS EMPLOY, THE MONEY IT HAS DISBURSED, AND THE AMOUNT

OF FUNDS IT HAS RECEIVED FROM IOCAS, AND TO PROVIDE THAT THE COMMISSION SHALL ALSO MAKE OTHER REPORTS ON MATTERS WITHIN ITS JURISDICTION AND RECOMMENDATIONS FOR FURTHER LEGISLATION AS MAY APPEAR DESIRABLE; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 185 -- Senator McElveen: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019, TO DECEMBER 31, 2025.
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Prefiled and referred to the Committee on Finance.

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

S. 186 -- Senators Shealy and Massey: A SENATE RESOLUTION TO RECOGNIZE THE IMPACT THAT A SALE OF SCANA CORPORATION WOULD HAVE ON THE STATE OF SOUTH CAROLINA, PARTICULARLY LEXINGTON COUNTY, AND TO RECOGNIZE THAT A SALE WOULD RESULT IN NEGATIVE IMPACTS ON RATEPAYERS, UTILITY EMPLOYEES, AND RELATED INDUSTRIES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 187 -- Senator Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, BY ADDING SECTION 38-71-120, TO ESTABLISH THAT AN INDIVIDUAL OR GROUP HEALTH INSURANCE POLICY PROVIDING COVERAGE FOR CONTRACEPTIVE DRUGS MUST PROVIDE REIMBURSEMENT FOR A TWELVE-MONTH REFILL OF CONTRACEPTIVE DRUGS OBTAINED AT ONE TIME; AND TO AMEND ARTICLE 2, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO MEDICALLY INDIGENT ASSISTANCE AID, BY ADDING

SECTION 44-6-120, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAKE ARRANGEMENTS FOR ALL MEDICAID PROGRAMS OFFERED THROUGH MANAGED CARE PLANS OR FEE-FOR-SERVICE PROGRAMS TO REQUIRE THE DISPENSING OF CONTRACEPTIVE DRUGS WITH A TWELVE-MONTH SUPPLY PROVIDED AT ONE TIME.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 188 -- Senators Shealy, Jackson and Hutto: A BILL TO AMEND ARTICLE 19, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO TRAFFICKING IN PERSONS, BY ADDING SECTION 16-3-2110, TO ENACT THE "SAFE HARBOR FOR EXPLOITED MINORS ACT", TO PROVIDE FOR PROTECTION OF THE IDENTITY OF MINOR VICTIMS OF TRAFFICKING IN PERSONS, AND TO PROVIDE CERTAIN PROTECTIONS TO MINORS CHARGED WITH CERTAIN CRIMES INVOLVING PROSTITUTION AND COERCED INVOLVEMENT IN SUCH CRIMES, AMONG OTHER THINGS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO

PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 190 -- Senator Shealy: A BILL TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT", BY ADDING CHAPTER 84, TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO HAVE CERTAIN HEARING AND SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; AND TO AMEND SECTION 15-27-15 OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO HAVE CERTAIN HEARING IMPAIRMENTS, TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 191 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 192 -- 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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Prefiled and referred to the Committee on Judiciary.

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

S. 193 -- Senator Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 16 OF THE 1976 CODE, RELATING TO CRIMINAL DOMESTIC VIOLENCE, BY ADDING SECTION 15-25-130, TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WHEREBY VICTIMS OF DOMESTIC VIOLENCE MAY USE A DESIGNATED ADDRESS RATHER THAN HIS RESIDENCE ADDRESS TO CONCEAL HIS PLACE OF RESIDENCE FROM HIS ASSAILANTS OR PROBABLE ASSAILANTS; TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED BY THE ATTORNEY GENERAL; TO PROVIDE FOR THE PROCESS THROUGH WHICH ONE MAY PARTICIPATE IN THE PROGRAM; AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 194 -- Senator Shealy: A BILL TO AMEND SECTION 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO

PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 195 -- Senator Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE FOR THE OFFENSE OF STRANGULATION; TO PROVIDE THAT A PERSON WHO COMMITS THE OFFENSE OF STRANGULATION IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE IMPRISONED FOR NOT MORE THAN TEN YEARS; AND TO PROVIDE THAT IT IS AN AFFIRMATIVE DEFENSE IF AN ACT CONSTITUTING STRANGULATION WAS THE RESULT OF A LEGITIMATE MEDICAL PROCEDURE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 196 -- Senators Shealy, Hutto and Jackson: A BILL TO REPEAL SECTION 20-1-300 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 197 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 43-21-10, SECTION 43-21-45, SECTION 43-21-60, SECTION 43-21-70, SECTION 43-21-100, SECTION 43-21-120, SECTION 43-21-150, SECTION 43-21-160, SECTION 1-11-720(A)(9), SECTION 1-30-10(A)(23), SECTION 9-1-10(11)(g), SECTION 9-1-10(14), SECTION 29-4-60(D), SECTION 43-35-10(5), SECTION 43-35-15(C), SECTION 43-35-55(D), (E), AND (F), SECTION 43-35-220(B)(1), SECTION 43-35-260, SECTION 43-35-530, SECTION 43-35-560(A)(1), SECTION 44-36-20(21), SECTION 44-36-50, AND SECTION 44-36-310 OF THE 1976 CODE AND SECTION 19 OF ACT 261 OF 2018, ALL RELATING TO THE DEPARTMENT ON AGING, THE DEPARTMENT OF SOCIAL

SERVICES' ADULT PROTECTIVE SERVICES PROGRAM, THE OFFICE OF THE GOVERNOR'S DIVISION ON AGING, OR THE OFFICE OF THE LIEUTENANT GOVERNOR'S DIVISION ON AGING, TO ESTABLISH THE DEPARTMENT OF AGING AND VULNERABLE ADULT SERVICES, TO PROVIDE THAT THE DEPARTMENT SHALL ADMINISTER CERTAIN PROGRAMS, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 198 -- Senator Turner: A BILL TO AMEND SECTION 56-1-146 AND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE.

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Prefiled and referred to the Committee on Transportation.

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

S. 199 -- Senator Turner: A BILL TO AMEND SECTION 56-1-140(B) OF THE 1976 CODE, RELATING TO A VETERAN DESIGNATION ON A DRIVER'S LICENSE, TO PROVIDE THAT AN APPLICANT FOR A NEW, RENEWED, OR REPLACEMENT DRIVER'S LICENSE MAY APPLY TO THE DEPARTMENT TO OBTAIN A VETERAN DESIGNATION ON THE FRONT OF HIS DRIVER'S LICENSE BY PROVIDING A UNITED STATES DEPARTMENT OF DEFENSE DISCHARGE CERTIFICATE, A NATIONAL GUARD BUREAU REPORT OF SEPARATION AND RECORD OF SERVICE, OR A UNITED STATES DEPARTMENT OF DEFENSE HONORABLE DISCHARGE CERTIFICATE.

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Prefiled and referred to the Committee on Transportation.

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

S. 200 -- Senator Turner: A BILL TO AMEND SECTION 56-5-1810 OF THE 1976 CODE, RELATING TO DRIVING ON THE RIGHT SIDE OF ROADWAYS, TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION MAY BE FINED UP TO TWO HUNDRED DOLLARS FOR EACH VIOLATION, AND TO PROVIDE THAT ONLY WARNING TICKETS MAY BE ISSUED

FOR A VIOLATION FOR A PERIOD OF NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS ACT.
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Prefiled and referred to the Committee on Transportation.

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

S. 201 -- Senator Young: A BILL TO AMEND ARTICLE 9, CHAPTER 63, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL SAFETY AND SECURITY DRILLS, BY ADDING SECTION 56-63-940, TO PROVIDE THAT EVERY PUBLIC SCHOOL IS REQUIRED TO PREPARE A SCHOOL SAFETY PLAN, TO INCLUDE PROVISIONS FOR THE PLAN, TO PROVIDE THAT THE PLAN MUST ADDRESS SECURITY ISSUES IN OR ON ANY REAL PROPERTY OWNED BY OR LEASED TO ANY PUBLIC SCHOOL, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MUST PROVIDE TRAINING AND TECHNICAL ASSISTANCE TO PUBLIC SCHOOL SYSTEMS THROUGHOUT THIS STATE IN THE AREA OF EMERGENCY MANAGEMENT AND SAFE SCHOOL OPERATIONS.
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Prefiled and referred to the Committee on Education.

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

S. 202 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 7 OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, BY ADDING SECTION 7-3-80 TO PROVIDE THE AUTHORITY FOR THE COMMISSION TO ESTABLISH REGULATIONS RELATED TO THE CONDUCT OF POST ELECTION AUDITS PRIOR TO CERTIFICATION OF ELECTIONS, AND TO REQUIRE AUDIT DATA BE MADE PUBLIC; AND TO AMEND CHAPTER 13, TITLE 7, RELATING TO CONDUCT OF ELECTIONS, BY ADDING SECTION 7-13-1155, TO REQUIRE COUNTY ELECTION COMMISSIONS OR COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO PERFORM POST ELECTION AUDITS BEFORE THE CERTIFICATION OF AN ELECTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.
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Prefiled and referred to the Committee on Education.
Read the first time and referred to the Committee on Education.

S. 204 -- Senator Young: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 205 -- Senator Young: A BILL TO AMEND SECTION 44-36-320 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER, TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.
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Prefiled and referred to the Committee on Medical Affairs.
Read the first time and referred to the Committee on Medical Affairs.

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.
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Prefiled and referred to the Committee on Finance.

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

S. 208 -- Senator Young: A BILL TO AMEND SECTION 19-1-180(G) OF THE 1976 CODE, RELATING TO THE ADMISSIBILITY OF OUT-OF-COURT STATEMENTS MADE BY CHILDREN, TO ADD AN EXCEPTION FOR STATEMENTS MADE TO EMPLOYEES OR AGENTS OF CHILDREN'S ADVOCACY CENTERS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 209 -- Senator Young: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 11 OF THE 1976 CODE, RELATING TO THE STATE BUDGET SYSTEM, BY ADDING SECTION 11-11-135, TO PROVIDE THAT THE EXECUTIVE BUDGET OFFICE MUST COMPILE INFORMATION FROM EACH STATE AGENCY AND

INSTITUTION DETAILING THE CATEGORIES AND AMOUNTS OF "OTHER FUNDS" BALANCES CARRIED FORWARD FROM THE MOST RECENTLY COMPLETED FISCAL YEAR INTO THE CURRENT FISCAL YEAR AND THOSE USES TO WHICH THESE BALANCES WILL BE APPLIED; TO REQUIRE THE EXECUTIVE BUDGET OFFICE TO REPORT ITS COMPILATION TO THE GENERAL ASSEMBLY NO LATER THAN NOVEMBER FIRST OF EACH YEAR; AND TO DEFINE "OTHER FUNDS".
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Prefiled and referred to the Committee on Finance.

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

S. 210 -- Senator Young: A BILL TO AMEND SECTION 8-13-1308 OF THE 1976 CODE, RELATING TO THE FILING OF CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, TO REQUIRE CANDIDATES AND COMMITTEES TO CONTEMPORANEOUSLY FILE CAMPAIGN BANK ACCOUNT STATEMENTS FOR THE PREVIOUS QUARTER'S CAMPAIGN REPORT.
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Prefiled and referred to the Committee on Judiciary.

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

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR "NEAR FATALITY".
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 212 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C)(2) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF IN-STATE TUITION AND FEES FOR CHILDREN AND SPOUSES OF VETERANS AND ACTIVE DUTY MILITARY PERSONNEL, TO PROVIDE THAT THE DEFINITION INCLUDES A CHILD OR SPOUSE ENROLLING WITHIN THREE YEARS OF A VETERAN'S DISCHARGE PROVIDED THAT THE CHILD OR SPOUSE WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3319, TITLE 38 OF THE UNITED STATES CODE, AND A CHILD OR SPOUSE OF ACTIVE DUTY MILITARY PERSONNEL KILLED IN THE LINE OF DUTY WHO IS ENTITLED TO AND RECEIVING ASSISTANCE UNDER SECTION 3311(b)(9), TITLE 38 OF THE UNITED STATES CODE; AND TO AMEND SECTION 59-112-50(C)(4), TO PROVIDE ELIGIBILITY FOR CONTINUOUS ENROLLMENT BEYOND THE THREE YEAR INITIAL ELIGIBILITY PERIOD.
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Prefiled and referred to the Committee on Education.

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

S. 213 -- Senator Young: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3785, TO PROVIDE DEFINITIONS, TO PROVIDE LIMITATIONS ON THE AMOUNT AN INDIVIDUAL OR CORPORATION CAN CLAIM AS CREDITS, AND TO PROVIDE FOR THE AWARD OF CERTAIN TAX CREDITS.
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Prefiled and referred to the Committee on Finance.

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

S. 214 -- Senators Kimpson, Sheheen and Gregory: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF

THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.
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Prefiled and referred to the Committee on Finance.

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

S. 215 -- Senator Kimpson: A BILL TO AMEND CHAPTER 20, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION FINANCE ACT OF 1977, BY ADDING SECTION 59-20-45, TO PROVIDE FOR THE ESTABLISHMENT OF A FUND TO BE USED TO INCREASE TEACHER SALARIES; AND TO PROVIDE FOR THE REVENUE CREDITED TO THE FUND.
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Prefiled and referred to the Committee on Finance.

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

S. 216 -- Senator Kimpson: A JOINT RESOLUTION TO ESTABLISH A COMMUTER RAIL SYSTEM COMMISSION TO EXAMINE AND DEVELOP A PLAN OF ACTION FOR A HIGH SPEED RAIL SYSTEM IN THIS STATE, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, AND TO REQUIRE THAT THE COMMISSION REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY.
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Prefiled and referred to the Committee on Transportation.

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

S. 217 -- Senators Kimpson, Campsen and Senn: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.
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Prefiled and referred to the Committee on Finance.

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

S. 218 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-435 SO AS TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN CERTAIN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF THESE PERSONS, AND TO PROVIDE THAT IMMUNITY IS NOT GRANTED TO CERTAIN DRIVERS OR MOTORISTS, WHO BY THEIR NEGLIGENCE, INJURES A PROBATIONER ON COMMUNITY SERVICE.
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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 219 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN CHARLESTON COUNTY FROM A POINT ONE AND ONE-QUARTER MILES EAST OF OLD JACKSONBORO ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 7 "CURTIS B. INABINETT, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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Prefiled and referred to the Committee on Transportation.

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

S. 220 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE THAT AN EMPLOYER MAY NOT INQUIRE, CONSIDER, OR REQUIRE DISCLOSURE OF THE CRIMINAL RECORD OR CRIMINAL HISTORY OF AN APPLICANT FOR EMPLOYMENT UNTIL THE APPLICANT IS SELECTED FOR AN INTERVIEW BY THE EMPLOYER OR BEFORE A CONDITIONAL OFFER OF EMPLOYMENT IS MADE

TO THE APPLICANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE RELATED DEFINITIONS AND PROCEDURES, AMONG OTHER THINGS; AND BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT TO EMPLOYERS WHO HIRE A QUALIFIED EX-FELON, AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 221 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SAVANNAH RIVER PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO

AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE.
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Prefiled and referred to the Committee on Finance.

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

S. 222 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-66-90 SO AS TO PROVIDE THAT PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT ARE PROHIBITED FROM EXECUTING ARBITRATION AGREEMENTS ON BEHALF OF A PATIENT, AND TO PROVIDE FOR A NOTICE OF WAIVER OF LEGAL RIGHTS.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 223 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 178 AND COUNTY ROAD S-18-54 IN SAINT GEORGE "CAPTAIN JEROME JONES INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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Prefiled and referred to the Committee on Transportation.

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

S. 224 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A ROAD IN BEAUFORT COUNTY "EDGAR WILLIAMS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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Prefiled and referred to the Committee on Transportation.

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

S. 225 -- Senators Gambrell and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 226 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-61-170 SO AS TO ESTABLISH REQUIREMENTS FOR EMERGENCY SERVICE SYSTEM BILLING AND INSURANCE COVERAGE PRACTICES APPLICABLE TO OUT-OF-NETWORK EMERGENCY MEDICAL SERVICE PROVIDERS; AND TO AMEND SECTION 44-61-20, AS AMENDED, RELATING TO DEFINITIONS USED IN THE EMERGENCY MEDICAL SERVICES ACT, SO AS TO ADD A DEFINITION FOR "INSURER".
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Prefiled and referred to the Committee on Medical Affairs.

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

S. 227 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT

INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.
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Prefiled and referred to the Committee on Finance.

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

S. 228 -- Senator Gambrell: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.
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Prefiled and referred to the Committee on Education.

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

S. 229 -- Senator Gambrell: A BILL TO AMEND SECTION 38-55-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INSURANCE FRAUD DIVISION OF THE OFFICE OF ATTORNEY GENERAL, SO AS TO INCREASE THE MINIMUM FUNDING APPROPRIATIONS FOR THE DIVISION FROM TWO HUNDRED THOUSAND DOLLARS TO FOUR HUNDRED THOUSAND DOLLARS.
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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 230 -- Senators Fanning and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ENTITLE THE CHAPTER "SOUTH CAROLINA REDISTRICTING COMMISSION", TO CREATE AN INDEPENDENT REDISTRICTING COMMISSION, TO PROVIDE THAT MEMBERS OF THE COMMISSION WILL BE APPOINTED EVERY TEN YEARS AFTER THE FOLLOWING YEAR OF THE DECENNIAL UNITED STATES CENSUS, AND TO PROVIDE FOR THE MEMBERSHIP AND PROCEDURES FOR THE COMMISSION TO FOLLOW IN REAPPORTIONING THE HOUSE

OF REPRESENTATIVES, THE SENATE, AND THE STATE'S CONGRESSIONAL DISTRICTS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 231 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1345 SO AS TO PROHIBIT A PERSON WHO HAS MADE A CAMPAIGN CONTRIBUTION TO A POPULARLY ELECTED PUBLIC OFFICIAL WITHIN THE PREVIOUS FOUR YEARS FROM BEING APPOINTED TO A PUBLIC OFFICE BY THAT PUBLIC OFFICIAL WHO IS THE APPOINTING OR SELECTING AUTHORITY FOR THE POSITION, AND TO PROVIDE FOR RELATED APPLICATIONS OF THE SECTION AND FOR EXCEPTIONS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 232 -- Senators Fanning and McLeod: A BILL TO AMEND SECTION 59-20-52, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEACHER SALARY SCHEDULE, SO AS TO ESTABLISH THE GOAL OF PROVIDING THE STATE MINIMUM SALARY SCHEDULE FROM FISCAL YEAR 2027-2028 FORWARD IS AT LEAST EQUAL TO THE NATIONAL AVERAGE OF TEACHER SALARIES, AND TO PROVIDE THE METHOD FOR DETERMINING THIS AVERAGE.
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Prefiled and referred to the Committee on Education.

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

S. 233 -- Senators Fanning and McLeod: A BILL TO ENACT THE "STANDARDIZED TESTING OVERBURDENS PUPILS (STOP) ACT" BY PROVIDING THAT BEGINNING WITH FISCAL YEAR 2019-2020, NO STATE FUNDS MAY BE PROVIDED, UTILIZED, OR APPROPRIATED FOR ANY EDUCATIONAL ASSESSMENTS REQUIRED BY STATE LAW, EXCEPT FOR SPECIFIED ASSESSMENTS, TO ESTABLISH A NEW STATE GOAL OF MOVING THE AVERAGE TEACHER SALARY IN SOUTH CAROLINA TO THE NATIONAL AVERAGE BY THE BEGINNING

OF FISCAL YEAR 2027, TO REQUIRE THE USE OF THE ADDITIONAL MONETARY SAVINGS REALIZED BY THE ELIMINATION OF CERTAIN MANDATED EDUCATIONAL ASSESSMENTS TO BE USED FOR THE PURPOSE OF INCREASING TEACHER SALARIES AND FOR A ONE-TIME BONUS IN THE MANNER REQUIRED BY THIS ACT, AND TO ALSO PROVIDE THAT ANY INCREASES IN REVENUE DERIVED FROM THE SALES AND USE TAXES IMPOSED UNDER THE EDUCATION IMPROVEMENT ACT, BEGINNING WITH FISCAL YEAR 2018-2019, MUST BE USED FOR THE SIMILAR PURPOSE OF INCREASING TEACHER SALARIES; TO AMEND SECTION 59-18-310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENTS AND TO DELETE THE FORMATIVE ASSESSMENT REQUIREMENTS; TO AMEND SECTION 59-18-320, RELATING TO THE ADMINISTRATION OF ASSESSMENT TESTING, TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENT; TO AMEND SECTION 59-18-325, RELATING TO COLLEGE AND CAREER READINESS ASSESSMENTS, TO REMOVE THE REQUIREMENT THAT CAREER READINESS ASSESSMENTS ARE ADMINISTERED, TO PROVIDE THAT A STUDENT WHOSE PARENT OR GUARDIAN COMPLETES A FORM DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE DISTRICT MAY OPT THE STUDENT OUT OF EITHER THE COLLEGE ENTRANCE ASSESSMENT OR CAREER READINESS ASSESSMENT, TO REQUIRE SUMMATIVE ASSESSMENTS TO MEET MINIMAL FEDERAL REQUIREMENTS AND INCLUDE SCIENCE, TO REQUIRE A STANDARDS-BASED ASSESSMENT IN SCIENCE BE ADMINISTERED IN GRADES FOUR AND SEVEN, AND TO REMOVE FORMATIVE ASSESSMENT REQUIREMENTS, THE CHANGES TO THE IDENTIFIED CODE SECTIONS ABOVE DONE FOR THE PURPOSE OF CONFORMING THEM TO THE PROVISIONS OF THIS ACT; AND TO REPEAL SECTION 59-10-50 RELATING TO THE ADMINISTRATION OF THE SOUTH CAROLINA PHYSICAL EDUCATION ASSESSMENTS.

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Prefiled and referred to the Committee on Education.

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

S. 234 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-9-75 SO AS TO ESTABLISH LIMITATIONS ON THE PERSONS AND ENTITIES AUTHORIZED TO CHARGE FEES AND OTHER COSTS FOR SERVICES RELATED TO THE PLACEMENT OF A CHILD FOR ADOPTION; TO AMEND SECTION 63-9-310, RELATING TO THE PROHIBITION OF COMPENSATING A PERSON OR CHILD PLACING AGENCY FOR GIVING A CONSENT OR RELINQUISHMENT OF A CHILD FOR PURPOSES OF AN ADOPTION, SO AS TO REQUIRE REIMBURSEMENT OF AUTHORIZED BIRTHMOTHER AND CHILD EXPENSES IN CERTAIN CIRCUMSTANCES, TO REQUIRE ITEMIZED FEES AND STATEMENTS OF SERVICES RENDERED, AND TO AUTHORIZE THE COURT TO ORDER THE REIMBURSEMENT OF UNREASONABLE FEES AND COSTS PAID.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.
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Prefiled and referred to the Committee on Transportation.

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

S. 236 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR

SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.
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Prefiled and referred to the Committee on Transportation.

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

S. 237 -- Senators Fanning and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-8-85 SO AS TO ALLOW FOR THE HOLDER OF A CONSERVATION EASEMENT TO CONTEST AN ACTION TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THE PROCEDURE FOR A CONTESTED ACTION, AND TO PROVIDE EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 238 -- Senator Fanning: A BILL TO AMEND SECTION 48-9-1220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF SOIL AND WATER CONSERVATION DISTRICT COMMISSIONERS, SO AS TO AUTHORIZE THE GOVERNOR TO APPOINT COMMISSIONERS WITH THE APPROVAL OF THE COUNTY LEGISLATIVE DELEGATION AND TO AMEND SECTIONS 48-9-30, 48-9-610, AND 48-9-1230, ALL RELATING TO SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO MAKE CONFORMING CHANGES.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 239 -- Senator Fanning: A BILL TO AMEND SECTION 59-63-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED PUBLIC SCHOOL DRILLS, SO AS TO PROVIDE EACH SEMESTER ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS WHOSE INSTRUCTION IS NOT PRIMARILY DELIVERED ONLINE, SHALL CONDUCT ONE

FIRE DRILL, ONE ACTIVE SHOOTER/INTRUDER DRILL, AND ONE SEVERE WEATHER/EARTHQUAKE DRILL.
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Prefiled and referred to the Committee on Education.

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

S. 240 -- Senator Fanning: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM START DATE FOR PUBLIC SCHOOLS, SO AS TO ELIMINATE THE REQUIREMENT AND VEST SOLE AUTHORITY FOR SETTING THE START DATE OF A DISTRICT IN THE SCHOOL BOARD OF THE DISTRICT.
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Prefiled and referred to the Committee on Education.

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

S. 241 -- Senator Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE OPENING DATE FOR STUDENTS TO ATTEND PUBLIC SCHOOLS DURING THE 2019-2020 SCHOOL YEAR MAY BE AS EARLY AS THE SECOND MONDAY IN AUGUST, AT THE DETERMINATION OF THE SCHOOL DISTRICT BOARD OF TRUSTEES.
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Prefiled and referred to the Committee on Education.

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

S. 242 -- Senator Fanning: A BILL TO AMEND SECTION 59-6-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, COMPOSITION, POWERS, AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO ABOLISH THE COMMITTEE AND DEVOLVE ITS FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES, AND AUTHORITY UPON THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION BASED ON RECOMMENDATIONS REPORTED BY A JOINT COMMITTEE OF THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE COMPOSITION, FUNCTIONS, AND DUTIES OF THE JOINT COMMITTEE.
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Prefiled and referred to the Committee on Education.

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

S. 243 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-237 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY DIRECT AUTHORIZERS OF CHARTER SCHOOLS TO WITHHOLD STATE FUNDING FROM CHARTER SCHOOLS THAT FAIL TO COMPLY WITH ANY PROVISIONS OF THE SOUTH CAROLINA CHARTER SCHOOLS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL WITHHOLD ALL FUTURE REVENUES FROM CHARTER SCHOOL AUTHORIZERS WHO FAIL TO COMPLY WITH THESE WITHHOLDING DIRECTIVES.
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Prefiled and referred to the Committee on Education.

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

S. 244 -- Senators Fanning and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ENACT THE "TEACHER BILL OF RIGHTS" AND TO ENUMERATE THE BASIC RIGHTS TO WHICH ALL CERTIFIED PUBLIC SCHOOL TEACHERS IN THIS STATE ARE ENTITLED.
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Prefiled and referred to the Committee on Education.

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

S. 245 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-66-25 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS SHALL ENSURE THE CONTINUOUS PRESENCE OF SCHOOL RESOURCE OFFICERS IN PUBLIC SCHOOLS DURING REGULAR OPERATING HOURS, TO PROVIDE ONE SUCH OFFICER MUST BE PROVIDED FOR EVERY FIVE HUNDRED STUDENTS ENROLLED AT THE SCHOOL, TO PROVIDE VARIOUS MEANS BY WHICH DISTRICTS MAY SATISFY THIS REQUIREMENT, AND TO MAKE THESE PROVISIONS APPLICABLE JULY 1, 2019.
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Prefiled and referred to the Committee on Education.

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

S. 246 -- Senators Fanning and McLeod: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO FREE PUBLIC SCHOOLS, SO AS TO REQUIRE THE GENERAL ASSEMBLY TO PROVIDE FOR A HIGH-QUALITY EDUCATION FOR ALL CHILDREN OF THE STATE.
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Prefiled and referred to the Committee on Judiciary.

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

S. 247 -- Senators Fanning and McLeod: A JOINT RESOLUTION TO PROHIBIT ANY CHANGES TO PUBLIC EDUCATION ACADEMIC STANDARDS, ASSESSMENTS, CUT SCORES, AND RATINGS CURRENTLY USED IN THIS STATE UNTIL JULY 1, 2024, AT WHICH TIME THE DEPARTMENT OF EDUCATION SHALL EXAMINE THE ACHIEVEMENT OF STUDENTS BASED ON THE STANDARDS APPLICABLE FROM JULY 1, 2019, TO JUNE 31, 2024, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ABOUT ANY APPROPRIATE CHANGES TO THESE ACADEMIC STANDARDS, ASSESSMENTS, CUT SCORES, AND RATINGS BASED ON THE FINDINGS OF ITS EXAMINATION.
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Prefiled and referred to the Committee on Education.

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

S. 248 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-430 SO AS TO PROVIDE THE DEPARTMENT OF EDUCATION SHALL IMPLEMENT A THREE-YEAR PILOT PROGRAM IN CERTAIN COUNTIES TO DETERMINE THE EFFECTIVENESS OF OPERATING ON A YEAR-ROUND MODIFIED CALENDAR CONSISTING OF NINE-WEEK SESSIONS OF TRADITIONAL STUDY FOR ALL STUDENTS BETWEEN WHICH ARE THREE-WEEK INTERSESSIONS OF REMEDIAL STUDY FOR AT-RISK STUDENTS, AMONG OTHER THINGS, AND TO PROVIDE PROCEDURES DISTRICTS MUST FOLLOW TO COMPLY WITH THE PROVISIONS OF THIS ACT.
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Prefiled and referred to the Committee on Education.

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

S. 249 -- Senators Fanning and McLeod: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING ARTICLE XVIII SO AS TO PROVIDE FOR AN INDEPENDENT CITIZENS REDISTRICTING COMMISSION TO BE KNOWN AS THE "SOUTH CAROLINA CITIZENS REDISTRICTING COMMISSION", TO REQUIRE THE GENERAL ASSEMBLY TO PROVIDE FOR THE MEMBERSHIP AND FUNDING OF THE COMMISSION AND THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE CHOSEN, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, TO PROVIDE FOR THE GENERAL ASSEMBLY'S ADOPTION OF THE COMMISSION'S REAPPORTIONMENT PLAN, TO PROVIDE THAT THERE MUST BE NO MECHANISM FOR EXECUTIVE OR LEGISLATIVE ALTERATION OR VETO POWER OVER THE COMMISSION'S FINAL REAPPORTIONMENT PLAN, AND TO PROVIDE THAT THE GENERAL ASSEMBLY MAY NOT ADJOURN SINE DIE UNTIL IT HAS RECEIVED AND ADOPTED THE COMMISSION'S PROPOSED REAPPORTIONMENT PLAN.
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Prefiled and referred to the Committee on Judiciary.

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

S. 250 -- Senators Fanning and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-1-200 SO AS TO PROVIDE THAT AN ELECTED LOCAL, STATE, OR FEDERAL PUBLIC OFFICIAL WHOSE OFFICE IS DECLARED VACANT DUE TO A CRIMINAL CONVICTION DURING THE OFFICIAL'S TERM OF OFFICE SHALL REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION NECESSITATED BY THE OFFICIAL'S REMOVAL FROM OFFICE PRIOR TO THE EXPIRATION OF HIS TERM; TO AUTHORIZE THE PRESIDING JUDGE BEFORE WHOM AN INCUMBENT ELECTED LOCAL, STATE, OR FEDERAL PUBLIC OFFICIAL WAS CONVICTED TO ORDER THE OFFICIAL TO PAY, COMPENSATE, OR REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION; AND TO REQUIRE THE ATTORNEY GENERAL OR THE CIRCUIT

SOLICITOR TO ASK THE PRESIDING JUDGE TO INCLUDE AN ORDER REQUIRING THE ELECTED LOCAL, STATE, OR FEDERAL PUBLIC OFFICIAL TO PAY, COMPENSATE, OR REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 251 -- Senator Fanning: A BILL TO AMEND SECTION 8-13-1332, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL CONTRIBUTIONS AND EXPENDITURES, SO AS TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY OR CANDIDATES FOR THE GENERAL ASSEMBLY FROM SOLICITING OR ACCEPTING CAMPAIGN CONTRIBUTIONS FROM A UTILITY, COMPANY, CORPORATION, ENTITY, JOINT VENTURE, OR "PERSON", AS DEFINED IN SECTION 8-13-1300, WHO POSSESSES OR MAINTAINS AN EXCLUSIVE RIGHT TO CONDUCT ITS BUSINESS, ENTERPRISE, OPERATIONS, OR ACTIVITIES STATEWIDE OR WITHIN A GEOGRAPHICALLY DEFINED AREA OR TERRITORY PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY.
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Prefiled and referred to the Committee on Judiciary.

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

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.
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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 253 -- Senator Fanning: A BILL TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ELECTRONIC FILING SYSTEM FOR DISCLOSURES AND REPORTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO ESTABLISH A NEW ONLINE CAMPAIGN ACCOUNT MONITORING AND AUDITING DEPARTMENT, TO DELINEATE THE DEPARTMENT'S DUTIES AND RESPONSIBILITIES, AND TO REQUIRE THE STATE ETHICS COMMISSION TO ENSURE THE DEPARTMENT IS STAFFED SUFFICIENTLY WITH ADEQUATELY TRAINED LEGAL AND ACCOUNTING PERSONNEL; AND TO AMEND SECTION 8-13-1312, RELATING TO CAMPAIGN BANK ACCOUNTS, SO AS TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS WHO ARE REQUIRED TO FILE CERTIFIED CAMPAIGN REPORTS PURSUANT TO ARTICLE 13, CHAPTER 13, TITLE 8 TO LOCATE, HOST, OR MAINTAIN THEIR CAMPAIGN ACCOUNTS IN A FINANCIAL INSTITUTION THAT SATISFIES THE REQUIREMENTS OF THIS ACT AND OFFERS REAL-TIME ONLINE BANKING OR ACCESS TO A CUSTOMER'S ACCOUNT INFORMATION THROUGH THE INSTITUTION'S INTERNET WEBSITE, TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS TO PROVIDE THE STATE ETHICS COMMISSION ACCESS TO THEIR CAMPAIGN ACCOUNT ONLINE BANKING INFORMATION, AND TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS TO PAY, TRANSFER, OR REMIT TO THE STATE ETHICS COMMISSION AN AMOUNT EQUAL TO FIVE PERCENT OF THE TOTAL CONTRIBUTIONS RECEIVED BY THE CANDIDATE OR ELECTED PUBLIC OFFICIAL DURING THE REPORTING PERIOD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 254 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ESTABLISH THE SOUTH CAROLINA CITIZENS REDISTRICTING COMMISSION FOR THE PURPOSE OF SUBMITTING REAPPORTIONMENT PLANS TO THE GENERAL ASSEMBLY AND TO PROVIDE FOR THE SELECTION,

QUALIFICATIONS, POWERS, DUTIES, AND TERMS OF THE COMMISSION AND ITS MEMBERS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 255 -- Senators Fanning and McLeod: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES; TO AMEND SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO RESTORE FUNDING FOR THE RESIDENTIAL PROPERTY TAX EXEMPTION AND FULL FUNDING FOR THE SCHOOL OPERATING MILLAGE PORTION OF THE REIMBURSEMENT PAID LOCAL GOVERNMENTS FOR THE HOMESTEAD PROPERTY TAX EXEMPTION FOR THE ELDERLY OR DISABLED; TO AMEND SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO DELETE THE EXEMPTION REIMBURSED FROM THE HOMESTEAD EXEMPTION FUND FROM ALL SCHOOL OPERATING MILLAGE ALLOWED ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO AMEND SECTION 12-37-251, RELATING TO THE CALCULATION OF "ROLLBACK TAX MILLAGE" APPLICABLE FOR REASSESSMENT YEARS, SO AS TO RESTORE THE FORMER EXEMPTION ALLOWED FROM A PORTION OF SCHOOL OPERATING MILLAGE FOR ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO AMEND SECTION 12-37-270 AND ACT 388 OF 2006, RELATING TO THE REIMBURSEMENTS PAID LOCAL GOVERNMENTS FOR PROPERTY TAX NOT COLLECTED AS A RESULT OF THE HOMESTEAD EXEMPTION FOR THE ELDERLY OR DISABLED AND, AMONG OTHER THINGS, THE APPLICATION OF PROPERTY TAX CREDITS IN COUNTIES WHERE THE USE OF LOCAL OPTION SALES TAX REVENUES GIVE RISE TO A CREDIT AGAINST SCHOOL OPERATING PROPERTY TAX MILLAGE, SO AS TO MAKE CONFORMING AMENDMENTS; TO REPEAL ARTICLE 7,

CHAPTER 10, TITLE 4 RELATING TO THE LOCAL OPTION SALES AND USE TAX FOR LOCAL PROPERTY TAX CREDITS; TO REPEAL SECTIONS 11-11-157, 11-11-155, AND 11-11-156 RELATING TO THE HOMESTEAD EXEMPTION TRUST FUND; TO REPEAL ARTICLE 11, CHAPTER 36, TITLE 12 RELATING TO THE STATEWIDE ADDITIONAL ONE PERCENT SALES AND USE TAX THE REVENUES OF WHICH REIMBURSE SCHOOL DISTRICTS FOR THE HOMESTEAD EXEMPTION FROM ALL PROPERTY TAX MILLAGE IMPOSED FOR SCHOOL OPERATIONS; TO AMEND SECTIONS 12-37-3130, 12-37-3140, AND 12-37-3150, RELATING TO DEFINITIONS, VALUATION, AND ASSESSABLE TRANSFERS OF INTEREST, FOR PURPOSES OF THE "SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT", SO AS TO ELIMINATE THE "POINT OF SALE" VALUATION OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND RETURN TO THE FORMER VALUATION SYSTEM IN WHICH REAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY ARE APPRAISED BY THE ASSESSOR AND PERIODICALLY ADJUSTED IN COUNTYWIDE REAPPRAISALS, TO PROVIDE THAT WHEN THE FIFTEEN PERCENT CAP OVER FIVE YEARS ON INCREASES IN FAIR MARKET VALUE OF REAL PROPERTY RESULTS IN A VALUE THAT IS LOWER THAN THE FAIR MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE ASSESSOR THAT THE LOWER VALUE BECOMES THE PROPERTY TAX VALUE OF THE REAL PROPERTY AND IS DEEMED ITS FAIR MARKET VALUE FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, TO PROVIDE THAT AN ASSESSABLE TRANSFER OF INTEREST IS A TRANSFER OF OWNERSHIP OR OTHER INSTANCE CAUSING A "STEPUP" IN THE PROPERTY TAX VALUE OF REAL PROPERTY TO ITS FAIR MARKET VALUE AS DETERMINED BY THE ASSESSOR, TO REQUIRE THE CAP ON INCREASES IN VALUE TO BE APPLIED SEPARATELY TO REAL PROPERTY AND THE IMPROVEMENTS THEREON, AND TO PROVIDE WHEN THE STEPUP VALUE FIRST APPLIES; TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO THE DEFINITION OF "PROPERTY TAX ASSESSMENT" FOR PURPOSES OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO REQUIRE THE NOTICES TO INCLUDE PROPERTY TAX VALUE AND PROVIDE THAT THE APPLICABLE ASSESSMENT RATIO APPLIES TO THE LOWER

OF FAIR MARKET VALUE, PROPERTY TAX VALUE, OR SPECIAL USE VALUE; TO AMEND SECTION 12-60-2510, RELATING TO THE FORM OF ASSESSMENT NOTICES ISSUED BY THE COUNTY ASSESSOR, SO AS TO PROVIDE THAT THESE NOTICES MUST CONTAIN THE PROPERTY TAX VALUE OF REAL PROPERTY AND IMPROVEMENTS IN ADDITION TO FAIR MARKET VALUE AND SPECIAL USE VALUE; TO REPEAL ARTICLE 25, CHAPTER 37, TITLE 12 RELATING TO THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, IF CERTAIN CONSTITUTIONAL AMENDMENTS ARE RATIFIED; AND TO AMEND SECTION 12-43-220, RELATING TO PROPERTY TAX EXEMPTIONS AND SECTIONS 12-60-30 AND 12-60-2510, RELATING TO TAX PROCEDURES, ALL SO AS TO MAKE CONFORMING AMENDMENTS, AND MAKE THESE REPEALS AND AMENDMENTS CONTINGENT UPON RATIFICATION OF AN AMENDMENT TO SECTION 6, ARTICLE X OF THE CONSTITUTION OF THIS STATE ELIMINATING THE FIFTEEN PERCENT CAP OVER FIVE YEARS IN INCREASES IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND ELIMINATING AN ASSESSABLE TRANSFER OF INTEREST AS AN EVENT THAT MAY RESULT IN A CHANGE IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF THE IMPOSITION OF THE PROPERTY TAX.
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Prefiled and referred to the Committee on Finance.

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

S. 256 -- Senators Fanning and McLeod: A BILL TO AMEND SECTION 9-1-1790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO EXEMPT CERTIFIED EDUCATORS FROM THE EARNINGS LIMITATION; AND TO AMEND SECTION 9-11-90, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE EARNINGS LIMITATION.
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Prefiled and referred to the Committee on Finance.

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

S. 257 -- Senators Fanning and McLeod: A BILL TO AMEND SECTION 9-1-1795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT OF CERTAIN RETIRED TEACHERS WITHOUT THE LOSS OF RETIREMENT BENEFITS, SO AS TO ALLOW CERTAIN CERTIFIED EMPLOYEES TO BE HIRED WITHOUT A LOSS OF RETIREMENT BENEFITS AND TO PROVIDE THAT THE MEMBER SELECTED FOR EMPLOYMENT MEETS THE UNIQUE QUALIFICATIONS REQUIRED BY THE HIRING SCHOOL DISTRICT.
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Prefiled and referred to the Committee on Finance.

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

S. 258 -- Senator Fanning: A BILL TO AMEND SECTION 9-1-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN EMPLOYEES BEING ABLE TO EXERCISE THE OPTION OF NOT BECOMING MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO ADD PART-TIME SCHOOL CAFETERIA WORKERS.
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Prefiled and referred to the Committee on Finance.

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

S. 259 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF

NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 260 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 261 -- Senator Goldfinch: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO MOVE UP THE FILING PERIOD FOR CANDIDATES TO QUALIFY TO RUN IN THE GENERAL ELECTION AND TO REMOVE THE PROVISION DECLARING THAT SECTION 7-11-15 DOES NOT APPLY TO CERTAIN NONPARTISAN SCHOOL DISTRICT ELECTIONS; TO AMEND SECTION 7-13-15, RELATING TO PRIMARIES TO BE CONDUCTED ON THE SECOND TUESDAY IN JUNE, SO AS TO MOVE UP THE DATE OF THESE PRIMARIES TO THE SECOND TUESDAY IN MAY OF EACH GENERAL ELECTION YEAR; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF THE PARTY PRIMARY, THE CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND FILING FEES, SO AS TO MOVE UP THE TIME OF THE PARTY PRIMARY TO THE SECOND TUESDAY IN MAY OF EACH GENERAL ELECTION YEAR AND MAKE OTHER CONFORMING

CHANGES; TO AMEND SECTION 53-5-10, RELATING TO THE ENUMERATION OF LEGAL HOLIDAYS IN SOUTH CAROLINA, SO AS TO DESIGNATE THE SECOND TUESDAY IN MAY OF EACH GENERAL ELECTION YEAR "PRIMARY ELECTION DAY" AND THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER IN EACH EVEN-NUMBERED YEAR "GENERAL ELECTION DAY" AS LEGAL HOLIDAYS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 262 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 27 SO AS TO ENACT THE "UNIFORM VOIDABLE TRANSACTIONS ACT", TO STRENGTHEN CREDITOR PROTECTIONS BY PROVIDING REMEDIES FOR CERTAIN TRANSACTIONS BY A DEBTOR THAT ARE UNFAIR TO THE DEBTOR'S CREDITORS, TO PROVIDE CHOICE OF LAW RULES, AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 263 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-102-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.
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Prefiled and referred to the Committee on Education.

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

S. 264 -- Senator Goldfinch: A BILL TO AMEND SECTION 33-31-620, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESIGNATION OF MEMBERS OF NONPROFIT CORPORATIONS, SO AS TO PROVIDE THAT A MEMBER'S RESIGNATION DOES NOT RELIEVE THE MEMBER FROM ANY

SPECIAL ASSESSMENTS AS WELL AS ACCRUED OBLIGATIONS THE MEMBER MAY HAVE TO THE CORPORATION, AND TO PROVIDE THAT THE CORPORATION MUST USE DUE DILIGENCE TO REDUCE AND ELIMINATE, IF POSSIBLE, ONGOING AND REOCCURRING MEMBERSHIP DUES OBLIGATIONS OF A RESIGNED MEMBER.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 265 -- Senator Goldfinch: A BILL TO AMEND TITLE 33 OF THE 1976 CODE, RELATING TO CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, BY ADDING CHAPTER 43, TO ENACT THE "UNIFORM LIMITED LIABILITY COMPANY ACT OF 2017", TO PROVIDE FOR THE MANNER IN AND REQUIREMENTS UNDER WHICH LIMITED LIABILITY COMPANIES ARE ORGANIZED, OPERATED, REGULATED, DISSOLVED, TRANSFERRED, AND CONVERTED; AND TO REPEAL CHAPTER 44, TITLE 33, RELATING TO THE "UNIFORM LIMITED LIABILITY COMPANY ACT OF 1996".
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 266 -- Senators Goldfinch and Senn: A BILL TO AMEND SECTION 12-6-1140 OF THE 1976 CODE, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY-TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION; TO AMEND SECTION 25-1-635, RELATING TO LEGAL ASSISTANCE SERVICES FOR GUARD MEMBERS AND IMMEDIATE FAMILY MEMBERS, TO AUTHORIZE SOUTH CAROLINA STATE GUARD JUDGE ADVOCATES TO PROVIDE THESE SERVICES AND TO INCLUDE THEM WITHIN THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTIONS 25-3-20 AND 25-3-130, BOTH RELATING TO THE GOVERNOR'S

AUTHORITY TO CALL THE STATE GUARD INTO DUTY, TO CLARIFY THE CIRCUMSTANCES AUTHORIZING THE GOVERNOR TO CALL THE STATE GUARD INTO DUTY AND TO PROVIDE THAT CIRCUMSTANCES INVOLVING A NATURAL OR MANMADE DISASTER, EMERGENCY, OR EMERGENCY PREPAREDNESS MAY WARRANT CALLING THE STATE GUARD INTO SERVICE; AND TO AMEND SECTION 25-3-140, RELATING TO PAY OF STATE GUARD MEMBERS ON ACTIVE DUTY, TO PROVIDE THAT STATE GUARD MEMBERS MAY RECEIVE A DAILY STIPEND OR PER DIEM PAY FOR REASONABLE EXPENSES, OR BOTH, IF APPROVED BY THE ADJUTANT GENERAL.

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Prefiled and referred to the Committee on Finance.

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

S. 267 -- Senator Goldfinch: A BILL TO AMEND ARTICLE 1, CHAPTER 42, TITLE 33 OF THE 1976 CODE, RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT, BY ADDING SECTION 33-42-90, TO PROVIDE THAT THE PROVISIONS OF CHAPTER 43, TITLE 33 SHALL APPLY TO LIMITED PARTNERSHIPS, EXCEPT INSOFAR AS THE PROVISIONS OF CHAPTER 42, TITLE 33 PERTAINING TO LIMITED PARTNERSHIPS ARE INCONSISTENT WITH THE PROVISIONS OF CHAPTER 43, TITLE 33; TO AMEND TITLE 33, RELATING TO CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, BY ADDING CHAPTER 43, TO ENACT THE "SOUTH CAROLINA UNIFORM PARTNERSHIP ACT OF 2017", TO PROVIDE FOR THE FORMATION OF PARTNERSHIPS, THE NATURE OF PARTNERSHIPS, THE RELATION OF PARTNERS TO EACH OTHER AND THE PARTNERSHIP, AND TO PERSONS DEALING WITH THE PARTNERSHIP, THE TRANSFER OF INTEREST AND RIGHTS, DISSOCIATIONS, DISSOLUTIONS, LIMITED LIABILITY PARTNERSHIPS, FOREIGN LIMITED LIABILITY PARTNERSHIPS, MERGER, INTEREST EXCHANGE, CONVERSION AND DOMESTICATION, AND TRANSITION PROVISIONS; AND TO REPEAL CHAPTER 41, TITLE 33,

RELATING TO THE FORMER UNIFORM PARTNERSHIP ACT.
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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 268 -- Senator McLeod: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, SO AS TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT TERM LIMITATIONS FOR ITS MEMBERS BY LAW.
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Prefiled and referred to the Committee on Judiciary.

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

S. 269 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-60 SO AS TO PROVIDE THAT NO PERSON IS ELIGIBLE FOR ELECTION TO THE HOUSE OF REPRESENTATIVES IF THAT PERSON HAS SERVED SIX TERMS IN THE SAME BODY, THAT NO PERSON IS ELIGIBLE FOR ELECTION TO THE SENATE IF THAT PERSON HAS SERVED THREE TERMS IN THE SAME BODY, AND TO PROVIDE THAT ANY TERM SERVED, FOR WHICH THE ELECTION WAS HELD PRIOR TO JANUARY 1, 2019, MUST NOT BE COUNTED AS A TERM SERVED.
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Prefiled and referred to the Committee on Judiciary.

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

S. 270 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-105 SO AS TO PROVIDE AFTER JULY 1, 2019, A PERSON MAY NOT BE ELECTED OR APPOINTED TO A JUDICIAL OFFICE THAT IS FILLED BY ELECTION OR APPOINTMENT OF THE GENERAL ASSEMBLY IF THAT PERSON IS AN IMMEDIATE FAMILY MEMBER OF A SITTING MEMBER OF THE GENERAL ASSEMBLY, OR A FORMER MEMBER OF THE GENERAL

ASSEMBLY WHOSE MOST RECENT TERM OF LEGISLATIVE SERVICE ENDED LESS THAN ONE YEAR PRIOR TO THE GENERAL ASSEMBLY'S ELECTION OR APPOINTMENT OF THE OFFICE IN QUESTION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 271 -- Senators McLeod, Shealy, M. B. Matthews and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-790 SO AS TO REQUIRE THE BOARD TO CONSULT WITH TREATING PHYSICIANS AND MEDICAL PROFESSIONALS WHEN PROPOSING CHANGES TO A CURRENT STATE HEALTH CARE PLAN; AND TO AMEND SECTION 9-4-10, RELATING TO THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY BOARD, SO AS TO CHANGE CERTAIN QUALIFICATIONS, AND TO PROVIDE THAT AT LEAST FOUR MEMBERS APPOINTED TO THE BOARD MUST BE LICENSED PHYSICIANS AND AT LEAST THREE MEMBERS APPOINTED TO THE BOARD MUST BE FEMALE.
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Prefiled and referred to the Committee on Finance.

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

S. 272 -- Senator Senn: A BILL TO AMEND ARTICLE 9, CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO SALES TAX, BY ADDING SECTION 12-36-915, TO PROVIDE THAT A BUSINESS THAT CHARGES A FEE FOR THE SERVICE OF FOOD, BEVERAGES, OR A COMBINATION THEREOF AND THAT PAID SALES TAX ON THE FOOD OR BEVERAGES WHEN PURCHASED AT RETAIL IS NOT IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL.
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Prefiled and referred to the Committee on Finance.

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

S. 273 -- Senator Senn: A BILL TO AMEND SECTION 62-3-801 OF THE 1976 CODE, RELATING TO NOTICE TO CREDITORS IN PROBATE PROCEEDINGS, TO PROVIDE THAT, UPON RECEIVING NOTICE AS PRESCRIBED BY LAW, CREDITORS MAY ONLY COMMUNICATE WITH THE DECEDENT'S

PERSONAL REPRESENTATIVE CONCERNING OUTSTANDING DEBTS UNLESS OTHERWISE DIRECTED BY THE PERSONAL REPRESENTATIVE; AND TO AMEND SECTION 37-5-108(5) OF THE 1976 CODE, RELATING TO UNCONSCIONABLE DEBT COLLECTION PRACTICES, TO PROVIDE THAT IT IS UNCONSCIONABLE FOR A THIRD PARTY DEBT COLLECTOR TO COMMUNICATE WITH A DECEASED CONSUMER'S SPOUSE OR FAMILY MEMBER UNLESS THE COMMUNICATION IS LIMITED TO IDENTIFYING THE DECEASED CONSUMER'S PERSONAL REPRESENTATIVE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 274 -- Senator Senn: A BILL TO AMEND SECTION 23-3-130 OF THE SOUTH CAROLINA CODE, 1976, RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS PROVIDED BY THE STATE LAW ENFORCEMENT DIVISION, TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION TO PROVIDE CRIMINAL BACKGROUND CHECKS TO THE LEGAL REPRESENTATIVES OF A STATE LAW ENFORCEMENT AGENCY WITHOUT CHARGE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 275 -- Senator Senn: A BILL TO AMEND SECTION 16-17-425 OF THE 1976 CODE, RELATING TO COMMUNICATION OF THREATS BY A STUDENT OF A SCHOOL OR COLLEGE, TO PROVIDE PENALTIES FOR A PERSON WHO MAKES THREATS TO TAKE THE LIFE OF OR INFLICT BODILY HARM UPON ANOTHER AT A SCHOOL OR COLLEGE IN THIS STATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 276 -- Senator Senn: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT

ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND

AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 278 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO PROVIDE FOR THE LICENSURE OF LOCKSMITHS; TO CREATE THE BOARD OF LOCKSMITHS AND TO PROVIDE FOR ITS COMPOSITION, FUNCTION, AND DUTIES; TO REQUIRE APPLICANTS FOR LICENSURE TO SATISFY CERTAIN CRITERIA; TO REQUIRE LOCKSMITHS TO SATISFY CERTAIN CRITERIA TO MAINTAIN LICENSURE; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 279 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, SO AS TO CHANGE QUORUM

REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 280 -- Senator Talley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "LANGUAGE EQUALITY AND ACQUISITION FOR DEAF KIDS (LEAD-K) ACT" BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION JOINTLY SHALL SELECT LANGUAGE DEVELOPMENTAL MILESTONES AS RESOURCES FOR PARENTS OF DEAF AND HARD OF HEARING CHILDREN TO USE TO MONITOR AND TRACK CERTAIN LANGUAGE ACQUISITION AND DEVELOPMENTAL STAGES TOWARD ENGLISH LITERACY OF THOSE CHILDREN; TO PROVIDE FOR THE CREATION OF AN AD HOC ADVISORY COMMITTEE TO SOLICIT INPUT FROM EXPERTS ON SELECTING CERTAIN LANGUAGE DEVELOPMENTAL MILESTONES FOR DEAF AND HARD OF HEARING CHILDREN, AND TO PROVIDE FOR THE COMPOSITION AND OTHER DUTIES OF THE COMMITTEE, AMONG OTHER THINGS; TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT; TO PROVIDE THE PROVISIONS OF THIS ACT APPLY ONLY TO CHILDREN FROM BIRTH THROUGH FIVE YEARS OF AGE; AND TO PROVIDE IMPLEMENTATION OF THE ARTICLE IS CONTINGENT ON FUNDING, AMONG OTHER THINGS; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 36, TITLE 1, AS "ARTICLE 1, GENERAL PROVISIONS".
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Prefiled and referred to the Committee on Education.

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

S. 281 -- Senator Talley: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-

970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 282 -- Senator Talley: 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 OF THE 1976 CODE, 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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Prefiled and referred to the Committee on Finance.

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

S. 283 -- Senator Talley: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES,

PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

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Prefiled and referred to the Committee on Education.

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

S. 284 -- Senator Talley: A BILL TO AMEND SECTION 8-13-540(D) OF THE 1976 CODE, RELATING TO THE CONDUCT OF ETHICS INVESTIGATIONS AND HEARINGS AND TO THE ETHICS COMMITTEES' FINDINGS AND REPORTS, TO REVISE THE ETHICS COMMITTEES' POSSIBLE ACTIONS AFTER REVIEWING THE STATE ETHICS COMMISSION'S RECOMMENDATIONS AND RELEVANT EVIDENCE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 285 -- Senator Talley: A JOINT RESOLUTION TO AMEND SECTION 3, ARTICLE V OF THE CONSTITUTION OF THIS STATE, RELATING TO THE ELECTION OF MEMBERS OF THE SUPREME COURT, SECTION 8, ARTICLE V, RELATING TO THE ELECTION OF JUDGES OF THE COURT OF APPEALS, SECTION 13, ARTICLE V, RELATING TO JUDICIAL CIRCUITS AND CIRCUIT COURT JUDGES, SECTION 18, ARTICLE V, RELATING TO VACANCIES IN THESE JUDICIAL OFFICES, AND SECTION 27, ARTICLE V, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE THAT SUPREME

COURT JUSTICES, JUDGES OF THE COURT OF APPEALS, AND CIRCUIT COURT JUDGES SHALL BE APPOINTED BY THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE COMPOSITION OF THE JUDICIAL MERIT SELECTION COMMISSION.
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Prefiled and referred to the Committee on Judiciary.

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

S. 286 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, TO CHANGE QUORUM REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.
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Prefiled and referred to the Committee on Judiciary.

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

S. 287 -- Senator Talley: A BILL TO AMEND SECTION 48-52-810(10)(b) OF THE 1976 CODE, RELATING TO THE EXEMPTIONS TO THE DEFINITION OF "MAJOR FACILITY PROJECT", TO ADD BUILDING PROJECTS WITH CERTAIN USE AND OCCUPANCY CLASSIFICATION CODES FROM THE 2015 INTERNATIONAL BUILDING CODES.
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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 288 -- Senator Talley: A BILL TO AMEND CHAPTER 11, TITLE 11 OF THE 1976 CODE, RELATING TO THE STATE BUDGET SYSTEM, TO ENACT THE "TAXPAYER TRANSPARENCY ACT", BY ADDING ARTICLE 7, TO REQUIRE THE EXECUTIVE BUDGET OFFICE TO DEVELOP AND MAKE PUBLICLY AVAILABLE A SINGLE, SEARCHABLE BUDGET DATABASE WEBSITE FOR THE MOST RECENT FISCAL YEAR.
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Prefiled and referred to the Committee on Finance.

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

S. 289 -- Senator Talley: A BILL TO AMEND CHAPTER 1, TITLE 6 OF THE 1976 CODE, RELATING TO LOCAL GOVERNMENT PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS, BY ADDING ARTICLE 11, TO PROVIDE THAT A COUNTY, MUNICIPALITY, OR SCHOOL DISTRICT SHALL POST CERTAIN INFORMATION ON ITS WEBSITE, DEVELOP, MAINTAIN, AND MAKE PUBLIC A CERTAIN WEBSITE DATABASE, AND TO REQUIRE THAT THE INFORMATION AVAILABLE ON THE WEBSITE BE EASILY ACCESSIBLE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 290 -- Senators Talley, Climer, Turner, Campbell, Senn, Bennett, Fanning and Kimpson: A BILL TO AMEND SECTION 61-2-170 OF THE 1976 CODE, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, TO PROVIDE THAT THE DEPARTMENT MAY NOT GENERATE LICENSE FEES TO BE DEPOSITED IN THE GENERAL FUND OF THE STATE THROUGH THE ISSUANCE OF LICENSES OR PERMITS FOR ON- OR OFF-PREMISES CONSUMPTION WHICH AUTHORIZE ALCOHOLIC LIQUORS TO BE SOLD ON A DRIVE THROUGH OR CURB SERVICE BASIS; AND TO AMEND ARTICLE 1, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO BEER, ALE, PORTER, AND WINE, BY ADDING SECTION 61-4-45, TO PROVIDE THAT A RETAILER MAY DELIVER BEER AND WINE FOR OFF-PREMISES CONSUMPTION TO A CUSTOMER WHO HAS PURCHASED THE WINE OR BEER ONLINE IN ADVANCE OF THE DELIVERY FOR CURBSIDE PICKUP TO THE CUSTOMER'S VEHICLE IF THE VEHICLE IS LOCATED WITHIN A CLEARLY DESIGNATED PICKUP AREA LOCATED ADJACENT TO THE RETAILER'S PLACE OF BUSINESS, TO ESTABLISH REQUIREMENTS RELATED TO THIS PROVISION, AND TO PROVIDE PENALTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 291 -- Senator Talley: A BILL TO AMEND TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S CODE, BY ADDING CHAPTER 10, TO CREATE THE DEPARTMENT OF EARLY DEVELOPMENT AND EDUCATION; TO PROVIDE THAT THE DEPARTMENT IS DIVIDED INTO TWO DIVISIONS, THE EARLY HEALTH AND WELLNESS DIVISION AND THE EARLY CARE AND EDUCATION DIVISION; TO PROVIDE THAT THE EARLY HEALTH AND WELLNESS DIVISION SHALL ADMINISTER THE BABYNET PROGRAM, THE NURSE-FAMILY PARTNERSHIP PROGRAM FUNDED BY THE FEDERAL MATERNAL AND CHILD HEALTH BLOCK GRANT PROGRAM, THE WOMEN, INFANTS, AND CHILDREN SUPPLEMENTAL FOOD PROGRAM, THE POSTPARTUM NEWBORN HOME VISIT PROGRAM FUNDED BY THE FEDERAL MATERNAL AND CHILD HEALTH BLOCK GRANT PROGRAM, AND THE QTIP FEDERAL DEMONSTRATION GRANT FUNDED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO PROVIDE THAT THE EARLY CARE AND EDUCATION DIVISION SHALL ADMINISTER THE HEAD START COLLABORATION OFFICE FUNDED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE FIRST STEPS TO SCHOOL READINESS INITIATIVE, THE OFFICE OF EARLY LEARNING, THE ABC CHILDCARE PROGRAM FUNDED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE STATE CHILDCARE FIRE AND LIFE SAFETY OFFICE, THE STATE CHILDCARE LICENSING OFFICE, THE CHILD CARE RESOURCE AND REFERRAL NETWORK FUNDED BY THE FEDERAL CHILDCARE DEVELOPMENT BLOCK GRANT; AND THE SOUTH CAROLINA CHILD DEVELOPMENT EDUCATION PROGRAM, AS PROVIDED BY LAW; TO DEFINE NECESSARY TERMS; AND TO MAKE CONFORMING CHANGES TO THE 1976 CODE TO REFLECT THE CREATION OF THE DEPARTMENT OF EARLY DEVELOPMENT AND EDUCATION.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 292 -- Senator Talley: A BILL TO AMEND SECTION 12-60-90(C) OF THE 1976 CODE, RELATING TO THE ADMINISTRATIVE TAX PROCESS, TO ALLOW A REAL ESTATE LICENSEE TO REPRESENT A TAXPAYER DURING THE ADMINISTRATIVE TAX PROCESS.
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Prefiled and referred to the Committee on Finance.
Read the first time and referred to the Committee on Finance.

S. 293 -- Senators Cash and Corbin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.
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Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 294 -- Senator Cash: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.
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Prefiled and referred to the Committee on Transportation.
Read the first time and referred to the Committee on Transportation.

S. 295 -- Senators Harpootlian and Climer: A BILL TO AMEND SECTION 8-13-700 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST THE USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THE PROHIBITION, AND TO PRECLUDE VIOLATORS FROM SERVING AS A PUBLIC

OFFICIAL OR PUBLIC MEMBER OR BEING EMPLOYED AS A PUBLIC EMPLOYEE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 296 -- Senator Harpootlian: A BILL TO AMEND ARTICLE 2, CHAPTER 43, TITLE 48 OF THE 1976 CODE, RELATING TO THE EXPLORATION AND PRODUCTION OF OIL AND NATURAL GAS WITHIN THE JURISDICTION OF SOUTH CAROLINA, BY ADDING SECTION 48-43-400, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IS PROHIBITED FROM ENTERING INTO LEASES THAT ALLOW FOR THE INSTALLATION OF INFRASTRUCTURE RELATED TO THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OIL OR NATURAL GAS LOCATED IN THE SOUTH ATLANTIC PLANNING AREA, TO PROHIBIT CONDEMNATION OF REAL PROPERTY FOR THE PURPOSES OF THE INSTALLATION OF PIPELINES OR SUPPORT FACILITIES OR INFRASTRUCTURE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OIL OR NATURAL GAS IN THE SOUTH ATLANTIC PLANNING AREA, TO PROHIBIT PETROLEUM-BEARING VESSELS TRANSPORTING CRUDE OIL PRODUCED IN THE SOUTH ATLANTIC PLANNING AREA FROM ENTERING OR MOVING UPON WATERS OFF OF SOUTH CAROLINA'S COASTAL COUNTIES, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IS PROHIBITED FROM ENTERING INTO ISSUING OR RENEWING ANY LICENSE OR PERMIT FOR ANY MAJOR FACILITY STORING OR TRANSFERRING PETROLEUM PRODUCED IN THE NAVIGABLE WATERS OF THE STATE OR TIDEWATERS BORDERING ON OR LYING WITHIN THE BOUNDARIES OF SOUTH CAROLINA'S COASTAL COUNTIES; TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IS PROHIBITED FROM ENTERING INTO ISSUING OR RENEWING ANY LICENSE OR PERMIT FOR ANY MAJOR FACILITY INTENDED TO TRANSFER OR STORE CRUDE OIL FROM ANY VESSEL THAT HOLDS PETROLEUM TRANSPORTED DIRECTLY FROM ANY PIPELINE, SUPPORT FACILITY, OR INFRASTRUCTURE ASSOCIATED WITH THE PRODUCTION OF CRUDE OIL FROM THE SOUTH ATLANTIC PLANNING AREA; TO AMEND

ARTICLE 2, CHAPTER 43, TITLE 48 OF THE 1976 CODE, RELATING TO THE EXPLORATION AND PRODUCTION OF OIL AND NATURAL GAS WITHIN THE JURISDICTION OF SOUTH CAROLINA, BY ADDING SECTION 48-43-345, TO PROVIDE CONDEMNATION AUTHORITY OVER CERTAIN PROPERTY REQUIRED FOR INSTALLING INFRASTRUCTURE RELATED TO THE PRODUCTION OF OIL OR NATURAL GAS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 297 -- Senator Harpootlian: A BILL TO AMEND SECTION 61-4-50 AND SECTION 61-6-4080 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST THE TRANSFER OF BEERS, ALES, PORTERS, WINES, OTHER MALT OR FERMENTED BEVERAGES, AND ALCOHOLIC LIQUORS TO PERSONS UNDER THE AGE OF TWENTY-ONE, TO PROVIDE PENALTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 298 -- Senators Sheheen, Peeler, Jackson, Williams, Talley, Setzler, Gregory and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 11 SO AS TO PROVIDE INCREASED FUNDING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THE SAME PERCENTAGE AS GENERAL FUND REVENUES INCREASE, TO PROVIDE ADDITIONAL FUNDING FOR CERTAIN SCHOLARSHIPS AND TO PROVIDE ELIGIBILITY CRITERIA FOR THE FUNDING, AND TO ESTABLISH THE HIGHER EDUCATION FACILITIES REPAIR AND RENOVATION FUND TO PROVIDE INFRASTRUCTURE FUNDING FOR INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-149-170, 59-149-180, 59-104-50, AND 59-104-60 SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY FOR CERTAIN SCHOLARSHIPS; TO AMEND SECTION 59-150-370, RELATING TO THE HOPE SCHOLARSHIP, SO AS TO NORMALIZE THE TEN-POINT

GRADING SCALE FOR PURPOSES OF ELIGIBILITY; BY ADDING SECTIONS 59-142-80 AND 59-143-40 SO AS TO APPROPRIATE ADDITIONAL FUNDING FOR THE NEED-BASED GRANT PROGRAM AND TO PROVIDE ELIGIBILITY CRITERIA FOR FUTURE FUNDING; TO AMEND SECTIONS 59-104-25 AND 59-149-15, RELATING TO CERTAIN STEM STIPENDS, SO AS TO PROVIDE THAT THE STIPEND IS AVAILABLE WHEN THE STUDENT BECOMES A JUNIOR INSTEAD OF A SOPHOMORE; BY ADDING SECTION 59-142-90 SO AS TO REQUIRE THAT THE FUNDING TO THE NEED-BASED TUITION GRANTS PROGRAM MUST BE THE SAME AS THE FUNDING TO THE NEED-BASED GRANTS; TO AMEND SECTION 2-47-40, RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE THAT CERTAIN INFORMATION BE GIVEN TO THE COMMITTEE THROUGH THE EXECUTIVE BUDGET OFFICE; BY ADDING SECTION 2-47-65 SO AS TO INDEX FOR INFLATION PROJECT COSTS FOR PURPOSES OF DETERMINING IF CERTAIN IMPROVEMENT PROJECTS ARE PERMANENT IMPROVEMENT PROJECTS; TO AMEND SECTION 2-47-55, RELATING TO A COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 59-103-110, RELATING TO APPROVAL FOR CONSTRUCTION PROJECTS, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 59-103-175 SO AS TO REQUIRE THE COMMISSION ON HIGHER EDUCATION SUBMIT POLICY STATEMENTS AND RULES AS REGULATIONS.

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Prefiled and referred to the Committee on Finance.

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

S. 300 -- Senators Massey, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR AND RECOGNIZE LIEUTENANT GOVERNOR KEVIN L. BRYANT FOR HIS MANY YEARS OF SERVICE TO THE STATE OF SOUTH CAROLINA AND TO COMMEND HIM FOR HIS COUNTLESS

ACCOMPLISHMENTS BENEFITTING THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 301 -- Senator Martin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE DR. DANIEL R. VARAT AND TO EXPRESS PROFOUND APPRECIATION FOR HIS DEVOTED SERVICE TO THE SENATE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 302 -- Senator Hutto: A BILL TO AMEND SECTION 22-5-910(F), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT EVEN WHEN A PERSON HAS HAD A PRIOR OFFENSE EXPUNGED PURSUANT TO SECTION 34-11-90; AND TO AMEND SECTION 34-11-90(e), RELATING TO JURISDICTION OF OFFENSES AND PENALTIES CONCERNING BANK DEPOSITS, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT EVEN WHEN A PERSON HAS HAD A PRIOR OFFENSE EXPUNGED PURSUANT TO SECTION 22-5-910.
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Read the first time and referred to the Committee on Judiciary.

S. 303 -- Senators Kimpson, Shealy, Fanning and Davis: A BILL TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND

OR RELATIVE FREELY CHOOSES TO ASSUME THAT RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.
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Senator KIMPSON spoke on the Bill.

Remarks by Senator KIMPSON

I am going to ask the members of the Mental Illness Transportation Committee to join me -- Senator SHEALY, Senator DAVIS and Senator FANNING, as I briefly introduce this Bill. Members, our State has been stricken with monumental tragedies in the last few years. September 18th was yet another tragedy in the State of South Carolina. Two Horry County Sheriff's deputies charged with transporting Wendy Newton and Nicolette Green to hospitals for treatment drove the vehicle into flooded waters where the women were left in a cage, unable to escape. Both women were being transported from hospitals that they voluntarily checked into and were being transported to facilities that they were being committed to. They had no prior evidence of violence, and both were going voluntarily. Senator MARTIN thought it proper and fitting to appoint a bipartisan committee. A bipartisan committee to probe the issues, to take testimony from law enforcement, take testimony from the mental health community, EMS, concerned mental health advocates and people in the community who are very, very concerned about people with mental disabilities, and how our State treats those citizens. We held hearings. So today I announce to this Body we have coalesced around a Bill that will change South Carolina law, if enacted, on how we transport people who have been diagnosed and committed for help. The Bill does three things. The Bill would amend the current statute 44-17-440 and it will require that law enforcement officers being responsible for transporting a patient should be part of a therapeutic transport unit and must have undergone crisis intervention training. Why is that important? They have a pilot program in Charleston. It has been tested and trained, that we would like to serve as a model for the rest of the counties that will be coming to Senate Finance. As Senator DAVIS has pointed out a number of times, this is going to require funding. The other change that it makes is that we want these therapeutic officers from the transport unit to be dressed in civilian clothes, and use an unmarked sedan. Why is that important? People with mental health challenges should not be treated as criminals. That should not be our knee jerk or default position, unless they have committed a crime. These two citizens from South Carolina committed no crimes. We want the citizens from South Carolina to understand we have to treat citizens with the respect they deserve. The

final change, actually there are two more changes. In the event of a natural disaster or existence of life threatening conditions -- the time in which a person may be taken into custody -- the certificate expires three days after the conditions are determined to be safe for transport. So there is a limitation, a period of time in which these commitment certificates must be processed. That is three days. What this Bill does is add an additional three days after the case of a national emergency. The original Bill never contemplated that the process would not be carried out in three days. Is that right Senators? The final change is that we add, Senator SHEALY, that the physician responsible for the patient's care must notify a friend or relative that they may provide transportation to the designated facility. Senators I want to thank our staff-person Lisa Dial for organizing these meetings and thank the chair. We look forward, in a bipartisan way to addressing what happened September 18, 2018, so no person in this State undergoes a totally preventable tragedy like what happened. This is in the honor of those families. The families of Wendy Newton and Nicolette Green who came to all of the hearings and testified on behalf of their deceased relatives. Thank you, Mr. PRESIDENT.

On motion of Senator SETZLER, the remarks of Senator KIMPSON were ordered printed in the journal.

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

S. 304 -- Senator Senn: A BILL TO AMEND SECTION 38-53-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL ACTS BY A BONDSMAN OR RUNNER, SO AS TO PROHIBIT A BONDSMAN OR RUNNER FROM ACCEPTING ANYTHING OF VALUE FROM A PRINCIPAL EXCEPT THE PREMIUM THAT MUST BE COLLECTED BEFORE THE EXECUTION OF THE BOND, TO PROHIBIT THE USE OF A FINANCING AGREEMENT OR PROMISE OF FUTURE PAYMENT AS THE MINIMUM FEE OR PART OF THE MINIMUM FEE, TO MAKE ANY AGREEMENT REGARDING A FUTURE PROMISE TO PAY THE MINIMUM FEE VOID AB INITIO, AND TO INCREASE THE MINIMUM FEE FROM TWENTY-FIVE DOLLARS TO TWO HUNDRED DOLLARS OR FIVE PERCENT, WHICHEVER IS GREATER.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 305 -- Senators McLeod, Shealy, Senn and M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 16 SO AS TO ENACT THE "TEEN DATING VIOLENCE PREVENTION ACT", TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF TEEN DATING VIOLENCE, PROVIDE A PENALTY, ALLOW VICTIMS TO SEEK ORDERS OF PROTECTION OR RESTRAINING ORDERS UNDER CERTAIN CIRCUMSTANCES, AND PROHIBIT A PERSON WHO VIOLATES THE PROVISIONS OF THE SECTION FROM PARTICIPATING IN A PRETRIAL INTERVENTION PROGRAM; TO AMEND SECTION 59-32-10, RELATING TO DEFINITIONS FOR PURPOSES OF THE COMPREHENSIVE HEALTH EDUCATION ACT, SO AS TO DEFINE THE TERM "TEEN DATING VIOLENCE"; AND TO AMEND SECTIONS 59-32-20, AS AMENDED, 59-32-30, AND 59-32-50, ALL RELATING TO THE REQUIREMENTS OF THE COMPREHENSIVE HEALTH EDUCATION ACT, ALL SO AS TO REQUIRE THE INCLUSION OF TEEN DATING VIOLENCE EDUCATION IN THE COMPREHENSIVE HEALTH EDUCATION CURRICULUM AND MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Judiciary.

S. 306 -- Senator Davis: A BILL TO AMEND SECTION 47-5-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INOCULATION OF PETS AGAINST RABIES, SO AS TO PROVIDE THAT A LICENSED VETERINARIAN MAY ADMINISTER A RABIES ANTIBODY TITER TO DETERMINE WHETHER TO ADMINISTER A RABIES BOOSTER VACCINE TO A PET.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 307 -- Senator Jackson: A BILL TO AMEND SECTION 53-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENUMERATION OF LEGAL HOLIDAYS, SO AS TO ESTABLISH GENERAL ELECTION DAY AS A STATE HOLIDAY.
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Read the first time and referred to the Committee on Judiciary.

S. 308 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-375 SO AS TO PROVIDE ALL PUBLIC SCHOOLS MUST BE CLOSED ON VETERANS DAY, TO PROVIDE THIS DAY MUST NOT BE CONSIDERED AS ONE OF THE REGULAR SCHOOL DAYS FOR THE YEAR OF PUBLIC SCHOOLS, AND TO EXEMPT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FROM THIS REQUIREMENT.
l:\council\bills\cc\15277zw19.docx
Read the first time and referred to the Committee on Education.

S. 309 -- Senators Setzler, Campsen and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.
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Read the first time and referred to the Committee on Finance.

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.
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Read the first time and referred to the Committee on Finance.

S. 311 -- Senator Alexander: A BILL TO AMEND TITLE 15 OF THE 1976 CODE, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING CHAPTER 76, TO LIMIT THE LIABILITY OF CERTAIN INDIVIDUALS WHO PROVIDE VOLUNTEER TRANSPORTATION TO A SENIOR CITIZEN FOR INJURIES AND LOSSES TO THE SENIOR CITIZEN AND TO THE SENIOR CITIZEN'S SPOUSE, FAMILY MEMBERS, OR HEIRS AND ASSIGNS; TO PROVIDE EXCEPTIONS TO LIABILITY LIMITS IF THE INJURIES OR LOSSES ARE THE RESULT OF GROSS NEGLIGENCE OR OTHER MISCONDUCT OF THE VOLUNTEER; AND FOR OTHER PURPOSES.
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Read the first time and referred to the Committee on Judiciary.

S. 312 -- Senator Alexander: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-265, TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION TO PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.
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Read the first time and referred to the Committee on Finance.

S. 313 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW

WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.
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Read the first time and referred to the Committee on Finance.

Adopted

S. 315 -- Senators Massey, Setzler and Peeler: A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.
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On motion of Senator MASSEY, the Resolution was taken up for immediate consideration.

Senator MASSEY explained the Resolution.

The Resolution was adopted.

Adopted

S. 316 -- Senator Massey: A SENATE RESOLUTION TO AMEND THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.
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On motion of Senator MASSEY, the Resolution was taken up for immediate consideration.

Senator MASSEY explained the Resolution.

The Resolution was adopted.

S. 317 -- Senator Alexander: A BILL TO AMEND CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING ARTICLE 21, TO ENACT THE "SOUTH CAROLINA SERVICE MEMBERS CIVIL RELIEF ACT", TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICE MEMBERS AND THEIR DEPENDENTS, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS, TO ESTABLISH REMEDIES AND PENALTIES, TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Family and Veterans Services.

S. 318 -- Senator Alexander: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS

ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.
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Read the first time and referred to the Committee on Finance.

S. 319 -- Senator Alexander: A BILL TO AMEND SECTION 16-3-600(B)(1) OF THE 1976 CODE, RELATING TO VARIOUS ASSAULT AND BATTERY OFFENSES, TO PROVIDE THAT A PERSON COMMITS THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE IF HE UNLAWFULLY INJURES A HEALTH CARE PROFESSIONAL, INCLUDING, BUT NOT LIMITED TO, AN EMERGENCY MEDICAL SERVICE PROVIDER, A FIREFIGHTER, AN EMERGENCY ROOM PHYSICIAN, AN EMERGENCY ROOM NURSE, OR AN ALLIED HEALTH CARE WORKER, DURING THE COURSE OF HIS DUTIES, AND KNOWS OR HAS REASON TO KNOW OF THE INJURED PERSON'S STATUS, OR INJURES SOMEONE IN A HEALTH CARE FACILITY OR A PHYSICIAN'S OFFICE.
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Read the first time and referred to the Committee on Judiciary.

S. 320 -- Senator Talley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "INTERSTATE MEDICAL LICENSURE COMPACT" BY ADDING ARTICLE 3 TO CHAPTER 47, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO A MULTISTATE PHYSICIAN LICENSURE COMPACT, TO PROVIDE FOR THE RECIPROCAL PRACTICE OF MEDICINE AMONG THE STATES THAT ARE PARTIES TO THE COMPACT, TO PROVIDE STANDARDS AND PROCEDURES APPLICABLE TO PRACTICING MEDICINE IN OTHER STATES PURSUANT TO THE COMPACT, TO PROVIDE FOR A COORDINATED LICENSURE INFORMATION SYSTEM FOR SHARING DATA AMONG COMPACT STATES, AND TO PROVIDE PROCEDURES FOR DISPUTE RESOLUTIONS, DISCIPLINARY ACTIONS, AND TERMINATION OF MEMBERSHIPS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 321 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 63, TITLE 59 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS FOR PUPILS, BY ADDING SECTION 59-63-47, TO PROVIDE THAT ANY CHILD OF NONRESIDENT MILITARY PERSONNEL MAY ENROLL IN A DISTRICT IN WHICH THE CHILD'S PARENT OR LEGAL GUARDIAN IS RELOCATING AS A RESULT OF MILITARY SERVICE, TO TEMPORARILY WAIVE THE RESIDENCY REQUIREMENT, AND TO REQUIRE PROOF OF RESIDENCY TO BE PROVIDED WITHIN THIRTY DAYS OF ATTENDANCE.
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Read the first time and referred to the Committee on Education.

S. 322 -- Senator Alexander: A BILL TO AMEND SECTION 59-25-110 OF THE 1976 CODE, RELATING TO THE SYSTEM FOR THE EXAMINATION AND CERTIFICATION OF TEACHERS, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MUST FORMULATE RULES AND REGULATIONS TO ADMINISTER AN EXPEDITED CREDENTIALING SYSTEM FOR MILITARY SPOUSES WITH CERTIFICATIONS FROM ANOTHER STATE AND DOCUMENTATION OF A PENDING MILITARY TRANSFER.
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Read the first time and referred to the Committee on Education.

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.
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Read the first time and referred to the Committee on Finance.

S. 324 -- Senator Verdin: A BILL TO AMEND SECTION 59-63-30 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR PUBLIC SCHOOL ATTENDANCE, TO PROVIDE THAT CHILDREN OF THE SAME HOUSEHOLD WHO JOINTLY OWN REAL ESTATE HAVING AN ASSESSED VALUE OF THREE HUNDRED DOLLARS OR MORE MAY QUALIFY TO ATTEND

THE PUBLIC SCHOOLS OF THE RESPECTIVE SCHOOL DISTRICT, WITHOUT CHARGE.
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Read the first time and referred to the Committee on Education.

S. 325 -- Senator Scott: A BILL TO AMEND SECTIONS 1-30-35, 44-20-30, 44-20-210, 44-20-220, 44-20-240, 44-20-320, 44-20-350, 44-20-360, 44-20-430, 44-20-1120, 44-20-1130, 44-20-1140, 44-20-1150, 44-20-1160, AND 44-20-1170, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT IS HEADED AND GOVERNED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AND THAT THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS SERVES AS AN ADVISORY BOARD TO THE DIRECTOR; AND TO REPEAL SECTION 44-20-230 RELATING TO POWERS AND DUTIES OF THE DIRECTOR.
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Read the first time and referred to the Committee on Medical Affairs.

S. 326 -- Senator Massey: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO DISTRIBUTE TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE SOUTH CAROLINA STATE FIREFIGHTERS ASSOCIATION TO PROVIDE FOR POST TRAUMATIC STRESS DISORDER INSURANCE AND PROGRAMS.
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Read the first time and referred to the Committee on Finance.

S. 327 -- Senator Shealy: A BILL TO AMEND SECTION 1-25-60(A)(5)(b) OF THE 1976 CODE, RELATING TO THE STATE INTERAGENCY PLANNING AND EVALUATION ADVISORY COMMITTEE, TO REDESIGNATE THE GENERAL COMMITTEE AS THE FAMILY AND VETERANS' SERVICES COMMITTEE.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 328 -- Senator Sheheen: A BILL TO AMEND SECTION 6-11-1650 OF THE 1976 CODE, RELATING TO ANNUAL FINANCIAL AUDITS FOR SPECIAL PURPOSE DISTRICTS, TO PROVIDE THAT A COUNTY AUDITOR MUST PROVIDE A CERTIFIED STATEMENT TO THE SECRETARY OF STATE IN THE EVENT THAT THE SPECIAL PURPOSE DISTRICT DOES NOT HAVE AVAILABLE FUNDS TO PERFORM AN AUDIT.
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Read the first time and referred to the Committee on Finance.

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.
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Read the first time and referred to the Committee on Finance.

S. 330 -- Senator Davis: A BILL TO ENACT THE "OCCUPATIONAL LICENSURE REFORM ACT"; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 41 OF THE 1976 CODE, RELATING TO THE DEPARTMENT AND DIRECTOR OF LABOR, LICENSING AND REGULATION, BY ADDING SECTION 41-3-45, TO PROVIDE THAT CERTAIN REGULATIONS MUST UNDERGO LEGISLATIVE REVIEW TO IDENTIFY WHETHER PRESENT, SIGNIFICANT, OR SUBSTANTIATED HARMS WOULD EXIST IN THE ABSENCE OF THE REGULATION THAT WOULD WARRANT GOVERNMENT INTERVENTION AND, IF SO, TO PROVIDE THAT THE SENATE COMMITTEE ON LEGISLATIVE OVERSIGHT AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LEGISLATIVE OVERSIGHT SHALL CONSIDER ALTERNATIVE PROVISIONS THAT WOULD BE THE LEAST RESTRICTIVE AND IMPOSE THE LOWEST BURDENS AND COSTS WHILE PROTECTING CONSUMERS FROM HARM.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 331 -- Senator Davis: A BILL TO AMEND ARTICLE 5, CHAPTER 15, TITLE 7 OF THE 1976 CODE, RELATING TO ABSENTEE VOTING, BY ADDING SECTION 7-15-387, TO PROHIBIT A PERSON FROM KNOWINGLY COLLECTING VOTED OR UNVOTED ABSENTEE BALLOTS, AND TO PROVIDE A PENALTY.
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Read the first time and referred to the Committee on Judiciary.

S. 332 -- Senator Davis: A BILL TO ENACT THE "CLEAN ENERGY ACCESS ACT"; TO AMEND ARTICLE 7, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO THE RATES OF AND CHARGES BY ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, BY ADDING SECTION 58-27-815, TO ESTABLISH CERTAIN RIGHTS FOR THE CUSTOMERS OF AN ELECTRICAL UTILITY; TO AMEND ARTICLE 17, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO THE REVIEW OF PUBLIC SERVICE COMMISSION ORDERS, BY ADDING SECTION 58-27-2350, TO PROVIDE THAT A PERSON WHO IS AGGRIEVED BY A UTILITY ACTION OR A COMMISSION ORDER MAY PETITION THE COURTS OF THIS STATE FOR INJUNCTIVE AND DECLARATORY RELIEF; TO AMEND SECTION 58-40-20 OF THE 1976 CODE, RELATING TO NET ENERGY METERING, TO PROVIDE THAT AN ELECTRICAL UTILITY MUST MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF; TO DELETE SUBSECTIONS (B), (H), AND (I) OF SECTION 58-27-2610 OF THE 1976 CODE, RELATING TO CERTAIN PROVISIONS FOR THE LEASE OF A RENEWABLE ELECTRIC GENERATION FACILITY; TO AMEND TITLE 58 OF THE 1976 CODE, RELATING TO PUBLIC UTILITIES, SERVICES, AND CARRIERS, BY ADDING CHAPTER 41, TO PROVIDE REVIEW AND APPROVAL PROCEEDINGS BY THE PUBLIC SERVICE COMMISSION FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, TO

ESTABLISH VOLUNTARY RENEWABLE ENERGY PROGRAMS, AND TO PROVIDE FOR NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLANS; TO AMEND SECTION 58-37-40 OF THE 1976 CODE, RELATING TO INTEGRATED RESOURCE PLANS, TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-33-110 OF THE 1976 CODE, RELATING TO THE CERTIFICATE REQUIRED BEFORE THE CONSTRUCTION OF A MAJOR UTILITY FACILITY, TO PROVIDE FOR A PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF FOR THE SELECTION OF A MAJOR UTILITY FACILITY FOR CONSTRUCTION; TO AMEND SECTION 58-33-140(1) OF THE 1976 CODE, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, TO INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY AS A PARTY TO A CERTIFICATION PROCEEDING; TO AMEND SECTION 58-27-460 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF STANDARDS FOR THE INTERCONNECTION OF RENEWABLE ENERGY FACILITIES, TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE STANDARDS FOR THE INTERCONNECTION OF RENEWABLE ENERGY FACILITIES AND OTHER NONUTILITY-OWNED GENERATION WITH A GENERATION CAPACITY OF SEVENTY-FIVE MEGAWATTS OR LESS TO AN ELECTRICAL UTILITY'S DISTRIBUTION AND TRANSMISSION SYSTEM, TO PROVIDE CERTAIN REQUIREMENTS FOR INTERCONNECTION STANDARDS, AND TO PROVIDE FOR THE RESOLUTION OF DISPUTES; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 333 -- Senator M. B. Matthews: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY

SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.
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Read the first time and referred to the Committee on Judiciary.

S. 334 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 58-1-60 TO PROHIBIT A PUBLIC UTILITY FROM INCLUDING IN ITS RATE BASE OR OTHERWISE RECOVER FROM ITS CUSTOMERS ANY LEGAL FEES PAID BY THE PUBLIC UTILITY FOR A MATTER IN WHICH THE PUBLIC UTILITY WAS FOUND TO HAVE VIOLATED A FEDERAL, STATE, OR LOCAL STATUTE, REGULATION, OR ORDINANCE.
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Read the first time and referred to the Committee on Judiciary.

S. 335 -- Senator Massey: A BILL TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, AND TO CHANGE THE FILING PROCEDURE FOR COMMISSION CANDIDATES TO REQUIRE THEM TO FILE AN INTENTION OF CANDIDACY WITH THE

AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND TO SET A FILING DEADLINE.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 336 -- Senator Climer: A BILL TO AMEND ARTICLE 7, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO ASSAULT AND CRIMINAL SEXUAL CONDUCT, BY ADDING SECTION 16-3-620, TO CREATE THE OFFENSES OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE ON A LAW ENFORCEMENT OFFICER AND ASSAULT AND BATTERY ON A LAW ENFORCEMENT OFFICER IN THE FIRST, SECOND, AND THIRD DEGREES, TO PROVIDE PENALTIES, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 337 -- Senator Climer: A BILL TO AMEND SECTION 2-19-70 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST DUAL OFFICE HOLDING, TO EXTEND THE PROHIBITION TO THE IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 338 -- Senator Climer: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 58 OF THE 1976 CODE, RELATING TO THE REGULATION OF WATER AND SEWER UTILITIES' ADEQUACY OF SERVICE, BY ADDING SECTION 58-5-715, TO REQUIRE THAT A WATER OR SEWER UTILITY SUBJECT TO THE PUBLIC SERVICE COMMISSION'S SUPERVISION AND REGULATION MUST ESTABLISH CUSTOMER CLASSES BASED UPON GEOGRAPHIC SERVICE LOCATION, TO PROVIDE THAT A CLASS BASED UPON GEOGRAPHIC SERVICE LOCATION CONSISTS OF CUSTOMERS WHO ARE SERVED BY A WATER OR SEWER UTILITY FOR WHICH THE UTILITY'S SYSTEM COMPONENTS THAT PROVIDE THE SERVICE TO THOSE CUSTOMERS ARE PHYSICALLY CONNECTED AND THIS CLASS IS IN ADDITION TO OTHER TYPES OF CUSTOMER CLASSES, AND TO PROVIDE THAT A CUSTOMER IN A

GEOGRAPHIC SERVICE LOCATION CLASS MUST NOT PAY FOR THE CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF THE UTILITY'S PIPES OR OTHER EQUIPMENT THAT PROVIDES SERVICE TO CUSTOMERS IN A SEPARATE GEOGRAPHIC SERVICE LOCATION CLASS.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 339 -- Senators Climer and Davis: A BILL TO AMEND SECTION 8-13-1140 OF THE 1976 CODE, RELATING TO FILING AN UPDATED STATEMENT OF ECONOMIC INTERESTS, TO REQUIRE EACH STATEWIDE CONSTITUTIONAL OFFICER AND MEMBER OF THE GENERAL ASSEMBLY TO PROVIDE A COPY OF PERSONAL FEDERAL AND STATE INCOME TAX RETURNS FOR THE PREVIOUS CALENDAR YEAR BY APRIL TWENTY-FIFTH, UNLESS THE FILER REQUESTED AN EXTENSION TO FILE TAX RETURNS, TO PROVIDE THAT A FILER'S IMMEDIATE FAMILY MEMBER MUST SUBMIT A COPY OF HIS INCOME TAX RETURN IF THE FILER'S INCOME TAX RETURN DOES NOT INDICATE THE IMMEDIATE FAMILY MEMBER'S SOURCE OF INCOME, TO PROVIDE THAT THE TAX RETURNS SUBMITTED ARE NOT SUBJECT TO PUBLIC DISCLOSURE AND MUST BE DESTROYED AFTER THE TIME PERIOD FOR AUDIT OR INCOME VERIFICATION, AND TO PROVIDE THAT THE STATE ETHICS COMMISSION, SENATE ETHICS COMMITTEE, AND HOUSE OF REPRESENTATIVES ETHICS COMMITTEE CONDUCT RANDOM AUDITS TO VERIFY THAT SOURCES OF INCOME ON A STATEMENT OF ECONOMIC INTERESTS ARE FULLY AND ACCURATELY DISCLOSED.
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Read the first time and referred to the Committee on Judiciary.

S. 340 -- Senator Campsen: A BILL TO AMEND SECTION 29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF CERTAIN LIENS BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION TO A MAGISTRATE.
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Read the first time and referred to the Committee on Judiciary.

S. 341 -- Senator Campsen: A BILL TO AMEND SECTION 14-17-325 OF THE 1976 CODE, RELATING TO THE CLERK OF COURT REPORTING THE DISPOSITION OF EACH CASE IN THE COURT OF GENERAL SESSIONS, TO REQUIRE EVERY CLERK OF COURT TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 22 OF THE 1976 CODE, RELATING TO MAGISTRATES GENERALLY, BY ADDING SECTION 22-1-200, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-250, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO

REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TWENTY-FOUR HOURS THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; AND TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO THE COURTS, BY ADDING CHAPTER 32, TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE AND TO ESTABLISH ITS MEMBERSHIP, DUTIES, AND RESPONSIBILITIES, INCLUDING THE STUDY OF AND RECOMMENDATIONS FOR THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING.

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

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES

FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 343 -- Senator Alexander: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR WINNING THE 2018 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER-ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 26, 2019, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.
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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

Senator ALEXANDER spoke on the Resolution.

S. 344 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE MRS. EDDIE LEE STRINGER OF RICHLAND COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 345 -- Senators M. B. Matthews, Hutto, Davis, Campsen, Setzler, Goldfinch and J. Matthews: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE GERALD CLARENCE SMOAK AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 346 -- Senator Hembree: A CONCURRENT RESOLUTION TO HONOR THE GREEN SEA FLOYDS HIGH SCHOOL FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2018 CLASS A STATE CHAMPIONSHIP TITLE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 347 -- Senator Hembree: A CONCURRENT RESOLUTION TO SALUTE THE NORTH MYRTLE BEACH HIGH SCHOOL VOLLEYBALL TEAM FOR ITS OUTSTANDING SEASON AND TO CONGRATULATE THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF ON CAPTURING THE 2018 CLASS AAAA STATE CHAMPIONSHIP TITLE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 348 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR TOM JOYNER, SYNDICATED RADIO PERSONALITY, ENTREPRENEUR, AND PHILANTHROPIST, FOR HIS LEGENDARY PROGRAM THE TOM JOYNER MORNING SHOW AND TO WELCOME HIM TO THE PALMETTO STATE AS THE SPECIAL GUEST OF THE 2019 KING LEGACY GALA IN GREENVILLE.
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The Senate Resolution was adopted.

S. 349 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR WILHELMENIA RUFF ROBINSON OF GREENWOOD COUNTY FOR HER MANY YEARS OF DEDICATED AND OUTSTANDING PUBLIC AND COMMUNITY

SERVICE AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 350 -- Senators Hutto and M. B. Matthews: A SENATE RESOLUTION TO CONGRATULATE DEAN ANN CARMICHAEL UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED PUBLIC SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA SALKEHATCHIE, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 351 -- Senators Alexander and Shealy: A SENATE RESOLUTION TO CONGRATULATE JOHN H. MAGILL, STATE DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS OVER FIFTY YEARS OF DEDICATED SERVICE IN THE MENTAL HEALTH FIELD, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 352 -- Senators McElveen, Johnson and Sheheen: A SENATE RESOLUTION TO SALUTE THE THOMAS SUMTER ACADEMY GIRLS CROSS COUNTRY TEAM ON CAPTURING THE 2018 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 2A STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM'S COACHES, STAFF, AND RUNNERS ON A SUPERLATIVE SEASON.
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The Senate Resolution was adopted.

S. 353 -- Senators Talley, Martin, Reese, Peeler and Corbin: A SENATE RESOLUTION TO CONGRATULATE LISA W. LEMASTER UPON THE OCCASION OF HER RETIREMENT AS CHIEF ADMINISTRATIVE ASSISTANT OF THE SPARTANBURG COUNTY LEGISLATIVE DELEGATION, TO COMMEND HER

FOR MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

RECALLED AND ADOPTED

S. 14 -- Senators Rankin, Young, Sabb, Peeler, Alexander, Verdin and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 6, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 3, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 4, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 14, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 15, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, WHICH WILL

EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT,

ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, UPON HIS ELECTION TO THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 5, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 6, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A

SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, FIFTH CONGRESSIONAL DISTRICT, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2020; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020; AND TO ELECT TWO AT-LARGE MEMBERS TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, WHOSE TERMS WILL EXPIRE JUNE 30, 2020.

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

The Resolution was recalled from the Committee on Judiciary.

Senator RANKIN 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.

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

REPORTS OF STANDING COMMITTEE

Senator CAMPSEN from the Committee on Judiciary polled out S. 1 favorable:

S. 1 -- Senators Leatherman, Peeler, Setzler, Massey, Malloy, Rankin and Campsen: A BILL TO AMEND SECTION 1-3-210 OF THE 1976 CODE, RELATING TO FILLING VACANCIES WHEN THE SENATE IS NOT IN SESSION, TO CLARIFY THAT THE GOVERNOR MAY ONLY MAKE AN INTERIM APPOINTMENT TO AN OFFICE REQUIRING THE SENATE'S ADVICE AND CONSENT IF THE APPOINTMENT IS MADE DURING THE SAME INTERIM DURING WHICH THE OFFICE BECOMES VACANT; TO PROVIDE THAT, IF THE SENATE DOES NOT CONFIRM AN

INTERIM APPOINTMENT DURING THE NEXT ENSUING REGULAR LEGISLATIVE SESSION, THE GOVERNOR MAY NOT MAKE ANOTHER INTERIM APPOINTMENT; AND TO PROVIDE THAT THE GOVERNOR'S AUTHORITY TO MAKE AN INTERIM APPOINTMENT TERMINATES WHEN THE GENERAL ASSEMBLY CONVENES FOR THE REGULAR LEGISLATIVE SESSION FOLLOWING THE INTERIM PERIOD DURING WHICH THE OFFICE BECAME VACANT.

Poll of the Judiciary Committee
Polled 23; Ayes 22; Nays 1

AYES

Rankin	Hutto	Malloy
Campsen	Massey	McElveen
Shealy	Turner	Young
Kimpson	Sabb	*Margie Matthews*
Climer	Gambrell	Goldfinch
McLeod	Rice	Senn
Talley	Cash	Harpootlian

Total--22

NAYS

Fanning

Total--1

Ordered for consideration tomorrow.

Senator CAMPSEN explained the Bill.

S. 1--Ordered to a Second Reading

On motion of Senator MALLOY, S. 1 was ordered to receive a second reading on the next legislative day.

Motion Under Rule 26B Waived

Senator MALLOY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Senator CAMPSEN from the Committee on Judiciary polled out S. 2 favorable:

S. 2 -- Senators Campsen, Massey and Malloy: A BILL TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE," "PRESIDENT PRO TEMPORE," OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

Poll of the Judiciary Committee
Polled 23; Ayes 22; Nays 0

AYES

Rankin	Hutto	Malloy
Campsen	Massey	McElveen
Shealy	Turner	Young
Kimpson	Sabb	*Margie Matthews*
Climer	Gambrell	Goldfinch
McLeod	Rice	Senn
Talley	Cash	Harpootlian
Fanning		

Total--22

NAYS

Total--0

Ordered for consideration tomorrow.

Senator CAMPSEN explained the Bill.

S. 2--Ordered to a Second Reading

On motion of Senator MALLOY, S. 2 was ordered to receive a second reading on the next legislative day.

Motion Under Rule 26B Waived

Senator MALLOY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, January 8, 2019 - 6:00-8:00 P.M.
Members, Reception, Columbia Museum of Art, 1515 Main Street, by the **SOUTH CAROLINA BANKERS ASSOCIATION**

Tuesday, January 8, 2019 - 6:00 P.M.
Members, Reception, Columbia Metropolitan Convention Center, by the **DAVID WILKINS LEGISLATIVE AND CIVIC AWARDS DINNER**

Thursday, January 10, 2019 - 8:00-10:00 A.M.
Members and Staff, Breakfast, Blatt Building, Room 112, by **AMIKIDS**

Tuesday, January 15, 2019 - 5:00-7:00 P.M.
Members, Reception, Capital City Club, by the **SOUTH CAROLINA ECONOMIC DEVELOPERS' ASSOCIATION**

Tuesday, January 15, 2019 - 6:00-8:00 P.M.
Members and Staff, Reception, The Palmetto Club, by the **WINE & SPIRITS WHOLESALERS ASSOCIATION OF SOUTH CAROLINA**

Wednesday, January 16, 2019 - 8:00-10:00 A.M.
Members and Staff, Breakfast, Blatt Building, Room 112, by **ACLU OF SOUTH CAROLINA**

Wednesday, January 16, 2019 - 12:00-2:00 P.M.
Members and Staff, Luncheon, Blatt Building, Room 112, by the **SOUTH CAROLINA ATHLETIC TRAINERS ASSOCIATION**

Wednesday, January 16, 2019 - 6:00-8:00 P.M.
Members and Staff, Reception, Vista Room at the Blue Marlin, by **CONSERVATION VOTERS OF SOUTH CAROLINA (CVSC)**

Wednesday, January 16, 2019 - 6:00-8:00 P.M.
Members, Reception, The Palmetto Club, by the **SOUTH CAROLINA ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS**

Thursday, January 17, 2019 - 8:00-10:00 A.M.
Members, Breakfast, Blatt Building, Room 112, by the **SOUTH CAROLINA HIGH SCHOOL LEAGUE**

Tuesday, January 22, 2019 - 5:00-6:30 P.M.
Members and Staff, Reception, The Palmetto Club, by the **SOUTH CAROLINA CHAMBER OF COMMERCE**

Wednesday, January 23, 2019 - 8:00-10:00 A.M.
Members, Breakfast, Blatt Building, Room 112, by the **SC ASSOCIATION OF SPECIAL PURPOSE DISTRICTS**

Wednesday, January 23, 2019 - 12:00-2:00 P.M.
Members, Luncheon, Blatt Building, Room 112, by **SOUTH CAROLINA CONSORTIUM FOR GIFTED EDUCATION**

Wednesday, January 23, 2019 - 5:00-7:00 P.M.
Members and Staff, Reception, Capitol Center, 1201 Main Street, by the **SOUTH CAROLINA BAR ASSOCIATION**

Thursday, January 24, 2019 - 8:00-10:00 A.M.
Members and Staff, Breakfast, Blatt Building, Room 112, by the **FORESTRY ASSOCIATION OF SOUTH CAROLINA**

Tuesday, January 29, 2019 - 5:00-7:00 P.M.
Members, Reception, The Palmetto Club, by the **DESIGN CONSTRUCTION PARTNERSHIP**

TUESDAY, JANUARY 8, 2019

Tuesday, January 29, 2019 - 6:00-8:00 P.M.
Members and Staff, Reception, Columbia Museum of Art, 1515 Main Street, by the **SOUTH CAROLINA TELECOMMUNICATIONS AND BROADBAND ASSOCIATION (SCTBA)**

Wednesday, January 30, 2019 - 8:00-10:00 A.M.
Members and Staff, Breakfast, Blatt Building, Room 112, by the **SC EMERGENCY MEDICAL SERVICES ASSOCIATION**

Wednesday, January 30, 2019 - 12:00-2:00 P.M.
Members, Luncheon, Blatt Building, Room 112, by the **SOUTHERN ASSOCIATION OF COLLEGE ADMISSION COUNSELING (SACAC)**

Wednesday, January 30, 2019 - 5:00 P.M.
Members and Staff, Reception, USC Alumni Center, by the **UNIVERSITY OF SOUTH CAROLINA/MY ALUMNI ASSOCIATION**

Thursday, January 31, 2019 - 8:00-10:00
Members and Staff, Breakfast, Blatt Building, Room 112, by the **SOUTH CAROLINA COMMISSION FOR THE BLIND**

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate stands adjourned, it stand adjourned to meet on Wednesday, January 9, 2019, at 10:30 A.M.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, RANKIN, REESE, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas Moffatt Burriss, Sr. of Columbia, S.C. Mr. Burriss was the father of our beloved Chaplain, Francis Burriss. Mr. Burriss graduated from Clemson in 1941 and shortly after, he enlisted in the Army. Later, Mr. Burriss formed Burriss Constructions Company with his three sons. He was involved in numerous civic and business organizations including the Executives Association of Greater Columbia, the Lions Club, Presbyterian Home of S.C., Medical Missions, SC Lottery Commission and Executive Director of the Business, Industry Political Action Committee and was a founding member and elder of Eastminister Presbyterian Church. In 1976, he was elected to the S.C. House of Representatives where he served until his retirement in 1991. In 2000, Moffatt documented his war experiences by writing the book *Strike and Hold*, a memoir of the 82nd Airborne in World War II. Moffatt was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:18 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:30 A.M.

* * *

Wednesday, January 9, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:30 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:

Psalm 33:11

"The counsel of the Lord stands forever, the plans of his heart from generation to generation."

Let us pray. We thank You almighty God, for the rich heritage of our State and for the evidences of Your favor all around us. As we move forward, lead us to not break faith with any of yesterday's promises, nor leave unrepaired any of yesterday's wrongs.

May our newly elected Governor Henry McMaster be a breath of fresh air to our State, with his faith renewed, his vision inspired and his decisions defined by Your grace.

Believing that Your hand has brought each person in this Chamber thus far and will not forsake us now. May we all work together, talk together, pray together and act Oh, God with a singular purpose to do what is right for all the people who have entrusted us with the power to lead this state. And now, oh God, may Your "still small voice" nudge each Senator here on a daily basis as to what is honorable and just in Your eyes. We offer this prayer in Your holy name. Amen.

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

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:
Document No. 4829
Agency: South Carolina Human Affairs Commission
Chapter: 65
Statutory Authority: 1976 Code Section 1-13-70
SUBJECT: Guidelines Established
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary

WEDNESDAY, JANUARY 9, 2019

Doctor of the Day

Senator MALLOY introduced Dr. John C. Ropp III of Hartsville, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 89 Sen. McElveen
S. 131 Sen. Shealy
S. 339 Sen. Davis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 354 -- Senator Martin: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND AMIKIDS FOR ITS FIFTY YEARS OF GUIDING TROUBLED YOUTH TO POSITIVE, PRODUCTIVE ALTERNATIVES TO PAST BEHAVIOR AND ENABLING THEM TO BECOME SUCCESSFUL CITIZENS OF THIS GREAT STATE.
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The Senate Resolution was adopted.

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

READ THE SECOND TIME

S. 1 -- Senators Leatherman, Peeler, Setzler, Massey, Malloy, Rankin and Campsen: A BILL TO AMEND SECTION 1-3-210 OF THE 1976 CODE, RELATING TO FILLING VACANCIES WHEN THE SENATE IS NOT IN SESSION, TO CLARIFY THAT THE GOVERNOR MAY ONLY MAKE AN INTERIM APPOINTMENT TO AN OFFICE REQUIRING THE SENATE'S ADVICE AND CONSENT IF THE APPOINTMENT IS MADE DURING THE SAME INTERIM DURING WHICH THE OFFICE BECOMES VACANT; TO PROVIDE THAT, IF THE SENATE DOES NOT CONFIRM AN INTERIM APPOINTMENT DURING THE NEXT ENSUING REGULAR LEGISLATIVE SESSION, THE GOVERNOR MAY NOT MAKE ANOTHER INTERIM APPOINTMENT; AND TO PROVIDE THAT THE GOVERNOR'S AUTHORITY TO MAKE AN INTERIM APPOINTMENT TERMINATES WHEN THE GENERAL ASSEMBLY CONVENES FOR THE REGULAR LEGISLATIVE

SESSION FOLLOWING THE INTERIM PERIOD DURING WHICH THE OFFICE BECAME VACANT.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

S. 2 -- Senators Campsen, Massey and Malloy: A BILL TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE", "PRESIDENT PRO TEMPORE", OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

RECESS

At 10:45 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Inaugural Ceremony and following the ceremony, the Senate would stand adjourned.

WEDNESDAY, JANUARY 9, 2019

INAUGURAL PROGRAM
Processional
282nd Army Band, Fort Jackson, Columbia, South Carolina
Chief Warrant Officer Three George T. Bauer, *Commander*
Escorts – Cadets from the Citadel

CEREMONY
The Honorable HARVEY S. PEELER, JR.
PRESIDENT of the Senate, Presiding

Welcome remarks by HARVEY S. PEELER, JR.,
PRESIDENT of the Senate

From the mountains to the sea, we love this State -- every day -- all day long. But there is something about "Carolina in the Morning." Good morning South Carolina!

Welcome to the inauguration ceremony of our Governor, Henry McMaster, his running mate Lieutenant Governor-elect Pamela Evette and the Constitutional Officers.

Today leaders are gathered from all across South Carolina -- To their families thank you. Thank you for allowing your loved ones the time to make our State better.

Our State is represented by folks from all walks of life, from all different backgrounds and experiences, from the beautiful Blue Ridge Mountains, past the hum of commerce and industry, through the fertile fields of Ridge and the Pee Dee to the relaxing Atlantic Coast. I have always believed those differences, coming together, make us a stronger and better State.

In the days ahead there's going to be debates in the halls of this building behind us. But we come together on days like today to fulfill the promise of our democracy -- a government of the people, by the people, and for the people.

It's the people of South Carolina that I'd like to talk about for just a minute. As Governor McMaster says -- it is our people who make South Carolina great. We've seen it over and over -- South Carolinians rise to meet every challenge that comes our way. During the floods of 2015 -- and more recently, Hurricanes Florence and Matthew, you couldn't turn on the television without images of neighbors helping neighbors, friends, family members, or people they didn't even know in their time of need. Our sense of duty as a State extends far beyond our backyards, though. There are over 30,000 South Carolinians on active duty in the United States Military, and thousands more standing at the ready to answer the

call as part of the Reserves and National Guard. South Carolinians are incredible. They work hard and they work smart. Visit any school and you'll see educators putting in extra time, going above and beyond just to make sure our children and grandchildren are prepared for tomorrow. Our nurses keep us healthy and our linemen keep the lights on. Think about the brave members of our law enforcement, firefighters and emergency response personnel and all they do to help our communities and to protect us. We continue to have challenges. Our challenge -- as elected officials -- is to reflect the greatness and dedication of the people across South Carolina who sent us here to serve. All the while being ever mindful that it is their hard earned tax dollars that we prioritize. We're a State rich in history and of unlimited potential. We're a State I'm proud of. Let's remember in this New Year, in this new legislative session, that we all want the same thing -- a safe, prosperous, beautiful State. Let's not allow disagreements on how to achieve our goals impede our progress, and let us draw on our shared vision to come together to improve our State. Let us all continue to be inspired by our greatest resource of all -- hardworking South Carolinians.

To Governor McMaster, Lt. Governor-elect Evette, Constitutional Officers, Senators, and Representatives -- it is an honor to work with you for the people of the Palmetto State. Thank you. God Bless you and God bless the State of South Carolina.

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Welcome — The Honorable Harvey S. Peeler, Jr.
Invocation — Dr. Leon Winn
Rock Hill Baptist Church, Manning
Presentation of the Colors — The Citadel Color Guard
Pledge of Allegiance — Maj. Gen. James E. Livingston, MOH, USMC, ret.
Star Spangled Banner — *Francis Scott Key and John Stafford Smith*
Dr. Richard Conant, DMA
"Gloria" — *Paul Basler*
"America" — *arr. Mary McDonald*

The Hammond School Select Ensemble
Steven Hillard, *Director*
Accompanied by the 282nd Army Band for "America"

Administration of the Oath to the Office

Lieutenant Governor — Lieutenant Governor-Elect Pamela Sue Evette
by Justice John W. Kittredge

WEDNESDAY, JANUARY 9, 2019

State Officers

by Lieutenant Governor Pamela Sue Evette

Secretary of State	The Honorable Mark Hammond
State Treasurer	The Honorable Curtis Loftis, Jr.
Attorney General	The Honorable Alan Wilson
Comptroller General	The Honorable Richard Eckstrom
Superintendent of Education	The Honorable Molly Mitchell Spearman
Adjutant General	The Honorable Robert E. Livingston
Commissioner of Agriculture	The Honorable Hugh E. Weathers

"Three Patriotic Treasures" *arr. Greg Gilpin*
"Sweet Freedom" arr. *Gwyneth Walker*

Lakewood High School Concert Choir
Tamala Hammond, *Director*
with guest singers from Morris College,
Herbert Johnson, *Director of Choirs,* D'Andre Riley, Eric McClam and Ben Way

"Arise Beloved" *Rosephanye Powell*

Claflin University Concert Choir
Dr. Jason Dungee, *Conductor*

Administration of the Oath to the Governor

The Honorable Henry Dargan McMaster
by Chief Justice Donald W. Beatty

Inaugural Address The Honorable Henry Dargan McMaster
His Excellency, Governor of South Carolina

INAUGURAL ADDRESS

by the Honorable Henry Dargan McMaster

It is another beautiful day in South Carolina. Thank you for coming. Words cannot express the pride and joy I have to be the Governor of the great State of South Carolina. It is exhilarating and humbling, an honor and a privilege. My family and I thank you.

We are players in a fascinating human history spanning centuries and enveloping all people and countries. This history has many elements, but the one constant is the presence of economic competition: Competition -- sometimes rising to warfare -- for land, markets, populations, for resources, all with which to prosper and grow.

That economic competition today is the greatest the world has ever known. It is not only competition with foreign companies, but with foreign nations and their governments as well. It is sophisticated and instant, involving tariffs, taxes, technologies, data analytics and logistics. It is fierce, and it offers reward and security for those who succeed. It is also between states. Viewed in the context of economic competition, it is clear what we must do for future generations of South Carolinians. We must compete. We must win. This is our time. South Carolina is winning. And we will keep winning. Great football coaches have said that the worst mistake a player can make is to fumble the ball. And as the Clemson Tigers just showed the world -- South Carolina produces superior teamwork. We will not fumble the football.

As your Governor my game plan is to be bold, to coach a team of talented players who make their teammates better players -- in practice, preparation and then on the field of competition. My game plan for South Carolina requires changing our offensive plays on education. It means putting a strong defense on the field that tackles regulations, keeps high taxes off the field and protects our environment like it is the end zone. There is no doubt that for years we have been winning. By "we," I refer to South Carolina. That means trailblazers and leaders -- many of whom are here today. Business leaders, public servants, educators, innovators, doctors and nurses, veterans, first responders and those upcoming. For me, "we" means the five million men, women and children of South Carolina.

In the two years I have been in this office, we have announced over $8 billion in new capital investment and over 27,000 new jobs. Today, our agricultural base is accelerating, our tourism industry is thriving and we have become a major high-tech manufacturing hub. We are the nation's top exporter of tires -- and of completed automobiles. Our average annual manufacturing employment growth is 16% -- the highest in the southeast.

Over and over we are recognized as one of the best places in the country to do business -- and to visit or vacation. To continue and accelerate this economic prosperity, we must keep taxes low, eliminate suffocating regulations, and invest in infrastructure. Surpluses in state government revenues don't mean we have to spend it all; it means prioritizing the most critical needs then rebating what's not needed back to the taxpayers. That's what I intend to do.

Continued economic prosperity requires reforming our state's tax code. It requires reforming our state's marginal income and corporate tax rates to keep South Carolina competitive for jobs, investment and talent.

Prosperity requires that we increase our investment in developing a skilled workforce to fill the demands of today and tomorrow.

The skills required in today's modern workplace require us to stay ahead of demand and adapt with rapid advancements in technology. Modern manufacturing plants and assembly lines have transformed into intricate computerized environments driven by advanced robotics, artificial intelligence, and sophisticated logistical delivery systems designed to deliver finished products around the world -- Made in South Carolina.

It also requires that we invest in skilled workers in the trades -- plumbing, masonry, carpentry, and others. Materials, methods and tools have changed. Skilled workers are in such high demand today that we have to go out-of-state to recruit them. Right now South Carolina has 60,000 of those highly paid jobs looking for people. Our competitors have the same problem.

For decades every family's goal was for their children to go to college, which meant a four-year college degree. Higher education was -- and still is -- the key to success. But now we know that economic prosperity does not necessarily require a four-year degree. Economic prosperity can be achieved through two-year associate degrees and a multitude of certificates from our state's technical colleges. Our technical college system is the best in the country. It is unique, with readySC training employees for our state's manufacturers and with bachelor's degrees in applied manufacturing. South Carolina's technical colleges are assets of enormous opportunity for our future!

So, we must also increase our investment in developing this skilled workforce. Additional workforce scholarships, grants and partnerships between our technical schools, high schools and local businesses will expand our state's pipeline of talent, as will partnerships between our research universities and manufacturers. A strong, skilled workforce ensures economic prosperity for all South Carolinians. We must be bold, aggressive, alert and we must think long-term. We must also commit ourselves to providing the highest quality education for South Carolina's children if we are to continue to compete in the future for jobs and economic prosperity. Here's a pertinent example from sports competition: NASCAR racing in Darlington. In 2003, after 400 miles with average speeds topping 125 miles per hour, including yellow flags and pit stops, Ricky Craven in a number 32 Pontiac beat Kurt Busch in a number 97 Ford by two one-thousandths of a second. In distance, that would be the thickness of the paint on the front bumper. If one of Mr. Craven's tires had been even a little bit flat, he would have lost.

Similarly, our State will never excel and succeed to our fullest potential if parts of our State are "flat" -- or not performing. If we are bold and prepare for the race in front of us -- South Carolina will beat the competition every time. Months ago, I had a conversation with the district superintendent of one of our rural counties. Education suffers there, and once grown, young people are leaving. There is nothing for them there, except family. Asked what the impact would be of a manufacturing company seeking 500 workers for a new plant in her county, which has none, she said, "It would change everything!" That is what we intend to do, change everything.

My pledge to you today is that the words "Corridor of Shame" will soon be a fading memory. This will require a state-backed economic development commitment to bring jobs to these communities by providing infrastructure in rural areas -- not only in water, sewer and roads, but in school buildings and facilities. This will provide the spark. We must be bold. Being perceived as weak in education is not good. But, being perceived as not committed to fixing it is disastrous. We will fix it and we will keep winning.

Coupled with the empowerment of investment -- both private and public -- envisioned by Jack Kemp twenty years ago and brought to reality by Senator Tim Scott with the creation of opportunity zones -- we now have additional power to unleash the free market and public investment -- to defeat the enemy of progress known as poverty. We must also recruit and build the best team of teachers and educators in the country. This will require imagination and determination. It will require providing South Carolina's teachers with compensation that is competitive -- in the southeast and across the nation. We must also embark on providing bold reform: Reforming education funding, making our schools safe with school resource officers and mental health counselors, restoring old-fashioned discipline in the classroom, common sense relief for our teachers from testing, forms and paperwork, consolidating school districts and giving our state superintendent the authority to remove and replace non-productive school boards. Over the years in the education debate, the riddle about "the chicken or the egg" always comes up. Which comes first? Is it the strong family, the job or the education? We don't know. But we do know that if we lack any one of the three -- strong families, jobs or education -- we will not have the other two. In short, we know that our success in today's worldwide economic competition depends on our intellectual capacity, training, research and development, knowledge, innovation and imagination. In a

word, on our brain power. That is why South Carolina's commitment to education must be second to none in the United States.

Finally, we must endeavor to always protect our state's environment, our spectacular natural resources. This land, as noted by the explorers for kings and queens, is lush, fertile and brimming with abundance in plant and animal life. It is irreplaceable. The obligation and privilege of our generation and others is to use it, cultivate it, develop it and also to protect it and encroach upon it only gently. Our economic growth and the preservation of our natural environment are not opposing objectives which must be balanced as in a competition, one against the other. Instead, they are complementary, intertwined and inseparable, each dependent on the other.

To these ends, I recently established the South Carolina Floodwater Commission. It is unique in the United States. The commission's purpose is to provide guidance, solutions and opportunities presented by inland and coastal flooding and all that entails. Its scope will be global, to be applied here. Economic prosperity requires that we address water in a comprehensive fashion -- whether it is flooding, sea rise, aquifer depletion or upstream withdrawal. Make no mistake -- a plentiful water supply is essential to our manufacturing, agricultural and tourism industries as well as our quality of life -- so we must work diligently and intelligently, and we must plan for the long-term. And let me assure you that I will firmly stand against all efforts to endanger the future of our pristine coastline, our beaches, our sea islands, our marshes and our watersheds.

In closing, let me say two things: First, to the members of the General Assembly -- we, among ourselves, are not competitors. We are all on the same team -- with the same ultimate goal -- which is the prosperity and happiness of the people of South Carolina. And, second, but foremost, to the young people of South Carolina, let me say: I see before us the brightest of futures. But we must think big, have confidence and be bold. We will do things we have not done before. And we will succeed.

May God bless you, the great State of South Carolina and the United States of America.

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"*Redeeming Love, Repeated Praise*" *Robert J. Powell*
(A Sacred Harp Trilogy, 2010)

WEDNESDAY, JANUARY 9, 2019

The South Carolina Governor's School for the
Arts and Humanities Choir
Dr. David Rhyne, *Conductor*

Benediction — The Reverend Dr. Derek W. H. Thomas
First Presbyterian Church, Columbia

Recessional

"God Bless America" — arr. Keith Christopher and John Moss

Claflin University Concert Choir
The South Carolina Governor's School for the
Arts and humanities Choir
The Hammond Select Ensemble
Lakewood High School Concert Choir
Dr. Jason Dungee, *Conductor*

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Heitsman, Jr. of Darlington, S.C. William taught at Hartsville High School until his retirement and later became a speech adjunct instructor at Francis Marion University. He was a member of St. Matthews Episcopal Church and St. Catherine's Episcopal Church and was active in the Optimist Club and SCEA. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Roosevelt Quarles of Greenwood, S.C. Roosevelt was employed with Velux and was a member of Old Mt. Zion Baptist Church. He served our country for four years in the United States Army, was a lifetime member of the Brewer High School National Alumni Association, Prince Hall Masons Harmony Lodge #37, Emerald High School Hall of Fame and the Frank G. Russell Technology Board Project Lead the Way Advisory Council. Roosevelt was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Viola P. Richburg Dingle of Manning, S.C. Mrs. Dingle was the wife of Judge James Dingle. Viola was a loving wife who will be dearly missed.

ADJOURNMENT

At 12:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 10, 2019
(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:

Matthew 18:20

"For where two or three are gathered in my name, there I am in the midst of them."

Let us pray. Gracious Lord, as we gather in this Chamber, we remember Your promise that "…where two or three are gathered in my name, there I am in the midst of them."

We claim Your promise this day and pray that You will make Your presence a part of every decision that comes from this Body.

Through the power of Your spirit, O God, enable us to be better than we are, wiser than we know, and stronger than we can dream. Therefore each day forward, may we hold fast to what is good, may we overcome what is evil and may we be constant in our daily prayer. 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 11:05 A.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Helen Stockinger of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

At 12:10 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN.

THURSDAY, JANUARY 10, 2019

Leave of Absence

At 12:10 P.M., Senator GOLDFINCH requested a leave of absence for Senator CAMPBELL for the balance of the day.

CO-SPONSORS ADDED

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

S. 2 Sen. Setzler
S. 104 Sen. Sheheen
S. 105 Sen. Sheheen
S. 281 Sen. Campbell
S. 313 Sen. Shealy
S. 332 Sen. Senn

RECALLED AND COMMITTED

S. 333 -- Senator M.B. Matthews: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

On motion of Senator MARTIN, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Corrections and Penology.

RECALLED AND COMMITTED

S. 338 -- Senator Climer: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 58 OF THE 1976 CODE, RELATING TO THE REGULATION OF WATER AND SEWER UTILITIES' ADEQUACY OF SERVICE, BY ADDING SECTION 58-5-715, TO REQUIRE THAT A WATER OR SEWER UTILITY SUBJECT TO THE PUBLIC SERVICE COMMISSION'S SUPERVISION AND REGULATION MUST ESTABLISH CUSTOMER CLASSES BASED UPON GEOGRAPHIC SERVICE LOCATION, TO PROVIDE THAT A CLASS BASED UPON GEOGRAPHIC SERVICE LOCATION CONSISTS OF CUSTOMERS WHO ARE SERVED BY A WATER

OR SEWER UTILITY FOR WHICH THE UTILITY'S SYSTEM COMPONENTS THAT PROVIDE THE SERVICE TO THOSE CUSTOMERS ARE PHYSICALLY CONNECTED AND THIS CLASS IS IN ADDITION TO OTHER TYPES OF CUSTOMER CLASSES, AND TO PROVIDE THAT A CUSTOMER IN A GEOGRAPHIC SERVICE LOCATION CLASS MUST NOT PAY FOR THE CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF THE UTILITY'S PIPES OR OTHER EQUIPMENT THAT PROVIDES SERVICE TO CUSTOMERS IN A SEPARATE GEOGRAPHIC SERVICE LOCATION CLASS.

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Agriculture and Natural Resources and committed to the Committee on Judiciary.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 355 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE MARION B. MASON, SENIOR ART EDUCATOR OF LEXINGTON COUNTY SCHOOL DISTRICT ONE, UPON THE OCCASION OF HIS RETIREMENT; TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DEDICATED HIGH SCHOOL TEACHING AND SERVICE TO THE CITIZENS OF THE MIDLANDS OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 356 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE LEXINGTON HIGH SCHOOL GIRLS' GOLF TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE AAAAA SOUTH CAROLINA GIRLS' GOLF STATE CHAMPIONSHIP.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 357 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE MID-CAROLINA HIGH SCHOOL CHEERLEADING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR

WINNING THE 2018 STATE AAA COMPETITIVE CHEERLEADING CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38, TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 359 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS

MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO

CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

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

S. 361 -- Senator M. B. Matthews: A BILL TO AMEND SECTION 16-3-651, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL SEXUAL CONDUCT DEFINITIONS, SO AS TO ADD A DEFINITION FOR "CONSENT".

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

S. 362 -- Senator Verdin: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

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

S. 363 -- Senator Davis: A BILL TO AMEND SECTION 44-20-30 OF THE 1976 CODE, RELATING TO TERMS DEFINED IN THE "SOUTH CAROLINA INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT", TO ADD A DEFINITION FOR "AUTISM SPECTRUM DISORDER"; AND TO AMEND SECTION 38-71-280 OF THE 1976 CODE, RELATING TO HEALTH INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, TO MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Medical Affairs.

S. 364 -- Senator Senn: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 365 -- Senators Jackson, Setzler, Peeler, Leatherman, Massey, Reese, Hutto, Malloy, Sheheen, Williams, Nicholson, Scott, Allen, Johnson, McElveen, Kimpson, Sabb, M. B. Matthews, Fanning, McLeod, Harpootlian, Alexander, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Martin, Rankin, Rice, Senn, Shealy, Talley, Turner, Verdin and Young: A SENATE RESOLUTION TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT TO BE PLACED IN THE SENATE CHAMBER OF THE HONORABLE JOHN WESLEY MATTHEWS, JR., OF BOWMAN IN ORANGEBURG COUNTY, A SELFLESS AND DEDICATED SENATOR FROM THE THIRTY-NINTH SENATORIAL DISTRICT AND A DISTINGUISHED STATESMAN DESERVING PROPER RECOGNITION BY THE SENATE AND THE STATE OF SOUTH CAROLINA.
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Senator JACKSON spoke on the Resolution.

The Senate Resolution was introduced and referred to the Committee on Operations and Management.

Remarks by Senator JACKSON

Thank you. I will be brief. I want to speak on the very special Senate Resolution on the desk. I know it is late Thursday and time to go but it is a Resolution to honor one of our own. Members of the Senate, we have among us someone who is the longest serving African-American legislator in the history of South Carolina. I think our research has indicated even in the country. That is our very own JOHN WESLEY MATTHEWS, who has served for 45 years. Someone said to me a long time ago as a young minister that it is much better to see a sermon than to hear a sermon. That means your examples far outweigh your ability to articulate. Senator MATTHEWS has done that. I'm very proud to sponsor, along with many of you, the leadership of both sides of the isles, a very special Resolution. I ask the Senate to hang a portrait of the longest serving legislator in the history of South Carolina. Perhaps in the nation. He has served 45 years without any hint of scandal -- has been a great example for us and also many who have gone from this Body. Thank you for the PRESIDENT, Majority Leader, Chair, Minority Leader and many other who's have joined me in co-sponsoring this Resolution, so I just wanted to stand as the clerk reads and we can say more at a later time about Senator MATTHEWS. Thank you, members of the Senate.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator JACKSON, were ordered printed in the Journal.

H. 3480 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford,

Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR JAMES HENRY "JIM" MILLS ON HIS INDUCTION INTO THE CHAPIN HALL OF FAME.

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

H. 3481 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR WILLIAM F. "BILL" ZEIGLER ON HIS INDUCTION INTO THE CHAPIN HALL OF FAME.

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

REPORT OF STANDING COMMITTEE

Senator SHEALY from the Family and Veterans Services polled out S. 327 favorable:

S. 327 -- Senator Shealy: A BILL TO AMEND SECTION 1-25-60(A)(5)(b) OF THE 1976 CODE, RELATING TO THE STATE INTERAGENCY PLANNING AND EVALUATION ADVISORY COMMITTEE, TO REDESIGNATE THE GENERAL COMMITTEE AS THE FAMILY AND VETERANS' SERVICES COMMITTEE.

Poll of the Family and Veterans Services
Polled 17; Ayes 17; Nays 0

AYES

Shealy	Sheheen	Young
Johnson	McElveen	Turner
Climer	Fanning	McLeod
Talley	Gambrell	Cash
Verdin	Cromer	Gregory
Margie Matthews	Harpootlian	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

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

SECOND READING BILL

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

S. 335 -- Senator Massey: A BILL TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH

EVEN-NUMBERED YEAR, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, AND TO CHANGE THE FILING PROCEDURE FOR COMMISSION CANDIDATES TO REQUIRE THEM TO FILE AN INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND TO SET A FILING DEADLINE.

On motion of Senator MASSEY.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 1 -- Senators Leatherman, Peeler, Setzler, Massey, Malloy, Rankin and Campsen: A BILL TO AMEND SECTION 1-3-210 OF THE 1976 CODE, RELATING TO FILLING VACANCIES WHEN THE SENATE IS NOT IN SESSION, TO CLARIFY THAT THE GOVERNOR MAY ONLY MAKE AN INTERIM APPOINTMENT TO AN OFFICE REQUIRING THE SENATE'S ADVICE AND CONSENT IF THE APPOINTMENT IS MADE DURING THE SAME INTERIM DURING WHICH THE OFFICE BECOMES VACANT; TO PROVIDE THAT, IF THE SENATE DOES NOT CONFIRM AN INTERIM APPOINTMENT DURING THE NEXT ENSUING REGULAR LEGISLATIVE SESSION, THE GOVERNOR MAY NOT MAKE ANOTHER INTERIM APPOINTMENT; AND TO PROVIDE THAT THE GOVERNOR'S AUTHORITY TO MAKE AN INTERIM APPOINTMENT TERMINATES WHEN THE GENERAL ASSEMBLY CONVENES FOR THE REGULAR LEGISLATIVE SESSION FOLLOWING THE INTERIM PERIOD DURING WHICH THE OFFICE BECAME VACANT.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN spoke on the Bill.

Remarks by Senator CAMPSEN

Thank you, Mr. PRESIDENT. This is a Bill that was precipitated by a recent state supreme court decision, Leatherman v. McMaster, that the court took in original jurisdiction. The case was about the interpretation of Section 1-3-210 that deals with interim appointments. The Governor has the power to make interim appointments when we are not in session. The question was, does the vacancy that occurs when we are not in

session have to be during the same interval between sessions as the appointment is made. The court determined it was an ambiguous statute. Because of that ambiguity, the court went to the intent of the legislature as is their standard of review.

I'm not too critical of the court, but I don't really agree with the decision.

What we are doing with S. 1 is clarifying this area of the law as it relates to interim powers and appointment powers in general. It is one of the myriad of devices that is in our structure of government that keeps each branch of government from getting too powerful.

Advice and consent keeps executive power in check. The framers thought it important to have appointments that are not unilaterally decided by one individual, so the court's ability to strike legislation down as unconstitutional or construe meaning is designed to check and limit power.

It is important in this separation of powers scenario to first recognize that, without the statute, the Governor doesn't have authority to make an interim appointment at all. The continuity of government supports the Governor's ability to make interim appointments if a vacancy occurs in the off session. On the flip side is a fundamental tenant of state and constitutional law that the Senate has a role in advice and consent for long-term appointments.

In exercising this, it is important for the Senate to ask hard questions of the nominees. Historically, there have been very few nominees rejected. It is important for us to take the Governor's nominations and act upon them, but in order for us to act on them, we have to get the appointment in a timely manner. This appointment came relatively late in the session.

The way S. 1 is structured actually puts incentive on the Governor's office to get the paper work done on the nomination, on the nominee to participate and cooperate with the Senate, and on the Senate to do the background checks, have hearings, and vote. It makes everybody have to work together.

Without this statute, and as a result of the Supreme Court's opinion, the Governor could make an interim appointment that persists while we are out of session. Under this scenario, if we don't act while we are in session, then the individual could vacate the office for a day, then could be reappointed as interim. It could go on ad infinitum.

That would obviate advice and consent and violate how the framers structured government to contain political power. This decision could almost completely eviscerate this if not addressed.

We are reasserting our advice and consent role to make sure that it is going to be applicable. In the big picture it is important to the citizens that it be reinstated. Like the Governor's veto power or the judicial branch's authority to rule that a statute is unconstitutional, it is one of the devices that restrains runaway political power. I am vehemently opposed to restricting a branch of government's ability to impose the balance that the framers took such care to impose. This legislation is important to maintain a balance in the separation of powers doctrine.

Madison said it best in Federalist 51 about political ambition: ambition must be made to counteract ambition. There is a very salient reason for the advice and consent powers. All we are doing is going back to the status quo before this decision. If we don't do anything when we adjourn, then the interim appointment is vacated. That is the effect of the statute. It makes inaction essentially action.

I wanted to have a vote on this nominee. I intended to vote for the nominee, but this is not about this particular appointment. This is not about trying to hoard or give the Senate more power than it should have or ever did have. This is trying to set the balance of powers back in balance. From my perspective, this is about the structure of government and the powers the three branches have over each other and keeping that in balance. That is totally my motivation in being supportive of this.

Again, I'm not being critical of the court. I can admire their work but do not agree with the conclusion. In this case, they disrupted the balance and we have to reset it. They ruled the statute is ambiguous, and that is a clarion call for the General Assembly to step in and remove the ambiguity.

On motion of Senator MASSEY, with unanimous consent, the remarks of Senator CAMPSEN, were ordered printed in the Journal.

Senator MALLOY spoke on the Bill.

The question being the third reading of the Bill.

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

Ayes 40; Nays 2

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Gambrell

Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Climer	Fanning

Total--2

The Bill was read the third time, ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 2 -- Senators Campsen, Massey, Malloy and Setzler: A BILL TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE," "PRESIDENT PRO TEMPORE," OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE

SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN spoke on the Bill.

The question being the third reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the third time, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that when the Senate stands adjourned on Thursday, January 10, it will adjourn to meet Friday, January 11, 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; and, further, that when the

Senate stands adjourned on Friday, January 11, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Tuesday, January 15, Wednesday, January 16, and Thursday, January 17, and Friday, January 18 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. And further, the Senate would meet in regular statewide session Tuesday, January 22, at 2:00 P.M.

REPORT NOTIFICATION

The Judicial Merit Selection Committee's Draft Report of Candidate Qualifications will be published on the website link below today, January 10, 2019. The report will be published in the Senate Journal on January 11, 2019.
https://www.scstatehouse.gov/JudicalMeritPage/PublicHearingTranscriptes.php

Motion Adopted

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

ADJOURNMENT

At 12:23 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, January 11, 2019
(Local 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 ACTING PRESIDENT, Senator JACKSON.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bills:
S. 33 Sen. Campsen
S. 107 Sen. Campsen

REPORT RECEIVED

Judicial Merit Selection Commission

Report of Candidate Qualifications
2018

Date Draft Report Issued: Thursday, January 10, 2019
Date and Time Final Report Issued: Noon, Tuesday, January 15, 2019

Judicial candidates are not free to seek or accept commitments until Tuesday, January 15, 2019, at Noon.

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Rep. G. Murrell Smith Jr., Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
Rep. Chris Murphy
Margaret Bluestein
Michael Hitchcock
Lucy Grey McIver
Andrew N. Safran

Erin B. Crawford, Chief Counsel
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

January 10, 2019

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 15, 2019. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, January 15, 2019. In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,

Senator Luke A. Rankin

FRIDAY, JANUARY 11, 2019

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Rep. G. Murrell Smith Jr., Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
Rep. Chris Murphy
Margaret Bluestein
Michael Hitchcock
Lucy Grey McIver
Andrew N. Safran

Erin B. Crawford, Chief Counsel
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

January 10, 2019

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report***. The Commission would like to clarify and

reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly***, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,
Senator Luke A. Rankin
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, as amended, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's

experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.,* lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, experience, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar through BallotBox online;
(2) SLED and FBI investigation;
(3) credit investigation;
(4) grievance investigation;
(5) study of application materials;
(6) verification of ethics compliance;

(7) search of newspaper articles;
(8) conflict of interest investigation;
(9) court schedule study;
(10) study of appellate record;
(11) court observation; and
(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that**

the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Court of Appeals, Circuit Court, Family Court, and Administrative Law Court.

COURT OF APPEALS
QUALIFIED AND NOMINATED

Blake A. Hewitt
Court of Appeals, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Hewitt meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Mr. Hewitt was born in 1978. He is 40 years old and a resident of Conway, South Carolina. Mr. Hewitt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Hewitt.

Mr. Hewitt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Hewitt reported that he has not made any campaign expenditures.

Mr. Hewitt testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Hewitt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Hewitt to be intelligent and knowledgeable.

Mr. Hewitt reported that he has taught the following law-related courses:

(a) From January of 2018 to May of 2018 I was employed by the University of South Carolina Law School as an Adjunct Professor teaching Appellate Advocacy.

(b) I lectured on techniques of oral advocacy at the 2016 "Prosecution Bootcamp" for new prosecutors, hosted by the Prosecution Coordination Commission. I delivered the same presentation at the Solicitor's Association's Annual Convention later that same year.

(c) I presented on the topic of appellate practice at the Bridge the Gap programs in 2015 and 2016.

(d) I lectured on oral advocacy at the 2016 SC Bar "SC Lawyer's Guide to Appellate Practice" Program.

(e) I gave "case law update" presentations to all attendees at the Injured Workers' Advocates organization's Annual Conventions in 2011, 2013, 2014, 2015, 2016, and 2017.

(f) In 2015 I gave a presentation that dealt with issues surrounding the admission of forensic interviews in criminal sexual conduct cases as part of the SC Bar's annual "It's All A Game" seminar.

(g) I shared presentations on special filing procedures in professional negligence cases as a part of the annual Tort Law Update hosted by the SC Bar in 2014 and 2015.

(h) I lectured on error preservation and techniques of developing a record for an eventual appeal at the 2013 SC Bar Program "Introduction to Birth Injury Litigation."
(i) I was a member of a panel discussion on indigent defense funding at the Charleston School of Law's symposium celebrating the 50th anniversary of the U.S. Supreme Court's decision in Gideon v. Wainwright.
(j) I gave speeches on effective legal writing at a local CLE Program, "What Every Lawyer should know to Enjoy (or Survive) the Practice of Law" in 2012 and 2013.
(k) I lectured on handling appeals effectively at the South Carolina Association for Justice's 2012 Annual Convention

Mr. Hewitt reported that he has published the following:
(a) Appellate Practice in South Carolina, Jean Hoefer Toal et al. (SC Bar CLE 2016), Editorial Board.

(4) Character:

The Commission's investigation of Mr. Hewitt did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Hewitt did not indicate any evidence of a troubled financial status. Mr. Hewitt has handled his financial affairs responsibly.

The Commission also noted that Mr. Hewitt was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Hewitt reported that he is not rated by any legal rating organization.

Mr. Hewitt reported the following military service:
From June of 2001 to August of 2001, I was an officer candidate in the United States Marine Corps. A week before the end of Officer Candidate School, I declined a commission as a Second Lieutenant and was released from my orders. To my knowledge,

I did not have a rank or a serial number. The character of my discharge was "dropping on request."

Mr. Hewitt reported that he has never held public office.

(6) Physical Health:

Mr. Hewitt appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Hewitt appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Hewitt was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

(a) From August of 2005 to July of 2008, I served as a judicial law clerk and legislative liaison to the Honorable Jean H. Toal, Chief Justice of the Supreme Court of South Carolina.
(b) From July of 2008 to August of 2009, I served as a judicial law clerk to the Honorable Joseph F. Anderson, Jr., United States District Judge for the District of South Carolina.
(c) From August of 2009 until the present time, I have been in private practice with the same law firm. When I joined the firm it was Bluestein Nichols Thompson & Delgado. The firm is now Bluestein Thompson Sullivan. My primary area of practice has been appellate litigation but I am routinely involved in work at the Circuit Court and District Court level as either lead counsel or consulting counsel.
(d) From January of 2018 to May of 2018 I was employed by the University of South Carolina Law School as an Adjunct Professor teaching Appellate Advocacy.

Mr. Hewitt reported the frequency of his court appearances during the past five years as follows:

(a) Federal: Fairly infrequent. Five to ten percent of cases;
(b) State: Regularly. Multiple oral arguments each year with various other in-court appearances.

Mr. Hewitt reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 80%;
(b) Criminal: 10%;
(c) Domestic: 10%.

Mr. Hewitt reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 5%;
(b) Non-jury: 94% (appellate cases counted as non-jury; though some were appeals from jury trials, my involvement was usually after the verdict).
Mr. Hewitt provided that he most often served as lead counsel.

The following is Mr. Hewitt's account of his five most significant litigated matters:

Every case I have ever handled has been significant to me because every client's case is supremely important to them. With that qualification, some of the cases that I believe to have broader significance are described below:
(a) Marshall v. Dodds, 417 S.C. 196, 789 S.E.2d 88 (Ct. App. 2016). This case, which was argued at the Supreme Court in May, analyzes how the statute of repose for medical malpractice actions applies in the situation where there are multiple breaches of the standard of care over an extensive period of time.
(b) Rhame v. Charleston County Sch. Dist., 412 S.C. 273, 772 S.E.2d 159 (2015). This case holds that the Workers' Compensation Commission may entertain petitions for rehearing. It overrules three previous decisions that had incorrectly suggested otherwise and brings the comp commission's practice in line with that of other administrative agencies.
(c) Ranucci v. Crain, 409 S.C. 493, 763 S.E.2d 189 (2014). This case correctly holds that the pre-suit notice of intent statute for medical malpractice cases (section 15-79-125) completely incorporates the affidavit statute from the Frivolous Civil Proceedings Sanctions Act (section 15-36-100), reversing a decision to the contrary by the Court of Appeals.

(d) Bone v. U.S. Food Service, 404 S.C. 67, 744 S.E.2d 552 (2013). This case resolves a long-standing conflict between the Supreme Court and the Court of Appeals about immediate appealability in administrative cases. This conflict historically resulted in a substantial amount of waste for litigants and for the court system. The rule is not perfect, but Bone correctly forces everyone to examine appealability in administrative cases through the lens of the Administrative Procedures Act.
(e) Ex Parte Brown, 393 S.C. 214, 711 S.E.2d 899 (2011). This case holds that when an attorney is appointed to represent an indigent defendant, the takings clause of the Constitution requires that the attorney receive reasonable compensation for his services. This was a break from prior precedent. I was deeply honored to represent the South Carolina Bar which filed a brief as a friend of the Court.

The following is Mr. Hewitt's account of five civil appeals he has personally handled:
(a) Traynum v. Scavens, 416 S.C. 197, 786 S.E.2d 115 (2016);
(b) Roddey v. Wal-Mart, 415 S.C. 580, 784 S.E.2d 670 (2016);
(c) McAlhaney v. McElveen, 413 S.C. 299, 775 S.E.2d 411 (Ct. App. 2015);
(d) Skipper v. ACE Property & Casualty Ins. Co., 413 S.C. 33, 775 S.E.2d 37 (2015);
(e) Lewis v. LB Dynasty, 411 S.C. 637, 770 S.E.2d 393 (2015).

The following is Mr. Hewitt's account of five criminal appeals he has personally handled:
(a) State v. Sims, Court of Appeals, Appellate Case No. 2016-001385 (on preliminary oral argument list);
(b) State v. Torrence, Op. No. 2013-UP-152 (S.C. Ct. App. filed Apr. 10, 2013);
(c) State v. Whitesides, 397 S.C. 313, 725 S.E.2d 487 (2012);
(d) State v. Jennings, 394 S.C. 473, 716 S.E.2d 91 (2011);
(e) Ex Parte Brown, 393 S.C. 214, 711 S.E.2d 899 (2011) (represented amicus curiae).

Mr. Hewitt further reported the following regarding unsuccessful candidacies:
In 2012 I ran unsuccessfully for the South Carolina House of Representatives, District #105. For a brief period in May, I was

the Republican nominee for this office, however I was disqualified as a candidate as a result of the Supreme Court of South Carolina's decision in Florence County Democratic Party v. Florence County Republican Party, which invalidated the filing directions that the South Carolina Election Commission issued to all candidates. I pursued a petition candidacy following this decision and was certified by the Election Commission as a petition candidate for the November 2012 general election. I did not win the general election. I filed my final financial report in April of 2013. In 2014 I ran unsuccessfully for the Court of Appeals, seat 7. This vacancy was created when Judge Danny Pieper retired. I was deeply honored to be found qualified and nominated by the JMSC. I withdrew from the race a week before the election, which Judge Stephanie McDonald won. In 2017 I ran unsuccessful for the Court of Appeals, seat 9. This vacancy was created by Judge James Lockemy's elevation to Chief Judge. I was deeply honored to again be found qualified and nominated by the JMSC. I withdrew from the race the morning of the election, which Judge Gary Hill won.

(9) Judicial Temperament:

The Commission believes that Mr. Hewitt's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Hewitt to be "Well Qualified" in the evaluative criteria of ethical fitness, character, professional and academic ability, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Mr. Hewitt is married to Emma Catherine (Brown) Hewitt. He has one child.

Mr. Hewitt reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar: Trial & Appellate Advocacy Section, Council Member (July 2010 - July 2013); Judicial Qualifications Committee, Committee Member (March 2011 - August 2012); Young Lawyers Division, Long-

Range Planning Committee, Committee Member (July 2010 - July 2012); Young Lawyers Division, 15th Circuit Representative (July 2013 - July 2015); Young Lawyers Foundation Board, Board Member (November 2013 - July 2015).

(b) Horry County Bar Association.
(c) South Carolina Supreme Court Historical Society.
(d) Injured Workers Advocates: Judicial Affairs Committee, Committee Member (March 2010 - present).
(e) South Carolina Association for Justice: Legislative Steering Committee, Committee Member (November 2010 - present).
(f) Coastal Inn of Court: Community Service Chair (Jan. 2014 - present)

Mr. Hewitt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Waccamaw Sertoma Club. Board Member (July 2013 present), President (August 2016 - July 2017);
(b) City of Conway Board of Zoning Appeals (April 2013 - present);
(c) City of Conway Downtown Alive;
(d) Compleat Lawyer Award (Silver), USC Law School.

Mr. Hewitt further reported:

Any good qualities I possess are the result of the many strong and positive influences in my life. I was blessed to have parents who loved me and invested in me heavily. I was also fortunate to have several people outside of my immediate family show interest in me and help shape my development by serving as mentors. My greatest professional goal has always been to honor these wonderful individuals. I know that any success I experience will be the result of them lifting me on their shoulders.

I have known for some time that I wanted to devote my career to public service. My passion as a lawyer has always been the desire to help the court system be the best that it can be – to treat people decently, to treat everyone's case as important, and to help the court make the right decision for the right reasons.

I gravitated towards appellate work because I enjoyed it and because I felt that it provided a platform for fulfilling these goals. On occasions when I realized these goals, I found great satisfaction. When I felt that the system fell short in its duty to

the litigants and the public, I experienced deep disappointment and frustration.

I believe true success is not about serving yourself, but serving others. The opportunity to serve on the Court of Appeals is attractive to me because it would allow me to leverage my experience and abilities for the benefit of my fellow citizens and my State. In short, it would be the greatest honor of my professional life to devote my energy and my love for appellate work to helping the Court of Appeals succeed in its essential mission to produce high-quality decisions, in a timely manner, that follow the rule of law.

(11) Commission Members' Comments:

The Commission commented that Mr. Hewitt displayed excellent temperament and demeanor in his appearance before the Commission. The Commission noted that Mr. Hewitt has a wealth of appellate experience and found Mr. Hewitt to be well qualified for this position.

(12) Conclusion:

The Commission found Mr. Hewitt qualified and nominated him for election to the Court of Appeals, Seat 1.

The Honorable Alison Renee Lee
Court of Appeals, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Lee meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Lee was born in 1958. She is 60 years old and a resident of Columbia, South Carolina. Judge Lee provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984. She was also admitted to the Texas Bar in 1982 and the Louisiana Bar in 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Lee.

Judge Lee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Lee reported that she has not made any campaign expenditures.

Judge Lee testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Lee testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Lee to be intelligent and knowledgeable.

Judge Lee reported that she has taught the following law-related courses:

(a) August 1985, I lectured at a program on settling the family court record on appeal;
(b) September 1985, I presented on pretrial orders, sanctions and local rules in federal court;
(c) November 1993, I presented on drafting criminal laws under the Sentencing Classification Act for the attorneys in the Legislative Council;
(d) May 1996, I lectured on practice before the Administrative Law Judge Division (now the Administrative Law Court) at Bridge the Gap.

(e) January 1997, I gave an update on practice before the Administrative Law Judge Division.
(f) March 1997, I lectured on practice before the Administrative Law Judge Division (now the Administrative Law Court) at Bridge the Gap.
(g) May 1997, I lectured on practice before the Administrative Law Judge Division at Bridge the Gap.
(h) March 1998, I lectured on practice before the Administrative Law Judge Division at Bridge the Gap.
(i) March 1998, I presented an update on practice and procedure rules before the Administrative Law Judge Division.
(j) May 1998, I lectured on practice before the Administrative Law Judge Division at Bridge the Gap.
(k) May 1998, before the Women Lawyers' CLE, I participated in a panel on "What Works and What Doesn't".
(l) February 2000, I presented on circuit court motions and appeals.
(m) December 2002, I presented on ethics.
(n) April 2003, I presented on behalf of the Women Lawyers CLE on the effective use of exhibits at trial.
(o) October 2004, at the Black Lawyers Retreat I participated in a panel on civility and ethics.
(p) October 2005, I participated in a panel discussion for the Criminal and Trial Advocacy Section
(q) September 2006. I participated in a panel discussion for the Black Lawyers CLE on tips from the bench.
(r) December 2006, I spoke to lawyers with the Municipal Association on ethics.
(s) March 2015, participated in a panel discussion during the Circuit Judges conference on complex litigation.
(t) September 2014, I presided over a mock criminal hearing on Stand Your Ground for the Black Lawyers CLE.
(u) August 2016. I spoke to the SC Summary Court Judges about appeals to Circuit Court.
(v) August 2017, Association of Corporate Counsel, panel discussion on 'Things Corporate/In-House Counsel should know about appearing in court.'

Judge Lee reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Lee did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Lee did not indicate any evidence of a troubled financial status. Judge Lee has handled her financial affairs responsibly.

The Commission also noted that Judge Lee was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Lee reported that she is not rated by any legal rating organization.

Judge Lee reported that she has not served in the military.

Judge Lee reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Lee appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Lee appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Lee was admitted to the South Carolina Bar in 1984.

She gave the following account of her legal experience since graduation from law school:

(a) 1982 – 1983 Judicial Law Clerk, Hon. Israel M. Augustine, Jr. Louisiana Court of Appeals, Fourth Circuit
(b) 1983 – 1984 Judicial Law Clerk, Hon. C. Tolbert Goolsby, Jr., South Carolina Court of Appeals

(c) 1984 – 1989 Associate, McNair Law Firm, PA. General Litigation Defense 1984 to 1986; Corporate Section 1987, Labor and Employment Defense 1987 to 1989.
(d) 1989 – 1994 Staff Counsel, SC Legislative Council, drafted legislation and amendments for members of the General Assembly in the areas of transportation, crime, corrections and prisons, and education.
(e) 1994 – 1999 Administrative Law Judge, Administrative Law Judge Division (now Administrative Law Court), presided over administrative hearings related to insurance, environmental permitting, alcoholic beverage permits, wages, taxes, video poker, bingo, appeals from occupational licensing boards, and hearings on regulations promulgated by certain state agencies.
(f) 1999 – present SC Circuit Court Judge At Large, statewide general jurisdiction court, presiding over trials and hearings in criminal and civil matters, appellate jurisdiction over municipal, magistrate, and probate cases. Previously presided over appeals involving ALC decisions, workers' compensation, state grievance matters, and unemployment compensation until jurisdiction was moved to the Court of Appeals by the legislature. I am also one of eight judges statewide assigned to handle specialized cases in Business Court. Currently Chief Administrative Judge for the Eleventh Circuit until end of December 2018.
(g) March to May 2016 – Acting Judge, SC Court of Appeals. Member of three judge panel hearing appeals. Authored 6 opinions and responsible for several unpublished memoranda opinions.

Judge Lee reported the frequency of her court appearances five years prior to her service on the bench as follows:
Years 1984 - 1989
(a) federal: 90%
(b) state: 10%

Judge Lee reported the percentage of her practice involving civil, criminal, and domestic matters five years prior to her service on the bench as follows:
Years 1984 - 1989
(a) civil: 99%

(b) criminal: 0.5% participated in 2-3 cases
(c) domestic: 0.5% handled 2-3 appointed cases

Judge Lee reported the percentage of her practice in trial court five years prior to her service on the bench as follows:
Years 1984 - 1989
jury: 10% most cases were resolved by motion or settlement

Judge Lee provided that five years prior to her service on the bench she most often served as associate-counsel.
The following is Judge Lee's account of her five most significant litigated matters:

(a) Atkinson v. Citicorp Acceptance Co. (Federal District Court) – case involving Fair Debt Collection Act (then a new federal statute) decided on summary judgment motion.
(b) McClain v. Westinghouse (Federal District Court) – employment case involving sex discrimination, sexual harassment, equal pay, as well as other employment claims. Case decided on summary judgment.
(c) State of South Carolina v. Norris Stroman (state criminal case) – Defendant (with limited intelligence) was charged with murder and allegedly confessed. Jury acquitted.
(d) Valerie Smith v. Kroger (Federal District Court) – slander or malicious prosecution case filed as a result of accusations of shoplifting.

The following is Judge Lee's account of four civil appeals she has personally handled:

(a) Purdie v. Smalls, 293 S.C. 216, 359 S.E.2d 306 (Ct. App. 1987)
(b) Hooten v. Carolina Treatment Center, Inc., 200 S.C. 37, 386 S.E.2d 287 (Ct. App. 1989). I was not the lead attorney.
(c) Condon v. Best View Cablevision, Inc., 292 S.C. 117, 355 S.E.2d 7 (Ct. App. 1987). I was not the lead attorney.
(d) Davis v. U.S. Steel Corp., 779 F.2d 209 (4th Cir. 1985). Participated on the brief only.

Judge Lee reported that she has not personally handled any criminal appeals, however, as a Circuit Court Judge, Judge Lee has presided over numerous appeals from magistrate and

municipal court. During the three months Judge Lee was an acting judge on the Court of Appeals, she reviewed some criminal cases.

Judge Lee reported that she has held the following judicial offices:
From 1994 – 1999, elected, Administrative Law Judge, Seat 3. From 1999 – present, elected, Circuit Court Judge At Large, Seat 11. From March – May 2016 – Acting Judge, Court of Appeals. Appointed by Chief Justice of Supreme Court to serve during the absence of one of the judges.

Judge Lee provided the following list of her most significant orders or opinions:

(a) Graham v. Town of Latta, Docket No. 2008-CP-13-00376 and 00377 (S.C. Cir. Court, Dillon Co. 2012), aff'd, 417 S.C. 164, 789 S.E.2d 71 (Ct. App. 2016). The plaintiffs were homeowners whose property was flooded during a severe rain event. They sued the Town of Latta claiming it failed to properly maintain the sewage and rainwater drainage system. Additionally, the plaintiffs alleged that problems with the pipes led to the overflow in their yard which caused the repeated flooding of the property. They sue claiming negligence, trespass and inverse condemnation. The town raised issued of immunity under the state's Tort Claims Act, which limits liability for a governmental agency. There were numerous motions relating to the immunity and the claims. I granted many of the motions, reserving the claim of negligence for the jury. They jury returned a verdict in favor of the plaintiffs. Both parties appealed. The Court of Appeals affirmed the rulings.

(b) S.C. Insurance Reserve Fund v. East Richland County Public Service District, et al., Docket No. 2011–CP-40-02096 (S.C. Cir. Court, Richland Co. 2013), aff'd, 419 S.C. 149, 789 S.E.2d 63 (Ct. App. 2016), vacated on other grounds, ___ S.C., 813 S.E.2d 873 (2018). This was a declaratory judgment action filed by the Insurance Reserve Fund to determine whether it was required to defend the East Richland County Public Service District in an action filed by Coley Brown claiming trespass, inverse condemnation, and negligence from the operation of a sewer force main and

air relief valve which caused offensive odors to be released on his property multiple times as day. The lawsuit required the interpretation of the insurance policy and provisions of the Tort Claims Act. I ruled that the claims were excluded under the policy provisions. The Court of Appeals affirmed the ruling.

(c) State v. Tony Watson, Docket No. 2010-GS-40-10224 (S.C. Cir. Court, Richland County 2013). Watson was charged with murder for killing his fiancée's abusive ex-husband (the victim) when he came to Watson's house. After beating Watson in his own yard, the victim tried to go inside Watson's house to get the ex-wife and Watson shot him. Watson filed a motion to determine his immunity from prosecution under the Protection of Persons and Property Act based upon the Castle Doctrine. After an evidentiary hearing, I ruled that he was entitled to immunity from prosecution.

(d) Chastain v. AnMed Health Foundation, et al., Docket No. 2005-CP-04-02388 (S.C. Cir. Court, Anderson Co. 2008), aff'd, 388 S.C. 170, 694 S.E.2d 541 (S.C. 2010). The plaintiff brought a medical malpractice claim against the charitable hospital and its nurses. The plaintiff had to establish that the nurses were grossly negligent to obtain a verdict against them individually. After hearing the testimony during the course of the week, the jury returned a verdict against the hospital only. The jury specifically found that the nurses were not grossly negligent. The hospital was a charitable organization which, under the statutes, would only be liable up to $300,000 per occurrence. Based upon post trial arguments, I reduced the verdict to the statutory cap. The plaintiff appealed claiming that there was more than one occurrence and therefore her damages should not have been limited. On appeal, the decision was affirmed.

(e) Curtis v. South Carolina, Docket No. 99-CP-23-02463 (S.C. Cir. Court, Greenville Co. 2000). Mr. Curtis sought to enjoin the state from enforcing a statute prohibiting the sale of urine in interstate commerce and to declare the statute unconstitutional. I declined to enjoin enforcement of the statute.

Judge Lee has reported no other employment while serving as a judge.

Judge Lee further reported the following regarding unsuccessful candidacies:
In 1997, Candidate for Circuit Court At Large, Seat 10, qualified and nominated. In 2003, Candidate for Court of Appeals, Seat 6, qualified, not nominated. In 2004, Candidate for Court of Appeals, Seat 1, qualified, not nominated. In 2008, Candidate for Court of Appeals, Seat 3, qualified and nominated. In 2009, Candidate for Court of Appeals, Seat 5, qualified, not nominated. In 2016, Candidate for Court of Appeals, Seat 9, qualified and nominated.

(9) Judicial Temperament:
The Commission believes that Judge Lee's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Lee to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee commented that all members were "very impressed" with Judge Lee, and she is "well qualified and one of the most experienced - a great asset to the bench."

Judge Lee is married to Kenzil Franklin Summey. She has two children.

Judge Lee reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) South Carolina Women Lawyers Association, Board of Directors, 2010-2015
(c) South Carolina Black Lawyers Association
(d) Richland County Bar Association
(e) National Conference of State Trial Judges
(f) American Bar Association
(g) American College of Business Court Judges

(h) John Belton O'Neill Inn of Court
(i) S.C. Supreme Court Commission on Continuing Legal Education and Specialization, 2011-2016
(j) Louisiana State Bar
(k) Texas State Bar

Judge Lee provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Columbia (SC) Chapter, The Links, Incorporated, President 2013-2014, Vice President 2012-2013 (Alumna member)
(b) Columbia City Ballet, Board of Directors, 2009-2016 (no longer a member)
(c) Historic Columbia, Board of Directors, 2015 to present
(d) Alpha Kappa Alpha Sorority, Inc.
(e) Columbia Chapter, Moles, Inc.
(f) Basilica of St. Peter, Finance Committee
(g) Received the Judge Matthew J. Perry, Jr. Award for Outstanding Legal Service from the SC Black Lawyers Association in 2014
(h) Received the Matthew J. Perry Civility Award from the Richland County Bar Association in 2017

Judge Lee further reported:
Growing up, I watched my family work together to accomplish tasks and goals. My mother and three of her six siblings lived in Washington, DC. As a single mother she worked two jobs: school teacher by day and waitress/hostess at the Holiday Inn restaurant in the evening. I spent lots of time with my aunts and uncles who lived nearby. I loved to work puzzles, figure math problems, read mystery books, and being a "handy girl" in family projects. They were extremely supportive of all my educational and work endeavors. Most importantly, I learned the value of helping others. I am fortunate to blend all of this together in my profession as lawyer and as a circuit court judge. Over 24 years ago, members of the General Assembly selected me as one of the first Administrative Law judges and subsequently a Circuit Court Judge. I have served in this capacity for almost 20 years. I am grateful to the Commission and the Legislature for their confidence in selecting and electing me to the bench. During these years, I have done my best to treat those who have appeared before me with respect and dignity.

Often times lawyers and their clients are seeking solutions to issues and problems. My goal is to help them find the appropriate solution within the guidelines of the law. This is the fair and impartial administration of justice. I am not the advocate only the arbiter. Sometimes resolution may be through agreement or by jury or by judge, but the goal is always the same: to listen impartially, determine the issues, and find the solution that best meets the needs of the parties based on the law. It is like searching for that puzzle piece that finishes the picture. I wish to continue serving others as an appellate court judge. In the past two decades I have presided over the types of cases within the appellate court's jurisdiction and have been given the opportunity to work side by side with appellate judges. I am prepared for the challenge. If given the opportunity I will continue to be diligent in pursuing justice for all. It is an awesome responsibility and one that I consider an honor.

(11) Commission Members' Comments:

The Commission noted that Judge Lee has over 25 years of exemplary service to the State. They commented that Judge Lee is a highly qualified judge and an excellent candidate.

(12) Conclusion:

The Commission found Judge Lee qualified and nominated her for election to the Court of Appeals, Seat 1.

The Honorable Jerry Deese Vinson Jr.
Court of Appeals, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Vinson meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Vinson was born in 1960. He is 58 years old and a resident of Florence, South Carolina. Judge Vinson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Vinson.

Judge Vinson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Vinson reported that he has not made any campaign expenditures.

Judge Vinson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Vinson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Vinson to be intelligent and knowledgeable.

Judge Vinson reported that he has taught the following law-related courses:

(a) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/12/97
(b) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 8/28/98
(c) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/24/99
(d) Family Law Ethics Seminar 12/4/99
(e) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/15/00
(f) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/21/01

(g) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/20/02
(h) Ethical Issues in Appointed Cases 10/18/02
(i) Guardian Ad Litem Certification 1/10/03
(j) SC Bar Cool Tips Seminar 4/25/03
(k) Children's Law Seminar 10/14/05
(l) SC Bar CLE – Panel Discussion – New Tools for the Family Court 1/27/06
(m) SC Bar CLE - Children's Issues in Family Court – Relocation: A New Approach 3/17/06
(n) 2006 Orientation School for New Judges 7/10/06
(o) Charleston County Family Law Seminar – Observations from the Bench 11/17/06
(p) Children's Issues in Family Court – Guardian ad litem Reports What's in It for Me? 3/23/07
(q) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Ten Things Lawyers Need to Know about Temporary Hearings 9/21/07
(r) Children's Law Project Seminar on Abuse & Neglect 11/16/07
(s) SC Bar CLE - Tips from the Bench – Divorce and Separation – The Devil is in the Details- Checklists as Tools 2/15/08
(t) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Best Legal Practices in Abuse and Neglect Cases – a Work in Progress 9/19/08
(u) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Thoughts from the Bench – Top Ten Basics All Lawyers Need to Know 9/19/08
(v) Children's Law Center Conference – Best Legal Practices in Abuse and Neglect Cases 10/31/08
(w) SC Bar Convention - Family Law Section-Advantages of the New Financial Declaration 1/23/09
(x) SCDSS CLE - Attorney Training – Best Legal Practices in Abuse and Neglect Cases -Panel Discussion 2/27/09
(y) SC Bar Hot Tips from the Coolest Domestic Law Practitioners - Common Evidentiary Issues – Oops! I Did It Again 9/18/09
(z) Training for Attorneys Appointed in Abuse & Neglect Cases 1/15/10
(aa) SC Bar - Children's Law Committee Seminar– Best Legal Practices in Abuse and Neglect cases 1/23/10

SCCFCJ Conference – Best Legal Practices 4/22/10

(bb) Guardian ad Litem training on Best Legal Practices I Abuse and Neglect Cases 5/17/10

(cc) SC Bar – Solo & Small Firm Seminar – What Every Lawyer Should Know About Family Court 9/24/10

(dd) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Trial Tips from the Bench 10/1/10

(ee) Child Support Enforcement CLE – Best Legal Practices in Abuse and Neglect Cases 10/29/10

(ff) Family Court Judges Mini Summit on Justice for Children – Best Legal Practices in Child Abuse and Neglect Cases 12/2/10

(gg) Orientation School for New Family Court Judges - Alimony 6/8/11

(hh) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/16/11

(ii) SC Bar Family Court Judges Bench/Bar – Effective Pre-Trial Practice in a Small Market 12/2/11

(jj) Orientation School for New Family Court Judges - Alimony 5/31/12

(kk) VIP SCNYTD – SCDSS Independent Living Conference Youth Speak Workshop – Panel Discussion 6/8/12

(ll) SC Supreme Court Institute – Panel Discussion – Overview of the South Carolina Courts 6/19/12

(mm) Forum on Judicial Independence & Diversity LWVSC 8/7/12

(nn) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Show Your Love, Ten Suggestions for a Happier Relationship with Your Judge 9/28/12

(oo) Francis Marion University to Criminal Justice Class – Lecture on Juvenile Justice 11/20/12

(pp) SCAJ Annual Conference – Rules of Procedure – Order of Protection 8/1/13

(qq) Orientation School for New Family Court Judges - Alimony 5/31/13

(rr) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – New Rule on Temporary Hearings: Page Limitations, Time Limitations, Exceptions to the Rule 9/27/13

(ss) Orientation School for New Family Court Judges - Alimony 6/19/14

(tt) SC Bar Hot Tips Seminar – Just the Factors Ma'am Attorney Fees 9/26/14

(uu) SCCA Orientation School for New Judges - Alimony 6/4/15

(vv) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Relationships, the Practitioners Professional Responsibility 9/25/15

(ww) SCCA Orientation School for New Family Court Judges 6/2/16

(xx) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Ain't Mishebavin: Conduct, Lawyers Oath, Rule 9 9/23/16

(yy) South Carolina Summit on Access to Justice for All – Self-Represented Litigants 10/24/16

(zz) Twelfth Circuit Tips from the Bench 10/28/16

(aaa) Children's Law Seminar 11/4/16

(bbb) Orientation School for New Family Court Judges - Alimony 5/4/17

(ccc) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – And It Is So Ordered: Order Details 9/22/17

(ddd) SC Bar Family Court Judges Bench/Bar – Standardizing "Standard" Visitation – a View from the Bench 12/1/17

(eee) Children's Law Center – Raising the Bar for Children 4/13/18

(fff) SCCA Orientation School for New Judges 5/17/18

(ggg) SC Bar LRE Mock Trial Competitions, Presiding Judge for regional, state and national 7/04 - present

Judge Vinson reported that he has not published any books or articles, but he has prepared seminar materials for a majority of the seminars at which he has spoken.

(4) Character:

The Commission's investigation of Judge Vinson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Vinson did not indicate any evidence of a troubled financial status. Judge Vinson has handled his financial affairs responsibly.

The Commission also noted that Judge Vinson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Vinson reported that his last available rating by a legal rating organization, Martindale-Hubbell, is BV.

Judge Vinson reported that he has not served in the military.

Judge Vinson reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Vinson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Vinson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Vinson was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

From August 1985 until April 1986, I practiced as an associate with Haigh Porter in Florence, South Carolina. My responsibilities primarily involved mortgage foreclosure actions and real estate transactions.

From April 1986 until July 1987, I served as a law clerk to the Honorable John H. Waller, Jr., Circuit Judge for the Twelfth Judicial Circuit. My responsibilities involved assisting Judge Waller with research and reviewing Orders and other documents presented for execution by Judge Waller.

From July 1987 until April 1992, I practiced as an associate with Turner, Padget Graham and Laney, P.A. in Florence, South Carolina. My practice involved civil litigation in State and Federal Court, primarily related to defense of insureds in personal injury, premises liability and business litigation.

From April 1992 until December 1992, I practiced as an attorney with the Fallon Law Firm in Florence, South Carolina. My practice involved civil litigation, primarily representing plaintiffs in personal injury cases.

From January 1993 until January 2001, I was a shareholder with the Vinson Law Firm, PA, in Florence, South Carolina. My practice involved civil and domestic litigation, including personal injury cases and business litigation as well as divorce and custody actions. I also represented the Department of Social Services as a contract attorney for four (4) years during this period of time, litigating abuse and neglect cases. I shared responsibilities for firm management.

In January 2001, I merged my practice with, and became a partner in, McDougall and Self, L.L.P, practicing in the Florence, South Carolina office. My practice was limited to Family Court.

On February 4, 2004, I was elected by the Legislature to the Twelfth Judicial Circuit, Family Court, Seat Three. I have served continuously in that position since July 1, 2004.

Judge Vinson reported the frequency of his court appearances five years prior to his service on the bench as follows:
(a) Federal: 0%;
(b) State: 100%;
(c) Other: 0%.

Judge Vinson reported the percentage of his practice involving civil, criminal, and domestic matters five years prior to his service on the bench as follows:
(a) Civil: 2%;
(b) Criminal: 0%;
(c) Domestic: 98%;

(d) Other: 0%.

Judge Vinson reported the percentage of his practice in trial court five years prior to his service on the bench as follows:
(a) Jury: 0%;
(b) Non-jury: 100%.
Judge Vinson provided that five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Vinson's account of his five most significant litigated matters:

(a) Connie Wiggins Skipper v. Douglas Skipper, 95-DR-21-2241. This matter was a divorce case in which the primary issues were equitable distribution and alimony. Husband and wife had been married for 32 years during which time the husband had worked for Southern Bell and the wife had been a full-time homemaker. During the pendency of the action, the husband accepted an early retirement. I was able to demonstrate to the Court that the wife was entitled to half of his retirement as part of the equitable distribution and also that the Court should impute income to him. I utilized a vocational expert who testified that the husband could have continued to earn $3,500.00 per month. The Court utilized this figure in setting alimony. The husband appealed this case, but later dismissed his appeal. The husband also filed bankruptcy. I was able to protect the equitable distribution award, alimony and the attorney's fees awarded from discharge in bankruptcy.

(b) Larry Foster v. Betty Foster, 02-DR–21–390. This was an alimony reduction action in which I represented the wife, who had been awarded substantial equitable distribution and alimony at the time of the divorce. The husband claimed a loss in income in the several years preceding the filing of the action, using his tax returns as evidence. I was able to demonstrate that there had been no change in his lifestyle and that he had continued to spend the same amount or more than he was spending at the time his original alimony obligation had been set. The Court did not modify the alimony payment based upon the husband's decrease in income, reflected in his financial documents, as his pending spending habits and lifestyle reflected a higher income. The

Court slightly reduced the alimony based upon employment which my client had undertaken just prior to the final hearing in this matter. This outcome was affirmed on appeal.

(c) Maria Parker Doughty v. John Harrell Doughty Jr. 02-DR-21-835. This was a divorce case where the only issue ultimately litigated was related to custody. The father attempted to demonstrate that the mother was morally unfit and was the less-involved parent. Both parties had flexible work schedules which permitted them to spend significant time with the children. Utilizing a child counselor, the testimony of my client, and the efforts of the Guardian ad Litem, I was able to demonstrate that the mother was the more-involved parent and was morally fit. I also was able to demonstrate that the father had entered into a course of conduct intended to alienate the children from the mother. Following a two day trial, the mother was granted sole custody of the children.

(d) John & Mary Smith v. SCDSS. This was an administrative hearing before the South Carolina Department of Social Services Hearing Panel involving foster parents. The Department of Social Services had raised allegations that Mr. and Mrs. Smith, foster parents within the Department of Social Services system, had abused a foster child in their care. Substantial medical testimony, along with the factual testimony from numerous witnesses, was presented concerning injuries to the foster child. Following the one day trial of this matter, the Hearing Panel determined that the Smiths had not abused the foster child. (I have not disclosed the actual names of my clients as this is not a matter of public record.)

(e) Debbie Eddings v. Harold David Eddings, 98–DR–21–326. This was a divorce action in which the primary issues were equitable distribution and health insurance/alimony. The wife had a preexisting condition which made the purchase of health insurance extremely difficult and expensive. While the marriage had lasted for less than three years, the husband had convinced the wife to resign from her job with Amtrak while he continued to work. After the husband committed adultery, which led to the demise of the marriage, the wife was especially concerned about continuing health insurance coverage. I was able to convince the court to award, in

essence, medical alimony. The award provided that the husband would make COBRA payments for the wife's coverage until the COBRA benefits ended, and then he would begin to pay a monthly amount for health insurance premiums unless, or until, the wife became eligible for group benefits, died or remarried. While this order was not appealed, the husband subsequently brought an action for reduction or termination of alimony. The Family Court denied the husband's request.

The following is Judge Vinson's account of the civil appeal he has personally handled:

Larry Foster v. Betty Foster, South Carolina Court of Appeals, Unpublished decision filed March 15, 2004.

Judge Vinson reported he has not personally handled any criminal appeals.

Judge Vinson reported that he has held the following judicial office(s):

> From July 1, 2014 to present, I have served on the Family Court for the Twelfth Judicial Circuit. I have been elected three times by the Legislature for this position.

Judge Vinson provided the following list of his most significant orders or opinions:

(a) The State v. Tyquan Jared Amir Jones, 709 S.E.2d 696, 392 S.C. 647 (Ct. App. 2011)
This appeal arose from a waiver hearing held in 2006. The juvenile pled guilty to voluntary manslaughter following the waiver of jurisdiction from the Family Court. The Court of Appeals noted that the trial court had properly considered all of the Kent factors, and also took into account the lack of opportunities and the environment in which the juvenile had lived. Noting that the record contained a great deal of evidence supporting the Family Court decision, the Court of Appeals affirmed the waiver of jurisdiction.

(b) Michael Ashburn v. April Rogers and SCDSS Child Support Division, 420 S.C. 411, 803 S.E. 2d 469 (Ct. App. 2017)

In this case involving the disestablishment of a paternity order, the Court of Appeals clarified certain principles of collateral estoppel and res judicata. The court held that, despite the fact that the father had been afforded opportunities for paternity testing before and after the paternity order, he was not precluded from seeking relief.

(c) Sandra K. Jackson v. Franklin Jackson, Op. No. 2011–UP–110 (Ct. App. Filed March 16, 2011)
This appeal arose from an award of equitable distribution and alimony as set forth in the trial court's divorce decree. In its unpublished decision, the Court of Appeals found that the Family Court properly considered the relevant factors in apportioning marital property, making extensive written and oral findings regarding the factors. The Court of Appeals also affirmed the award of alimony, again finding that the court properly considered the relevant factors in determining the amount of alimony. This case was significant because it required me to weigh the husband's ability to continue working in juxtaposition with the wife's diminishing ability to work due to a chronic health condition. I also had to take into account the non-marital property of the wife when determining her income and needs.

(d) Punam Hiral Gopaldas v. Hiral Ranjit Gopaldas, 2009-DR-21-2483 and 2011-DR-21-1255
This divorce case primarily involved issues of custody and equitable distribution. Shortly before the scheduled final hearing, the mother and maternal grandmother were found murdered in the former marital residence. The parties' two year old child was present at the time of the murders. Following the homicides, the Department of Social Services became involved. There was significant public and press interest in this case, particularly after the father was charged with the double homicide. The matter was brought before me on an emergency motion related to custody. As DSS was a party to the action and there was a need to protect the child and the families, I instituted a gag order and sealed the file during the pendency of the action. I also retained jurisdiction to ensure that the child would be protected throughout the ongoing criminal investigation, especially with regard to multiple forensic interviews.

(e) Christina Lynn Lowry v. Thomas Lowry, 2011-DR-21-1277

This case demonstrated the demands placed on the court by self-represented litigants. The plaintiff represented herself in this two day custody case. The defendant was represented by counsel. The plaintiff, who was well-educated, faced significant challenges in presenting her case for custody. The experienced family court litigator representing the defendant properly challenged the plaintiff throughout the presentation of her case. As a trial judge, I could not assist the plaintiff in presenting her case. It was, however, vitally important that I obtain as much information as possible concerning the best interest of the parties' children. This is the challenge that is frequently presented in self-represented litigation. Through careful, thorough and appropriate questioning by the guardian ad litem and the court, I was able to obtain significant information which ultimately led me to conclude that it was in the children's best interest for the plaintiff to be granted primary custody.

Judge Vinson has not had any additional employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Vinson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Vinson to be "Qualified" as to constitutional qualifications, physical health, and mental stability, and "Well Qualified" as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Vinson is married to Flora Sue Lester Vinson. He has no children.

Judge Vinson reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
-Judicial member (Current)
-House of Delegates (Past member)
-Family Law Section Council - Chair (2001 - 2002) (Past member)
-Law Related Education Committee (Current member) - Chair (2010 – 2012)
(b) South Carolina Women Lawyers Association (Current member)
(c) National Council of Juvenile and Family Court Judges (Current member)
-Served on Board of Trustees from 2008 to 2011
-Finance Committee member from 2010 to 2016
(d) Family Court Judges Association (Current member)
-President (2012 – 2013)
-President Elect (2011 - 2012)
-Secretary/Treasurer (2010 - 2011)
(e) Bench/Bar Committee (2005-2017) – Chair (2012-2014)
-Best practices Subcommittee – Chair and Co-Chair (2009 to 2017)
(f) Governor's Task Force for Adoption and Foster Care (2007 to 2008)
(g) American Bar Association – Judicial Division (Past member)
(h) Family Court Judges Advisory Committee (2010-2013)
(i) Pee Dee Inn of Court (Current member)

Judge Vinson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Confirmed Communicant at St. John's Church & former Vestry Member
(b) Member of Francis Marion University Alumni Association
(b) Former Vice-Chair of Francis Marion University Foundation Board
(c) Past President of Francis Marion University Alumni Association
(d) Graduate of Leadership Florence
(e) Recipient of Francis Marion University Outstanding Member of Alumni Association (1997)
(f) Kiwanian of the Year (1994)

(g) Participant at National Security Seminar, United States Army War College (2008)
(h) Recipient of Francis Marion University John S. Boyce Award (2010)

Judge Vinson further reported:
I have been privileged to serve as a Family Court Judge for the past 14 years. I am very grateful our Legislature allowed me this opportunity to serve this State and its citizens in this manner. I take my judicial oath very seriously and find that it serves as a constant reminder of how important my conduct is to the perception of our judicial system. I am mindful of the significant impact that the decisions I make in my role as a judge have upon the lives of the persons appearing before me. I am humbled and blessed to have this opportunity.
In my legal career, I have served as a Circuit Court law clerk, an associate at a large firm, a partner in a small firm, and a Family Court Judge. These experiences have taught me that a judge must apply the law to the matter at hand, while remaining mindful of the impact that application may have on the litigants. My experience has served me well as I have heard and decided cases as a trial judge for over a decade.
If I am allowed to serve on the Court of Appeals, I would utilize the lessons that I have learned from my experiences during my time on the Family Court bench, as well as my eighteen years in private practice. It is my hope that my experience and my perspective would be useful to the Court of Appeals.

(11) Commission Members' Comments:
The Commission commented that Judge Vinson's practice and service as a Family Court judge has well prepared him for issues that could arise before the Court of Appeals. The Commission found Judge Vinson well qualified.

(12) Conclusion:
The Commission found Judge Vinson qualified and nominated him for election to the Court of Appeals, Seat 1.

FRIDAY, JANUARY 11, 2019

The Honorable John D. Geathers
Court of Appeals, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Geathers meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Geathers was born in 1961. He is 57 years old and a resident of Columbia, South Carolina. Judge Geathers provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986. He was also admitted to the North Carolina Bar in 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Geathers.

Judge Geathers demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Geathers reported that he has not made any campaign expenditures.

Judge Geathers testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Geathers testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Geathers to be intelligent and knowledgeable.

Judge Geathers reported that he has taught the following law-related courses:

(a) I made a presentation on appellate advocacy at the 2017 Black Lawyers Association Joint Conference on September 29, 2017;
(b) I presented at the 2016 Hot Tips from the Coolest Domestic Law Practitioners CLE on September 23, 2016;
(c) I lectured at the Injured Worker's Advocates CLE on November 7, 2014;
(d) I gave a presentation to the Palmetto Paralegal Association on January 15, 2014;
(e) I spoke at the Administrative Law and Practice in South Carolina CLE on January 1, 2014 to coincide with the release of a book in which I was a contributing author; and,
(f) I co-taught administrative law as an adjunct professor at the University of South Carolina School of Law from 2010 to 2015 and at the Charleston School of Law in 2012.

Judge Geathers reported that he has published the following:

(a) John D. Geathers, et al., SOUTH CAROLINA ADMINISTRATIVE PRACTICE & PROCEDURE, Chapter 1 - Administrative Agencies: General Concepts & Principles (Randolph R. Lowell ed., 3d ed 2013);
(b) John D. Geathers, "The Matter Does Not Appear to Me Now as It Appears to Have Appeared to Me Then": Motions for Reconsideration Before the ALJ Division, S.C. Law, Nov. 2002, at 27;
(c) John D. Geathers & Justin R. Werner, "An Inglorious Fiction": The Doctrine of Matrimonial Domicile in South Carolina, 18 WIS. WOMEN'S L.J. 233 (2003);
(d) John D. Geathers & Justin R. Werner, "An Inglorious Fiction": The Doctrine of Matrimonial Domicile in South Carolina, S.C. Trial Lawyer's Bulletin, Fall 2003, at 14; and,

(e) John D. Geathers & Justin R. Werner, The Regulation of Alcoholic Beverages in South Carolina (South Carolina Bar, 2007).

(4) Character:

The Commission's investigation of Judge Geathers did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Geathers did not indicate any evidence of a troubled financial status. Judge Geathers has handled his financial affairs responsibly.

The Commission also noted that Judge Geathers was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Geathers reported that he is not rated by any legal rating organization.

Judge Geathers reported that he has not served in the military.

Judge Geathers reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Geathers appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Geathers appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Geathers was admitted to the South Carolina Bar in 1986 and to the North Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

(a) SC Department of Labor, OSHA Attorney (1986);
(b) Office of Senate Research, SC Senate, Senior Staff Counsel (1986-1995);
(c) SC Administrative Law Court, Administrative Law Judge (1995-2008); and,
(d) SC Court of Appeals, Judge (2008-present).

Judge Geathers reported that he has held the following judicial office(s):

> I was elected to the Administrative Law Court in 1994 and served from 1995 until 2008, upon being elected to the Court of Appeals. As an ALJ, I presided over hearings of contested cases and conducted appellate review of cases of designated agencies. See Sections 1-23-380 and 1-23-23-600 of the S.C. Code.
>
> I was elected to the Court of Appeals in 2008. The Court of Appeals has such jurisdiction as prescribed by the General Assembly by general law. Art. V, sec. 9, S.C. Constitution. Pursuant to 14-8-200, the Court of Appeals hears most types of appeals from the circuit court and family court, not otherwise reserved to the Supreme Court in its original jurisdiction. The Court also hears PCR matters as directed by the Supreme Court. Also, the Court of Appeals adjudicates appeals from the Administrative Law Court and the Workers' Compensation Commission.

Judge Geathers provided the following list of his most significant orders or opinions:

(a) State v. Douglas, 411 S.C. 307, 768 S.E.2d 232 (Ct. App. 2014), cert. dismissed, (July 13, 2016);
(b) Ackerman v. S.C. Dept. of Corrections, 415 S.C. 412, 782 S.E.2d 757 (Ct. App. 2016), cert. denied (May 30, 2017);
(c) Bolin v. S.C. Dept. of Corrections, 415 S.C. 276, 781 S.E.2d 914 (Ct. App. 2016);
(d) Atkins v. Wilson, 417 S.C. 3, 788 S.E.2d 228 (Ct. App. 2016), cert. denied (Oct. 19, 2017); and,
(e) Urban v. Kerscher, Op. No. 5560 (S.C. Ct. App. filed May 23, 2018) (Shearouse Adv. Sh. No. 21 at 88).

Judge Geathers reported the following regarding his employment while serving as a judge:
(a) University of South Carolina School of Law, Adjunct Professor (2010-2015); and,
(b) Charleston School of Law, Adjunct Professor (2012).

Judge Geathers further reported the following regarding unsuccessful candidacies:

> I was qualified and nominated for election to the Court of Appeals by the Commission for judicial elections held on February 6, 2008 and withdrew my candidacy. Also, I was qualified and nominated for election to the circuit court in 2006. I withdrew my candidacy. I was also qualified for the circuit court in 2004 and withdrew my candidacy.

(9) Judicial Temperament:
The Commission believes that Judge Geathers' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Geathers to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and, "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee provided an additional comment in their report, which states: "Well qualified in all aspects. Very pleasant."

Judge Geathers is married to Doris Williams. He has two children.

Judge Geathers reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar; and,
(b) North Carolina Bar.

Judge Geathers provided that he is not a member of any civic, charitable, educational, social, or fraternal organizations

Judge Geathers further reported that:
In executing my duties, I shall endeavor to "live … an eagle's flight beyond the reach of fear or favor, praise or blame, profit or loss." William S. McFeely, Frederick Douglas 318 (1991).

(11) Commission Members' Comments:
The Commission commented that Judge Geathers has an outstanding reputation as a jurist. They noted his great intellect which has ably served him in discharging his responsibilities on the Court of Appeals.

(12) Conclusion:
The Commission found Judge Geathers qualified and nominated him for re-election to the Court of Appeals, Seat 3.

The Honorable Paula H. Thomas
Court of Appeals, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Thomas meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Thomas was born in 1957. She is 61 years old and a resident of Georgetown, South Carolina. Judge Thomas provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Thomas.

Judge Thomas demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Thomas reported that she has not made any campaign expenditures.

Judge Thomas testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Thomas testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Thomas to be intelligent and knowledgeable.

Judge Thomas reported that she has taught the following law-related courses:

(a) Speaker for "Restructured State Government and the State of Administrative Law," August, 1993;
(b) Speaker for "So You Want to Be a Judge," Women in Law, Columbia, SC, April, 1996;
(c) Speaker - Circuit Court Judges Orientation - Preservation Issues - July 8, 2011; and,
(d) Speaker - Sumter Ladies Woman Club - "Being a Judge and How to Get There," March 21, 2012.

Judge Thomas reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Thomas did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Thomas did not indicate any evidence of a troubled financial status. Judge Thomas has handled her financial affairs responsibly.

The Commission also noted that Judge Thomas was punctual and attentive in her dealings with the Commission, and the

Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Thomas reported that she is not aware of any ratings by any legal rating organization.

Judge Thomas reported that she has not served in the military.

Judge Thomas reported that she has held the following public office:

Elected SC House Seat 108, November 1992, served until June 1996. All reports were filed, no penalties.

(6) Physical Health:

Judge Thomas appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Thomas appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Thomas was admitted to the South Carolina Bar in 1986.

She gave the following account of her legal experience since graduation from law school:

(a) January 1987 - September 1987: Law Offices of Kenneth W. Thorton, Georgetown, SC, Associate (family court and circuit court matters);
(b) September 1987 - August 1988: Rubillo & Thomas, Georgetown, SC, Partner (family court and circuit matters);
(c) August 1988 - January 1993: Law Office of Paula H. Thomas, Pawleys Island, SC, Partner (family court and circuit court matters);
(d) January 1993 - January 1994: Thomas & Gundling, Pawleys Island, SC, Partner (family court and circuit court matters);

(e) January 1994 - May 1994: Lawimore, Thomas, Gundling & Kelaher, Pawleys Island, SC, Partner (family court and circuit court matters);
(f) May 1994 - January 1995: Thomas, Gundling & Kelaher, Pawleys Island, SC, Partner (family court and circuit court matters); and,
(g) Janaury 1995 - July 1996: Law Office of Paula H. Thomas, Pawleys Island, SC, sole practitioner (family court and circuit court matters).

Judge Thomas reported that she has held the following judicial office(s):
(a) Elected May 1996, SC Circuit Court, At-Large Seat #1;
(b) Elected May 1998, SC Circuit Court, 15th Judicial Circuit, Seat #1; and,
(c) Elected February 2007, SC Court of Appeals, Seat #4; and,
(d) Re-elected January 2012, SC Court of Appeals, Seat #4.

Judge Thomas provided the following list of her most significant orders or opinions:
(a) Stringer v. State Farm Mutual Auto Ins. Co., 386 S.C. 188, 687 S.E.2d 58 (Ct. App. 2009) (en banc) (cert. denied).
(b) State v. Adams, 397 S.C. 481, 725 S.E.2d 523 (Ct. App. 2012) (addressing for the first time in South Carolina whether the placement and monitoring of a GPS device on a person's car without a warrant is an unreasonable search under United States v. Jones, 565 U.S. 400 (2012) and the Fourth Amendment).
(c) Campbell v. Robinson, 398 S.C. 12, 726 S.E.2d 221 (Ct. App. 2012) (addressing for the first case whether an engagement ring is the property of the donor or the donee after the engagement is cancelled).
(d) Williams v. Smalls, 390 S.C. 375, 701 S.E.2d 772 (Ct. Ap. 2010) (cert. denied) (addressing for the first time whether the "liability for owners of trespassing stock" statute imposed strict liability on an owner of livestock for personal injuries suffered when automobile driver collided with escaped livestock).
(e) State v. Brown: 414 S.C. 14, 776 S.E.2d 917 (2018) (finding that defendant did not have a reasonable expectation of privacy in abandoned cellular telephone).

Judge Thomas has reported no other employment while serving as a judge.

Judge Thomas further reported the following unsuccessful candidacies:
(a) Court of Appeals, Seat #2 in 2004; and,
(b) Court of Appeals, Chief Judge in 2016.

(9) Judicial Temperament:
The Commission believes that Judge Thomas' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Thomas to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the criteria of physical health and mental stability. The Citizens Committee did not indicate whether Judge Thomas is "Qualified" or "Unqualified" as to constitutional qualifications.

Judge Thomas is married to Don Stanley Thomas. She has three children.

Judge Thomas reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) South Carolina Court of Appeals Association

Judge Thomas provided that she is not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Thomas further reported the following work experience outside of the legal field:
(a) Sumter Alcohol & Drug Abuse, Intervention Specialist, Sumter, SC (December 1981 to November 1982); and,
(b) South Carolina Vocational Rehabilitation, Counselor, Sumter, SC (December 1982 to May 1983).

Judge Thomas further provided that:
10 years on the Circuit Court bench and 12 years on the SC Court of Appeals

(11) Commission Members' Comments:
The Commission commented that Judge Thomas has an outstanding reputation as a jurist. They remarked on her great intellect and temperament which has ably served her in discharging her responsibilities on the Court of Appeals.

(12) Conclusion:
The Commission found Judge Thomas qualified and nominated her for re-election to the Court of Appeals, Seat 4.

CIRCUIT COURT
QUALIFIED AND NOMINATED

The Honorable DeAndrea Gist Benjamin
Circuit Court, Fifth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Benjamin meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Benjamin was born in 1972. She is 46 years old and a resident of Columbia, South Carolina. Judge Benjamin provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Benjamin.

Judge Benjamin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Benjamin reported that she has not made any campaign expenditures.

Judge Benjamin testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Benjamin testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Benjamin to be intelligent and knowledgeable.

Judge Benjamin reported that she has taught the following law-related courses:

(a) I have spoken at the SC Black Lawyers Retreat in September 2013, 2014, 2015 on various topics to include being elected to a Judgeships and tips from the bench.
(b) I served on a panel for the 23rd Annual Criminal Practice in SC, tips from the bench – February 28, 2014.
(c) Speaker, Lawyer Mentoring Program – May 15, 2014
(d) Speaker, Criminal Defense Practice Essentials – May 30, 2014
(e) Speaker, SC Women Lawyers Association Pathway to Judgeship in SC – June 9, 2016
(f) Panel Speaker, Association of Corporate Counsel, "What corporate and in/house counsel should know when appearing in court – August 30, 2017.

Judge Benjamin reported that she has published the following:
"Why Doesn't She Leave? The Psychology of a Domestic Violence Victim."The American Bar Association Affiliate Newsletter, Volume 26, Number 2, Nov/Dec 2000.

(4) Character:

The Commission's investigation of Judge Benjamin did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Benjamin did not indicate any evidence of a troubled financial status. Judge Benjamin has handled her financial affairs responsibly.

The Commission also noted that Judge Benjamin was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Benjamin reported that she is not rated by any legal rating organization.

Judge Benjamin reported that she has not served in the military.

Judge Benjamin reported that she has held the following public office(s):

I served on the Juvenile Parole Board from July 2001 – June 2004. I was appointed by Governor James H. Hodges, Jr. I timely complied with State Ethics reports.

(6) Physical Health:

Judge Benjamin appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Benjamin appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Benjamin was admitted to the South Carolina Bar in 1997.

She gave the following account of her legal experience since graduation from law school:

(a) South Carolina Judicial Department, Judicial Law Clerk, The Honorable L. Casey Manning. (August 1997 – August 1998)

(b) Fifth Judicial Circuit Solicitor's Office, Assistant Solicitor, Juvenile/Family Court Division. (August 1998 – November 1999) – I prosecuted felonies and misdemeanors involving juvenile offenders. I also served on the local Juvenile Drug Court.

(c) South Carolina Attorney General's Office, Assistant Attorney General (November 1999- July 2001). I was assigned to the prosecution division where I prosecuted cases involving violent acts against women and children, sexual assault offenses, elder abuse cases, and civil commitments under the Sexually Violent Predator (SVP) law.

(d) South Carolina Juvenile Parole Board, Member and Vice Chair (July 2001 – June 2004). I was a member of a ten-member board that presided over the retention and release of juveniles from the South Carolina Department of Juvenile Justice. I served as Vice-Chair from July 2002-June 2003.

(e) Gist Law Firm, Partner (July 2001 – April 2011). I was a partner in my family law firm. I handled all of the family court cases in our office. My family law practice included marital litigation, child custody disputes, child support cases, DSS abuse and neglect cases, adoptions, and representation of juveniles in family court. My practice also included Employment Law, Criminal law, and some Personal Injury work. I have also been appointed in the past to serve as a Guardian ad Litem in DSS cases and in child custody disputes.

(f) City of Columbia Municipal Court, Municipal Judge (July 2004 – May 2011). Presides over the municipal courts for the City of Columbia. I handled misdemeanor criminal and traffic offenses, specialized Criminal Domestic Violence court and Quality of Life court. I presided over a term of Jury Trials every six weeks.

(g) Circuit Court Judge, Fifth Judicial Circuit (May 2011 – present)

Judge Benjamin reported that she has held the following judicial office(s):

(a) City of Columbia Municipal Court – July 2004 – May 2011
(b) Circuit Court, Fifth Judicial Circuit, Seat 1, – May 2011- present

Judge Benjamin provided the following list of her most significant orders or opinions:

(a) State vs. Conrad Lamont Slocumb, 412 S.C. 88 (Ct. App. 2015)
(b) State vs. Hank Eric Hawes, 813 S.E. 2d 513, (Ct. App. 2018)
(c) Trumaine Moorer vs. Norfolk Southern Railway, 2014 WL 2581554
(d) Edwin Smith vs. David Fedor, 809 S.E.2d 612 (Ct. App. 2017)
(e) State vs. Brett Parker, 2015 WL 9594410

Judge Benjamin has reported no other employment while serving as a judge.

Judge Benjamin further reported the following regarding unsuccessful candidacies:
I had an unsuccessful bid for Family Court (Fifth Judicial Circuit Family Court Seat 1) in February 2010.

(9) Judicial Temperament:
The Commission believes that Judge Benjamin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Benjamin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee found Judge Benjamin to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In addition, the

Committee noted Judge Benjamin was "well-qualified" and "will become more seasoned the longer she serves."

Judge Benjamin is married to Stephen K. Benjamin. She has two children.

Judge Benjamin reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Board of Governors - 2007 - 2009
(b) South Carolina Bar, Chair, Young Lawyers Division – 2006 –2007
(c) South Carolina Bar, House of Delegates – 2002-2009
(d) South Carolina Bar, Young Lawyers Division, Fifth Circuit Representative 2001- 2003
(e) American Bar Association, Young Lawyers Division, District Representative – 2003 – 2005
(f) American Bar Association, Minorities in the Profession Scholar – 1998-1999.
(g) Women Lawyers Association
(h) South Carolina Black Lawyers Association
(i) Columbia Lawyers Association
(j) Appleseed Legal Justice Center, Former Board Member
(k) Richland County Bar Association

Judge Benjamin provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Edventure Children's Museum Board
(b) St. John Preparatory School Board
(c) Columbia Alumnae Chapter of Delta Sigma Theta
(d) USC Community Advisory Board
(e) Columbia Chapter of the Links, Inc., President (2018-present)
(f) Columbia Chapter of Jack and Jill, Parliamentarian (2014-present)

Judge Benjamin further reported:
My experience as a prosecutor, defense attorney, private attorney, parole board member and Municipal Judge has afforded me the opportunity to practice in many areas of the law and before different courts. My experience as a judge, mother, daughter, wife

and unfortunately as a victim of crime in my family has afforded me the opportunity to view the judicial system from all angles. I have always treated people with dignity and respect regardless if they were before me for a traffic ticket or murder. I have always treated litigants and attorneys the way I would have wanted to be treated. I believe in treating everyone fair and impartial, with dignity and respect while upholding the law.

(11) Commission Members' Comments:

The Commission found Judge Benjamin's diverse experience prepared her well for serving as a Circuit Court judge, a role she handles both responsibly and respectfully.

(12) Conclusion:

The Commission found Judge Benjamin qualified and nominated her for re-election to the Circuit Court, Fifth Judicial Circuit, Seat 1.

The Honorable Joseph Derham Cole
Circuit Court, Seventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Cole meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Cole was born in 1952. He is 66 years old and a resident of Spartanburg, South Carolina. Judge Cole provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1977.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Cole.

Judge Cole demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Cole reported that he has not made any campaign expenditures.

Judge Cole testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Cole testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Cole to be intelligent and knowledgeable.

Judge Cole reported that he has taught the following law-related courses:
(a) presenter and/or discussion panelist - South Carolina Bar Association annual convention - case law update discussion
(b) presenter and/or South Carolina Bar Association annual conference - case law update discussion
(c) presenter and/or discussion panelist - South Carolina Public Defenders Association annual conference - court run docketing system
(d) presenter and/or discussion panelist - South Carolina Trial Attorneys Association annual Trial Academy - trial judge for mock trials for inexperienced trial attorneys
(e) presenter/discussion panelist - Spartanburg County Bar Association - bench tips for lawyers

Judge Cole reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Cole did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Cole did not indicate any evidence of a troubled financial status. Judge Cole has handled his financial affairs responsibly.

The Commission also noted that Judge Cole was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Cole reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Cole reported that he has held the following public office(s):

(a) 1977-1985, Assistant Circuit Solicitor, Seventh Judicial Circuit, appointed

(b) 1987-1992, Member South Carolina House of Representatives, Spartanburg County District 32, elected.

(6) Physical Health:

Judge Cole appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Cole appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Cole was admitted to the South Carolina Bar in 1977.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor, Seventh Judicial Circuit, Criminal Prosecution, 1977-1985;

(b) Private Practice, Cole and Taylor Law Firm, 1985-1992, General Practice, administrator and trust account manager;

(c) Member, South Carolina House of Representatives, Judiciary Committee, 1987-1992;
(d) Resident Judge, Seventh Judicial Circuit Court, 1992-present.

Judge Cole reported that he has held the following judicial office(s):
Yes, 1992-2018, Circuit Court Seventh Judicial Circuit. Elected by the South Carolina General Assembly. General civil and criminal jurisdiction and limited appellate jurisdiction.

Judge Cole provided the following list of his most significant orders or opinions:
(a) The State v. Willie Earl Pilgrim, 326 SC 24 (1997); 320 SC 409 (Ct. App. 1995) cert granted.
(b) Dennis Nelson v. Yellow Cab Co., 349 SC 589 (2002); 343 SC 102 (Ct. App.) cert granted.
(c) The State v. Ricky Dennis Gentry, 363 SC 93
(d) William D. Curtis v. Brandon T. Blake, 381 SC 189 (2009); 392 SC 494 (Ct. App. 2011) cert granted.
(e) White Oak Manor, Inc. v. Lexington Insurance Company, 407 SC 1 (2014); 394 SC 375 (Ct. App. 2011) cert granted.

Judge Cole further reported the following regarding unsuccessful candidacies:
Circuit Solicitor, Seventh Judicial Circuit, general election, 1984.

(9) Judicial Temperament:
The Commission believes that Judge Cole's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Cole to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Cole is married to Candace Linn Carlson Cole. He has three children.

Judge Cole reported that he was a member of the following Bar and professional associations:
(a) Spartanburg County Bar Association
(b) South Carolina Bar Association
(c) American Bar Association - Judicial Division
(d) National Conference of State Trial Court Judges - Delegate - 2011 - 2015
(e) South Carolina Commission on Judicial Conduct 2001-present, panel chairman
(f) S.C. Association of Circuit Court Judges - V.P. 2008-2010, President 2010-2012
(g) S.C. Supreme Court Historical Society

Judge Cole provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) The Piedmont Club
(b) The Bobby Chapman Junior Invitational Golf Tournament Board of Directors
(c) The Peggy Gignilliat Society - Chapman Cultural Arts Center
(d) The Spartanburg Area Conservancy
(e) The Converse Heights Neighborhood Association

(11) Commission Members' Comments:
The Commission commented that Judge Cole is an outstanding jurist and noted he is sharp and even-handed.

(12) Conclusion:
The Commission found Judge Cole qualified and nominated him for re-election to the Circuit Court, Seventh Judicial Circuit, Seat 1.

FRIDAY, JANUARY 11, 2019

The Honorable Deadra L. Jefferson
Circuit Court, Ninth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jefferson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Jefferson was born in 1963. She is 55 years old and a resident of Charleston, South Carolina. Judge Jefferson provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jefferson.
Judge Jefferson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jefferson reported that she anticipates to spend less than $100 in furtherance of her candidacy.

Judge Jefferson testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jefferson testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

The Commission received and heard testimony regarding a formal complaint filed against Judge Jefferson. The Commission

found the complaint to be ***unfounded,*** and the Commission commented that Judge Jefferson was very forthright with her answers. The Commission further commented that Judge Jefferson was very calm and even-keeled in her handling of the complaint.

(3) Professional and Academic Ability:

The Commission found Judge Jefferson to be intelligent and knowledgeable.

Judge Jefferson reported that she has taught the following law-related courses:

(a) Business Law Instructor, Trident Technical College Paralegal Program, 1993-1994;
(b) March 20, 1998, "Rules, Rules, Rules" South Carolina Practice and Procedures Update, Presenter on the issue of Family Court Rules, SC Bar;
(c) October 24, 1998, Speaker/Panel Participant Wiley A. Branton Symposium, National Bar Association;
(d) November 6, 1998, "Current Issues in Attorney's Fees," Presenter, SC Bar Association;
(e) December 10, 1998, Recent Developments in Family Law, "Six by Six" CLE Seminar, Presenter, Charleston County Bar Association;
(f) May 20, 1999, "Adjudication Hearings," Presenter and Contributor to Family Court Judges Juvenile Workbook, SC Association of Family Court Judges;
(g) February 25, 2000, "Tips from the Bench," Adoption, Presenter, SC Bar Association;
(h) April 14, 2000, "The Role of the Judge and Guardian ad Litem in Abuse and Neglect Proceedings" Judges Panel, South Carolina Guardian ad Litem Conference;
(i) September 22, 2000, "Women, Leadership and the Law," Brown Bag Lunch Panel Participant, SC Women Lawyers Association and College of Charleston Women's Studies Program;
(j) May 2, 2001, Family Law Update and Tips from the Bench, Presenter, Charleston Lawyers Club;
(k) May 18, 2001, "The Use of Psychological Evaluations in Juvenile Proceedings," Panel, Children's Law Center;

(l) May, 2001, Judges Panel, 3rd Annual Children's Law Conference;
(m) December 13, 2002, Hot Tips III, "Appeals and Motions,"
(n) April 11, 2003, Speaker, Women Lawyers in the New Millennium, "Ethics Issues from Various Judicial Perspectives;"
(o) November 15-19, 2004, National Judicial College, Advanced Evidence, Group Discussion Leader;
(p) June 20, 2003, SCDTAA Trial Academy Judge;
(q) September, 2005, SC Black Lawyers Association, Judicial Selection in South Carolina, Judicial Panel;
(r) September 26, 2005, SC Solicitors' Association Conference, Criminal Law Update, "Recent Court Decisions;"
(s) October 20, 2005, Charleston School of Law Professionalism Series, "Civility and Ethics;"
(t) November 4, 2005, SC Defense Trial Lawyers Ethics and Civility **In Trial unable to make the presentation;
(u) February 15, 2006, Charleston School of Law Ethics & Professionalism Series Panelist, "Civil Justice Reform;"
(v) May 1, 2006, Law Day, Panel Presentation "Judicial Selection in South Carolina" Charleston School of Law;
(w) June 10, 2006, National Judicial College, Handling Capital Cases, Group Discussion Leader;
(x) September 29, 2006, SC Black Lawyers Association, "Civil Practice."
(y) November 16, 2006, Young Lawyers Division, New Admittees Reception, Presentation;
(z) May 24, 2007, Young Lawyers Division, "Tips for Young Lawyers in Circuit Court;"
(aa) March 1, 2008, "We Shape the World" Charleston School of Law, Minority Law Day, Speaker;
(bb) March 8, 2008, Women of Wisdom Expo 2008 "Daring to Embrace New Beginnings," Bibleway Church, Columbia, SC;
(cc) March 10, 2008, National Association for Court Management, Mid-Year Conference, Welcome Presentation;
(dd) June 11, 2008, Pro-Bono Legal Service Summer Intern

Class, In-Court Seminar;

(ee) June 12, 2008, "Governors' School of SC" Summer Class;

(ff) July 29, 2008, Magistrate Seminar, Presenter, "Appeals, Returns and Ethics;"

(gg) August 21, 2008, Annual Judicial Conference, South Carolina Access to Justice Commission, Panelist;

(hh) December 9, 2008, Young Lawyers Association Luncheon, Speaker, "Professionalism Series;"

(ii) March 19, 2009, Charleston School of Law Professionalism Series Lecture, Panelist, "Access to Justice;"

(jj) July 31, 2009, CLE "Limitations on Questioning Judges under the Judicial Cannons;"

(kk) February 24, 2010, Charleston Lawyer's Club CLE "Advice from the Bench: Likes and Dislikes in Motion Practice, Briefs and Oral Argument;"

(ll) February 26, 2010, Stono Park Elementary Career Day;

(mm) March 10, 2010, Junior Girls Day Out Community Project-Courthouse Observation, Question and Answer Session on Judicial Proceedings;

(nn) July 22, 2010, Metanoia Freedom School "Read-A-Loud," Chicora Elementary;

(oo) November 19, 2010, South Carolina Legal Services Statewide Conference, Panelist;

(pp) April 29, 2011, South Eastern Chapter of the American Board of Trial Advocates Annual Conference CLE, "Excellent, Advocacy and the Preservation of the Civil Jury Trial: Views from the Bench," Panelist;

(qq) June 20, 2011, SC Supreme Court Institute for Middle and High school Teachers,Panelist;

(rr) July 22, 2011, Seminar "What Works for Me in Practice"; "Practical tips from the Bench;"

(ss) April 24, 2012, Charleston Lion Club Luncheon, "SC Court Structure," Speaker;

(tt) July 20, 2012, "Seminar "What Works for Me in Practice: Practical tips from the Bench;"

(uu) July 10, 2014, Berkeley County School District 8th Annual Junior Scholarship Institute;

(vv) September 22, 2014, SC Solicitor's Association Fall Conference Panelist Covering "Significant Cases: 2013-2014;"

(ww) May 6, 2015, Military Magnet Academy Law Enforcement Class, "Law Day;"
(xx) July 10, 2015, Orientation School for New Circuit Court Judges; Presenter, "Civil Non-Jury;"
(yy) February 16, 2016, "Seminar "What Works for Me in Practice: Practical tips from the Bench;"
(zz) February, 25, 2016, Memminger Elementary 4th grade students, Court Observation, The Judicial Branch of Government, Questions and Answers;
(aaa) March, 22, 2016, "Seminar "What Works for Me in Practice: Practical tips from the Bench;"
(bbb) July 22, 2016, "Charleston Pro Bono Legal Services, "What works for Me in Practice," Seminar;
(ccc) March 14, 2017, Memminger Elementary 4th grade Students, Court Observation, The Judicial Branch of Government, Questions and Answers;
(ddd) March 22, 2017, Military Magnet Academy Law Enforcement Class "Law Day;"
(eee) July 6, 2017, Orientation School for New Circuit Court Judges; Presenter, "Civil Non-Jury;"
(fff) November 3, 2017, SC Young Lawyers Division, Law Week, Mock Trial Judge, Deer Park Middle School;
(ggg) June 22, 2017, Charleston County Junior Scholars, Court Observation, The Judicial Branch of Government, Questions and Answers;
(hhh) June 28, 2017, Charleston County Junior Scholars, Court Observation, The Judicial Branch of Government, Questions and Answers;
(iii) July 12, 2018, Orientation School for New Circuit Court Judges; Presenter, "Civil Non-Jury."

Judge Jefferson reported that she has published the following:
(a) Marital Litigation in SC, Roy T. Stuckey and F. Glenn Smith (SC Bar CLE 2001), Editorial Board.
(b) The Law of Automobile Insurance in SC, Elizabeth Scott Moise (SC Bar CLE 2009), Editorial Board.
(c) I have provided written seminar materials for the S.C. bar in conjunction with CLE Seminar presentations. These materials have been published by the S.C. Bar as a part of their published seminar materials. I have not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jefferson did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Jefferson did not indicate any evidence of a troubled financial status. Judge Jefferson has handled her financial affairs responsibly.

The Commission also noted that Judge Jefferson was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jefferson reported that she is not rated by any legal rating organization.

Judge Jefferson reported that she has not served in the military.

Judge Jefferson reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Jefferson appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Jefferson appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Jefferson was admitted to the South Carolina Bar in 1989.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk to the Honorable Richard E. Fields, Ninth Judicial Circuit, Seat 1, Charleston, South Carolina, August 1989 through August 1990. Primary Responsibilities: legal research, preparation of jury charges, preparation of Orders, scheduling of motions,

all tasks required to prepare the Judge and myself for trials/hearings during the term and all other daily tasks as required by the Judge that ensured the smooth operation of Court.

(b) McFarland and Associates, Attorney, October 1990 through March 1996. Trial practice focusing on the following areas: Civil Litigation, Domestic Relations, Probate Law, Real Estate Law, Workers Compensation and Criminal Law.

(c) Resident Family Court Judge, Ninth Judicial Circuit, Seat 5 elected February 14, 1996 and served through June 2001.

(d) Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1, elected May 31, 2001 serving continuously

Judge Jefferson reported she has not personally handled any civil or criminal appeals.

Judge Jefferson reported that she has held the following judicial office(s):

Yes. Resident Family Court Judge, Ninth Judicial Circuit, Seat Five, elected February 14, 1996. My service began on April 1, 1996, and concluded in June 2001 when I was elected to the Circuit Court. I was elected to this position by the General Assembly. The Family Court is a statutory court of limited and specific jurisdiction. The jurisdiction of the Family Court is set forth in S.C. Code Annotated § 20-7-420, et seq. (i.e. divorce, custody, child support, name changes, juveniles, equitable distribution, adoptions, abuse and neglect, and as further set forth in the statute).

Currently, Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1. My service began on July 2, 2001. I was elected to this position by the General Assembly on May 30, 2001. The Circuit Court is South Carolina's Court of general jurisdiction. It has a civil court, the Court of Common Pleas, and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, Municipal Court, Zoning and any residual Workers

Compensation appeals. I have served continuously since July 2, 2001.

Judge Jefferson provided the following list of her most significant orders or opinions:

(a) Beachfront Entertainment, Inc., et al. v. Town of Sullivan's Island, 379 SC 602, 666 S.E.2d 921 (2008);
(b) State v. Washington, 367 S.C. 76, 623 S.E.2d 836 (Ct. App. 2006); 379 S.C. 120, 665 S.E.2d 602 (2008);
(c) Home Port Rentals, Inc. v. Moore, 369 S.C. 493, 632 S.E.2d 862 (2006);
(d) State v. Stephen C. Stanko, 376 S.C. 571, 658 S.E.2d 94 (2008);
(e) Donevant vs Town of Surfside Beach, 422 S.C. 264, 811 S.E.2d 744 (2018).

Judge Jefferson further reported the following regarding unsuccessful candidacies:

Candidate- Family Court of S.C., Ninth Judicial Circuit, Seat to be vacated by the Hon. Robert R. Mallard in or about January 1995 through March of 1995. I went through the screening process successfully and was found Qualified to hold judicial office. I voluntarily withdrew from the process prior to the election.

Candidate – Supreme Court of South Carolina, Seat 3, to be vacated by the Hon. Justice James E. Moore in or about September 2007. I went through the screening process successfully and was found Qualified to hold judicial office but not nominated.

Candidate- Supreme Court of South Carolina, Seat 4, to be vacated by the Hon. Justice John Henry Waller, Jr. in or about February 2009. I went through the screening process successfully and was found Qualified and Nominated.

(9) Judicial Temperament:

The Commission believes that Judge Jefferson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Low Country Citizens Committee found Judge Jefferson "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee found her "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Jefferson reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association;
(b) Charleston County Bar Association;
(c) S.C. Association of Circuit Court Judges; Secretary, 2011-2013; Vice President, 2013-2015; President, 2015-2017;
(d) S.C. Women Lawyers Association;
(e) S. C. Black Lawyers Association.

Judge Jefferson provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) The Life Center Cathedral, Charleston, S.C., Board of Trustees 2001-2017, Vision Steering Committee 2017-present; Co-Founder and Director of Young Women's Ministry "YWCE", 1999-2015;
(b) Charleston, SC Chapter of the Links, Inc., Co-Chair Services to Youth 2000-2001; Corresponding Secretary 2004-2006; Recording Secretary 2006-2007; Chair Bylaws Committee 2006-2007; 2014- 2018; Vice President 2007- 2009; President 2009-2013; Parliamentarian 2014-2018; Ethics Chair 2016-present;
(c) Former member Junior League of Charleston, former Strategic Planning Committee, Community Project Development Committee, Advisory Planning Committee, and President's Ad Hoc Committee on Diversity; 1993-2003;
(d) Delta Sigma Theta Sorority, Inc., 1982-present;
(e) The Post and Courier Feature Article August 6, 2001;

(f) The Post and Courier "High Profile" Article May 7, 2005;
(g) "The Heritage List, 9 Dazzling Women of Spirit and Humility" Celebrate Your Heritage Magazine, Spring 2005;
(h) NAACP Lifetime Achievement Award 2003;
(i) Greater Charleston YWCA Lifetime Achievement Award 2004;
(j) Advisory Board Charleston School of Law 2002-present;
(k) Converse College Board of Trustees; 2002-2010; 2011-present; Academic Affairs; Legal Affairs Sub-Committee; Enrollment & Marketing Committee; Student Affairs Committee; Investment Sub-Committee; Committee on Trustees; Enrollment and Programs Committee; Legal and Risk Management Subcommittee;
(l) Converse College Board of Visitors 2001-2002;
(m) April 24, 2003 Founder's Day Speaker Converse College;
(n) Governor's Juvenile Justice Advisory Committee 2000-2007;
(o) South Carolina Commission on Alternative Dispute Resolution 2002-2006, User Education Sub-Committee;
(p) Co-Chair 9th Circuit Courthouse Security Commission August 4, 2006-present;
(q) Associate Acting Justice South Carolina Supreme Court for the terms December 1, 2005, June 10, 2004 and November 2, 2006;
(r) Associate Acting Judge South Carolina Court of Appeals for the term June 11-13, 2003, October 7, 2003 and March 17, 2004 during these terms I sat En Banc with the Court, authored two (2) opinions and participated on seven (7) other panels/opinions;
(s) Designated by Chief Justice Toal as state liaison to The National Consortium on Racial and Ethnic Fairness in the Courts February 7, 2005-present; Board of Directors of April 2011-present;
(t) Designated as Chief Judge for Administrative Purposes for the 9th Circuit as follows: General Sessions July 1, 2002-January 5, 2003; Common Pleas January 6, 2003-January 3 2004; General Sessions January 4, 2004-July 3, 2004 and Common Pleas January 1, 2006-December 30, 2006; General Sessions, Jan. 1-July 31, 2008. Common Pleas January 1, 2009-December 31, 2009;

General Sessions, January 2011-December 30, 2011; and Common Pleas, January 1, 2012-December 30, 2013; General Sessions, January 3, 2016-July 1, 2017; Common Pleas (Charleston) January 1, 2017-December 30, 2017; Common Pleas and General Sessions (Berkeley) December 31, 2017-present;

(u) Assigned exclusive jurisdiction of the following cases by the Supreme Court: April 29, 2003 (03-GS-47-4) Statewide Grand Jury, State v. Bunker, et al.; December 2, 2003 (01-CP-18-0074A) Boyd v. Nationwide; June 28, 2004 (03-GS-38-2411-2413) State v. Levi Bing, Jr.; October 3, 2004 (2002-CP-15-471 and 494) Carter v. Steedley, et. al.; May 6, 2005 (05-GS-22-0918) State v. Stephen C. Stanko; October 3, 2005 (1996-GS-32-3341) State v. Jeffrey L. Jones; March 7, 2006 (04-CP-18-1951) Price v. Jones Ford, Inc.; October 5, 2007 State v. Broughton; (2006-GS-082164,2165,2182,2183,2184 & 2185); September 20, 2010 (2004-CP-37-834) Rhoades, et al. v. Kenyon, et al.; April 23, 2014, State vs Timothy D. Rogers (1993-GS-18-0101, Resentencing; May 20, 2016 (2016-GS-47-02 and 2016-GS-47-03) Statewide Grand Jury Case, State vs Emory Roberts, Justin Gordon Hunter, William Orlando Brown, Rosemary Quezada and Lassain Dixon Johnson; May 31, 2017 (1993-GS-10-00090,00091,00092) State vs Corey L. Sparkman, Aiken Resentencing; December 27, 2017 (2017-GS-47-31 and 2017-GS-47-50) Statewide Grand Jury Case, State vs Brantley D. Thomas, III;

(v) September 6, 2005 Nominated for the inaugural class of the Lowcountry Diversity Leadership Academy developed by the American Institute for Managing Diversity and the Richard W. Riley Institute of Government, Politics and Public Leadership at Furman (had to decline due to the demands of the Court schedule);

(w) September 21, 2006 Nominated for the Lowcountry Diversity Leadership Academy (had to decline due to the demands of the Court Schedule);

(x) July 2006 Invited by the National Judicial College to be a group discussion leader for the General Jurisdiction Course (had to decline due to the demands of the Court schedule, however, I have been asked to participate

when the schedule will allow my participation);

(y) Supreme Court Access to Justice Commission 2007-2016;

(z) S.C. Liberty Fellow-Class of 2009. 2007-2009;

(aa) August 17, 2010, Federal Court, Merit Selection Panel for Magistrate Judges;

(bb) League of Women Voters of the Charleston Area Women of Distinction Award- August 26, 2010;

(cc) February 10, 2011, Center for Heirs Property; Presenter, Celebration;

(dd) Bon Secour St. Francis Hospital Board Member. July 1, 2008-Sept. 20, 2011;

(ee) Supreme Court Docket Management Task Force, Common Pleas Reform Subcommittee, Rule 40/Status Conference Subcommittee, February 17, 2011-present;

(ff) Appointed to the Supreme Court to the General Sessions Docket Committee (Langford Committee), January 7, 2014-present;

(gg) Appointed by Justice Jean H. Toal to the Circuit Court Judges Advisory Committee, June 24, 2014-present;

(hh) February 9, 2018, Converse College "Celebrating Courage and Charting the Future: Commemorating 50 years of Black Women at Converse," Panel.

Judge Jefferson further reported:

I served as law clerk to the Hon. Richard E. Fields (retired) of the Circuit Court of the Ninth Judicial Circuit. During my time with him I had the unique opportunity to observe and participate in dozens of trials and hearings and observe a "master jurist." He taught me the importance of "people skills." I learned the role of judge is central to the lawyers and the litigant's perception that the system afforded them a fair trial/hearing. In addition, my legal research and writing skills were refined during this process. These skills have been further refined during my time on the bench. I count myself fortunate to have found my vocation in life and attempt to walk worthy of that vocation. It is a rare privilege to have been allowed to serve the citizens of South Carolina as a Family Court Judge and Circuit Court Judge for the past twenty-two (22) years. The past twenty-two (22) years have been enjoyable, rewarding and intellectually challenging. I have learned much about the law and human nature. I was taught that the position of a judge should be a continual growth process.

I believe that I have continuously grown in my judicial perspective. I still have the same enjoyment for my work as the day I began twenty-two (22) years ago. The Circuit Court has one of the largest caseloads within the judicial system with over five thousand (5000) filings per judge. I believe that I have been a productive member of the Court. My re-election to the Circuit Court would allow the opportunity for continued intellectual growth while allowing my continued contribution to the court system and the welfare of this state.

(11) Commission Members' Comments:

The Commission noted that Judge Jefferson displayed excellent temperament and demeanor in her appearance before the Commission. The Commission appreciates her service on the bench.

(12) Conclusion:

The Commission found Judge Jefferson qualified and nominated her for re-election to Circuit Court, Ninth Judicial Circuit, Seat 1.

Meredith L. Coker
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Coker meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Coker was born in 1973. She is 45 years old and a resident of Charleston, South Carolina. Ms. Coker provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003. She was also admitted to the Virginia Bar in 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Coker.

Ms. Coker demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Coker reported that she has not made any campaign expenditures.

Ms. Coker testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Coker testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Ms. Coker to be intelligent and knowledgeable.

Ms. Coker reported that she has taught the following law-related courses:
(a) I was an Adjunct Professor at the College of Charleston from 2007 through 2011. I taught Advanced Mock Trial, offered by the department of Political Science. Selected students prepared a single case each year, provided by the American Mock Trial Association, for purposes of competing in several mock trial tournaments throughout the Southeast.
(b) I was an instructor for the Washington DC Metro Police Academy, teaching court procedure to officer trainees and using and used a mock trial scenario in order to prepare them as future witnesses in criminal matters.
(c) I drafted the written materials, compiled examples, and lectured at the 2007 CLE program, "Real Estate Transactions Made Painless and Efficient."

Ms. Coker reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Coker did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Ms. Coker did not indicate any evidence of a troubled financial status. Ms. Coker has handled her financial affairs responsibly.

The Commission also noted that Ms. Coker was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Coker reported that she has not sought a rating or membership with any legal rating organization.

Ms. Coker reported that she has not served in the military.

Ms. Coker reported that she has never held public office.

(6) Physical Health:

Ms. Coker appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Coker appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Coker was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

(a) Judicial Clerk for the Honorable J.M.H. Willis, Jr., Court of Appeals of Virginia, 1998-2000. I reviewed and analyzed cases assigned to the relevant judicial panel for purposes of drafting bench briefs and conferring with

the Judge, drafted opinions and edited opinions drafted by others for content and merit.

(b) Associate, The Falk Law Firm, 2000-03. I returned to this boutique law firm after having been its summer associate for two summers during law school. Clients included international manufacturers, government contractors, owners associations for sports leagues, and small and large corporations. Due to the size of the firm, I was immediately given a tremendous amount of responsibility and access to complex litigation matters, international antitrust matters, Winstar plaintiff committee meetings, collective bargaining, government contract disputes, and NLRB matters. I also researched and prepared presentations to the National Institute of Justice relating to the constitutionality of a variety of matters.

(c) Associate, Finkel and Altman, LLC, 2003-06. My practice focused on commercial litigation and complex civil litigation including trust litigation and government takings.

(d) Member, Coker Law Firm, LLC, now known as Altman & Coker, LLC, 2006-present. I have acted as managing member of my firm, in charge of all financial operations to include IOLTA accounts. I have a diverse practice that includes commercial litigation, property rights litigation, and other civil matters. My practice also includes significant transactional work, including corporate formation and commercial and residential real estate.

Ms. Coker further reported regarding her experience with the Circuit Court practice area:

In the past five years, I have handled a wide variety of cases. These matters have included large construction defect matters, complex commercial matters, property rights and property association issues, title disputes, landlord/tenant disputes, insurance coverage matters, and professional negligence claims. While I am proud to say that many of these matters were satisfactorily resolved, I have appeared often in Circuit Court, US District Court, and in front of Masters in Equity.

I commenced the practice of law in the "rocket docket" of the Eastern District of Virginia, as well as in state courts which followed the same basic tenets of judicial economy. As such, I have been able to structure my time and practice to personally handle a large number of matters concurrently while maintaining a high level of professionalism and preparedness. Examples of cases handled in the past five years include:

(a) CresCom Bank v. Terry, No. 2:12-cv-00063-PMD
This suit was brought for breach of multiple notes and guaranties in the District Court. The matter involved numerous substantive and procedural motions. During the pendency of the action, one of the defendants filed bankruptcy, and the guarantor moved for stay, which was denied. See CresCom Bank v. Terry, et al., 499 BR 494 (D.S.C. 2013). Plaintiff was awarded summary judgment, which award was substantially upheld by the Fourth Circuit Court of Appeals.

(b) Anchorage Plantation Homeowners Association v. Walpole., CA No. 2010-CP-10-00482
This suit was brought by a homeowners association against neighboring property owners arising from the use of a roadway and certain amenities. This matter is currently pending appeal.

(c) Daniel Island Riverside Developers, LLC, et al., v. Weather Shield Manufacturing, Inc., et al., multiple cases consolidated under CA No. 2009-CP-08-1068
Multiple lawsuits were filed alleging construction defects, which were consolidated with the construction manager's suit against certain manufacturers and contractors. This matter was an extremely complex litigation; the matter was partially resolved prior to trial and is currently pending appeal.

(d) Daniel Island Riverside Developers, LLC, et al., v. The Oaks at Rivers Edge Property Owners Association, Inc., et al., CA No. 2010-CP-08-4318
This matter arose from insurance coverage issues resulting from the matter above. Plaintiffs successfully defeated removal to District Court and were able to partially resolve the matter prior to trial. Plaintiffs have

been awarded judgment (to include punitive damages), pending the trial court's determination of post-trial motions.

(e) Walbeck, et al. v. I'on Company, LLC, et al., CA No. 2010-CP-10-10490
This matter was brought by a homeowner against the HOA, developer, purchaser of certain parcels in the community, and related entities and individuals. Issues which arose included development law, association law, title claims, and other contractual and tortious claims. We were able to successfully resolve claims against our clients subsequent to the jury empanelment.

(f) Church of God, et al., v. Estes, et al., CA No. 2013-CP-10-01686
We were successful in assisting co-counsel in obtaining summary judgment in favor of the defendant lender, which has been upheld on appeal. This matter is related to an ongoing declaratory judgment action in District Court in which I am primary counsel representing lender with regard to insurance coverage issues. The District Court matter has been stayed pending final remand to the trial court of the underlying matter.

I am a prior member of the Practices and Procedures Committee of the South Carolina Bar. Due to the size of my law firm, I handle all facets and stages of litigation, from commencement through discovery and pretrial, trial, and appeal. In the past five years, I have appeared in front of Circuit Court judges dozens of times, and have prepared matters for the appearance by others just as often.

With regard to criminal matters, I have handled no criminal matters as primary counsel while in private practice. Due to the structure of the Virginia appellate courts, however, most of my caseload as a judicial clerk involved criminal matters. I have taught criminal procedure and analyzed substantive criminal law in my positions with the DC Metro Police Academy and the College of Charleston. I have substantial background in researching constitutional issues, including those arising from innovative and developing law enforcement technology, for

work performed for the National Institute of Justice and other clients.

In direct response to inquiries relating to my level of criminal trial experience, I have been assisting a local criminal defense attorney, James Falk, who has been gracious enough to allow me to do so. I have assisted Mr. Falk in two felony jury matters this year to date. I have prepared and attended pre-trial hearings, to include successfully arguing a motion for separate trials in a murder trial; prepared for and participated in jury selection; attended trial; and attended the entry of a plea with regard to one of the matters.

Ms. Coker reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 5-10 times per year;
(b) State: 10-30 times per year;

Ms. Coker reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 65%
(b) Criminal: 0%
(c) Domestic: 0%
(d) Other: 35%.

Ms. Coker reported the percentage of her practice in trial court during the past five years as follows:
(a) Jury: 40%;
(b) Non-jury: 60%

Ms. Coker provided:
My trial practice has been evenly divided in the past five years between serving as chief counsel and as co-counsel with my law partner, Charles S. Altman.

The following is Ms. Coker's account of her five most significant litigated matters:
(a) Walbeck, et al. v. I'on Company, LLC, et al., CA No. 2010-CP-10-10490

We were able to resolve claims against our clients the evening before opening statements due to the intense efforts of the parties, legal counsel, and the presiding judge. Prior to such resolution, however, this matter was complex due not only to the legal issues but also to the disparate roles of various defendants, insurance counsel, private counsel, property owners, and lender. I never ceased to be impressed by the sheer preparedness and legal acumen of all the attorneys involved with this matter and our ability to work together while in direct conflict with one another throughout the pendency of the matter.

(b) Fuisz v. Biovail Technologies, Ltd., No. Civ.A. 18004 (Court of Chancery of Delaware).

I was associated with this case after plaintiff retained The Falk Law Firm, LLC, to substitute as counsel for Manatt, Phelps & Phillips, LLP. The case arose from the acquisition of a pharmaceutical company by a large multi-national company, and spawned additional lawsuits relating to non-competition agreements and intellectual property rights. I was responsible for all pre-trial discovery review and analysis, to include extensive document review in Virginia and Delaware, and all motions practice in a related matter brought in the Fairfax (Virginia) Circuit Court. The total amount of claimed damages by all parties was in excess of half a billion dollars. We were nevertheless able to satisfactorily resolve all claims against all parties.

(c) CresCom Bank v. Terry, No.2:12-cv-00063-PMD.

I represented plaintiff creditor in District Court and at the Fourth Circuit Court of Appeals. The matter was intensely contested due to the size of the outstanding debt and the sheet complexity of the defendant guarantor's corporate holdings. Service on the individual defendant even proved difficult and costly. Through perseverance and extensive research, as well as the ability to deduce certain relationships, we were able to personally serve the individual, defend successfully numerous motions filed by defendants related to both substantive and procedural matters, and prevail on our motion for summary judgment. Plaintiff substantially

prevailed at the Fourth Circuit Court of Appeals and we were able to obtain judgment against the debtor and guarantors. We were also able to assist in an informal way with counsel retained to execute the judgment thereafter. This matter recently finally concluded with a settlement agreement between the parties.

(d) Cambridge Lakes Condominium Homeowners Association, Inc., et al., v. Bostic Brothers Construction, Inc., et al. CA No. 2008-CP-10-03506
This case arose from alleged construction defects in a condominium project converted from apartments. The sheer number of defendants added to the complexity of this matter. Discovery in the matter was extensive, as was motions and pleadings practice. We were able to keep litigation defense costs reasonable for our clients, however, by focusing on the issues relating to our position. We were able to resolve all claims against our clients efficiently and satisfactorily.

(e) Hammond v. The Pacific Mutual Life Insurance Company, No. Civ.A. 01-386-A (E.D. Va.).
This matter arose after the death of Marjorie Hammond and was brought by her Personal Representatives alleging breach by the life insurance company for failure to pay life insurance benefits. This matter is significant to me as Professor Stephen A. Saltzburg was associated with our firm representing the plaintiffs. While I primarily drafted the pleadings and motions, Professor Saltzburg was chief counsel at trial. While I had worked on other jury trials prior, I had the distinct honor of learning from no less than a master of evidence, procedure, argument, and litigation. In granting partial summary judgment to the plaintiffs, the District Court was able to narrow the contested issues of fact to one: whether a portion of the policy was attached at either issuance or delivery, and as such whether it was part of the contract. Plaintiffs prevailed in the trial court, and I was fortunate enough to witness Professor Saltzburg's argument at the Fourth Circuit Court of Appeals, which was successful.

The following is Ms. Coker's account of five civil appeals she has personally handled:

(a) CresCom Bank v. Terry, Appeal No. 13-2467, United States Court of Appeals, Fourth Circuit. Decided May 21, 2015. Unreported decision may be found at 610 Fed.Appx.221;2015 W1 2405232.

(b) Fine Housing, Inc. v. Sloan, South Carolina Court of Appeals. Case No. 2017-002517. Final briefs have been submitted and this matter is pending desicion.

(c) Anchorage Plantation Homeowners Association v. Walpole, South Carolina Court of Appeals Case No. 2016-000281. Unpublished Opinion No. 2018-UP-337, filed July 25, 2018.

(d) Hammond v. The Pacific Mutual Life Insurance Company, United States Court of Appeals, Fourth Circuit. Decided January 23, 2003. Unreported decision may be found at 56 Fed.Appx. 118 (slip op.); 2003 WL 152823.

(e) Deep Keel, LLC v. Atlantic Private Equity Group, LLC, et al., South Carolina Court of Appeals. Case No. 2017-000487. Finals briefs have been submitted and this matter is pending decision.

Ms. Coker reported that she has not personally handled any criminal appeals.

Ms. Coker further reported the following regarding unsuccessful candidacies:

> I was found qualified but not nominated for Judge of the Circuit Court, At-Large, Seat 9, for which the election was held in 2018.

(9) Judicial Temperament:

The Commission believes that Ms. Coker's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Ms Coker to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of mental

stability, physical health, and constitutional qualifications. The Committee stated in summary that Ms. Coker is "intellectual," "poised," and has "good experience."

Ms. Coker is married to P. Cooper Coker IV. She has one child.

Ms. Coker reported that she was a member of the following Bar and professional associations:

(a) Virginia Bar Association (I currently hold Associate Member status).
(b) South Carolina Bar Association. I am a past member of the Practices and Procedures Committee (2005-06)
(c) Charleston County Bar Association
(d) American Land Title Association

Ms. Coker provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Member, Grace Cathedral Church
(b) United States Equestrian Federation
(c) United States Hunter Jumper Association
(d) For the past five years my primary volunteer efforts have focused toward contributing my time to my daughter's schools, church groups, and activities.

Ms. Coker further reported:

Education is extremely important to my family and I am grateful that my parents, an elementary school teacher and naval officer, prioritized my education throughout my childhood. I received multiple academic scholarships to both college and law school. In college I was a varsity athlete and an officer for my sorority and the Panhellenic Executive Board, while participating in various other extracurricular activities; nevertheless I was able to complete two majors and a minor. I have been inducted as a member in the academic honor societies Phi Eta Sigma; Omicron Delta Epsilon; and, Pi Sigma Alpha.

My law school curriculum included significant practical experiences and courses. I was afforded the change to work with and learn from several practicing attorneys in a variety of fields. My judicial clerkship exposed me to issues primarily relating to criminal, domestic relations, and administrative matters, as these cases were the purview of the Virginia Court of Appeals. I have

had a unique career path which enabled me to take an active role in a wide array of complex matters from the very start of my career in private practice. I have had the opportunity to work with and learn from immensely talented and capable attorneys, and I strive to live up to their examples. My practice has ranged from small collections matters to multinational corporate disputes. My research and analysis has been relied upon by local and international CEO's, government officials, and policy makers. I relish the chance to learn and have been fortunate in the opportunities presented to me.

I have been fortunate enough as well to have varied life experiences which have augmented my empathy as well as my resolve. I have had colleagues, acquaintances, and friends from virtually every conceivable social, economic, cultural, and professional background. I aspire to treat everyone with respect, grace, and integrity. While I invite intellectual challenges and look forward to the overall view of and ultimate solution to an issue, I have never shirked from rolling up my sleeves and dealing with the necessary minutiae that often make the resolution work. I believe both traits are necessary for an efficient, professional, and courteous courtroom. I would be honored and humbled for the opportunity to use everything that I have learned and everything that I hope to learn.

(11) Commission Members' Comments:

The Commission commented that Ms. Coker is bright, poised, intelligent, and has a good sense of humor. The Commission commended Ms. Coker's efforts to gain more experience in criminal law. The Commission appreciated that Ms. Coker listened to their feedback from her prior screening.

(12) Conclusion:

The Commission found Ms. Coker qualified and nominated her for election to the Circuit Court, Ninth Judicial Circuit, Seat 2.

FRIDAY, JANUARY 11, 2019

The Honorable Bentley Douglas Price
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Price meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Price was born in 1976. He is 42 years old and a resident of Charleston, South Carolina. Judge Price provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Price.

Judge Price demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Price reported that he has not made any campaign expenditures.

Judge Price testified he has not:

a) sought or received the pledge of any legislator prior to screening;
b) sought or been offered a conditional pledge of support by a legislator;
c) asked third persons to contact members of the General Assembly prior to screening.

Judge Price testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Price to be intelligent and knowledgeable.

Judge Price reported that he has taught the following law-related courses:

a) I have lectured at the College of Charleston on the topic of the legal and judicial field and alternative professions that relate to a legal degree.
b) I have lectured at the Charleston School of Law on the topic of the stresses of being a judge and criminal defense attorney.
c) I have lectured at The Citadel's graduate school on the topic of "How the Solicitor's Office really works."

(4) Character:

The Commission's investigation of Judge Price did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Price did not indicate any evidence of a troubled financial status. Judge Price has handled his financial affairs responsibly.

The Commission also noted that Judge Price was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Price reported that he is not rated by any legal rating organization.

Judge Price reported that he has not served in the military.

Judge Price reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Price appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Price appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Price was admitted to the South Carolina Bar in 2002.

He gave the following account of his legal experience since graduation from law school:

a) Assistant Solicitor, Ninth Judicial Circuit 2002-2004. I was hired under a Federal grant called the "Cease Fire Task Force" whereby I prosecuted major violent crimes, gun crimes, white collar crimes, and drug crimes. I was also the liaison to U.S. Attorney's Office for all gun related crimes.
b) Query, Sautter, Price and Forsythe, 2004-2013. The firm is a general practice firm that handles complex criminal and civil cases with an entire sector also dedicated to domestic cases. I was the partner that oversaw the criminal and civil sector of the practice focusing on state court, federal court and magistrate courts. I worked hand in hand with the partners on all civil matters and we emphasized plaintiff's work in personal injury and both plaintiff and defense work in business litigation. I handled all administrative duties associated with being a partner to include overseeing all the staff and hiring and firing of paralegals and support staff. There were two associate attorneys and seven staff members that I oversaw. We had a full time bookkeeper that handled the day-to-day financials and trust accounts.
c) Bentley Price Law Firm, LLC, 2013-Present. I am a solo practitioner continuing to handle all criminal matters and have continued in personal injury cases on the plaintiff's side only. I handle the daily operation of the firm to include my trust account and it's monthly reconciliation.

Judge Price further reported regarding his experience with the Circuit Court practice area:

I began my criminal practice as an assistant solicitor from a Federal grant titled "The Cease Fire Task Force." The task force was established to prosecute gun related cases more diligently and to allow for better communication between the state and

federal levels. I met with United States Attorney's office regularly to assess cases that were currently being prosecuted on the state level and determine if there were stiffer penalties if the Federal government were to adopt the cases. This experience allowed me to handle gun related violent crimes and I prosecuted murders, arm robbery, major drug cases as well as criminal sexual conduct. I handled hundreds of guilty pleas and tried countless jury trials to verdict during my employment at the Solicitor's Office. In my current practice, I have defended all levels of magistrate, state, and federal court crimes to include a five day murder trial last year and a six day Federal Conspiracy to Commit Armed Robbery trial two years ago both to a verdict.

My civil practice has been comprised of mostly plaintiff's work but I do represent several large businesses in all facets of issues including contract disputes and labor and employment law. I have handled civil cases from the pleadings stage to motions to trials. I have successfully participated in mediation and arbitration of cases on both the defense and plaintiff's side.

In 2007, I was appointed Associate Municipal Court Judge for the City of Folly Beach. In March of 2012, I became the Chief Municipal Court Judge. Since that time I have disposed of over ten-thousand (10,000) cases for the City of Folly Beach either by accepting of pleas, trials either bench or jury or allowing litigants to participate in alternative programs. My duties also require me to sign arrest warrants and search warrants when requested by the police department. I work hand in hand with the defense attorneys, prosecutor and clerk to run our court smoothly and efficiently.

I enjoy the challenges of crafting sentences, orders, and other dispositive actions in a fair and judicious manner. My time on the bench has served me well and taught me the humility required to maintain such a position.
I have practices primarily in the Circuit Court my entire career and my frequency in the past have years is monthly if not weekly.

Judge Price reported the frequency of his court appearances during the past five years as follows:
a) federal: Depending on case load it could be monthly.
b) state: Depending on case load it could be weekly.

Judge Price reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
a) civil: 25%
b) criminal: 75%

Judge Price reported the percentage of his practice in trial court during the past five years as follows:
a) jury: 99%
b) non-jury: 1%

Judge Price provided that during the past five years he most often served as sole counsel.

The following is Judge Price's account of his five most significant litigated matters:
a) State v. Antoine Goodwin – In this trial in Charleston County Court of General Sessions, I was an assistant solicitor prosecuting Mr. Goodwin for murder. This case had a number of unique aspects. The case involved eyewitness testimony that Mr. Goodwin was the shooter and we had a jury viewing at the scene of the crime to determine the angle of the witnesses' view. We were also successful in subpoenaing federal grand jury records in which the crime was discussed. There was a contempt hearing at trial and a witness changed his testimony mid-trial thus allowing us to have him declared a hostile witness and use his testimony to our advantage. Mr. Goodwin was found guilty and sentenced to life in prison.
b) State v. Marvin Bryan – Mr. Bryan was charged with one count of murder and three counts of attempted murder. Mr. Bryan and three co-defendants were in a car when Justin Wilson open fire on a car in an apparent gang shooting in Park Circle. Franklin Williams was killed and three other occupants of the car were injured. The case was unique in the fact that both Mr. Bryan and Mr. Wilson went to trial

together without a joint defense agreement. Two co-defendant's testified against both defendants. One victim testified that he was not aware of either of the defendants whereabouts on the night of the crime and had never seen either of them before. Both cooperating co-defendants testified that my client, Mr. Bryan, was not the shooter and that Mr. Wilson was in fact acting alone. Unfortunately Mr. Bryan was convicted under the hand of one hand of all theory and when I later spoke to a juror she acknowledged her perceived unfairness of the law but felt she took an oath and administered her duties accordingly.

c) United States of America v. Charles Johnson – Mr. Johnson was a jewel thief from Oakland California. On several occasions he flew to Atlanta and then to Charleston. It was alleged that Mr. Johnson and two co-defendants went to Demetries Jewelers in Charleston and another store in Columbia and robbed the stores of Rolex watches. The interesting factual issues are that the FBI took over the case and utilized is Cellular Analysis System or "CAST" to track Mr. Johnson's phone for months. They were able to utilize the phone to physically track the whereabouts of Mr. Johnson from Oakland to Charleston either in airports or interstates on the days of the crimes. Mr. Johnson confessed in text messages to the crimes and that the phone that was tracked was his. The FBI combed through years of text messages to extract only a handful of useful information. The reports they used were in the thousands. The robbers used masks and gloves to commit the robberies and Mr. Johnson vehemently denies robbing the stores or conspiring to commit these crimes. He's appealed.

d) Knowles v. Crawford – In this civil case Mr. Crawford shot Mr. Knowles in the abdomen from his boat and later utilized the Castle Doctrine as a defense to criminal liability. The Solicitor's Office reviewed SLED's finding and refused to prosecute. I brought a civil action for negligence under the theory that Mr. Crawford maintained throughout the case that it was an accident and that he was attempting to un-cock the hammer when it discharged. Since the shooter claimed the shooting was accidental, the civil defense section of the Castle Doctrine statute was inapplicable. Therefore we were able to bring a suit for negligence and were successful.

e) United States of America v. Wendy Moore - This was a two week federal trial where the U.S. Attorney's Office was alleging that my client, Wendy Moore, had contracted with her ex-husband to have her boyfriend's soon to be ex-wife murdered. The allegations were that Ms. Moore contacted her ex-husband, who is a convicted murder/arsonist, and asked him to travel to Charleston to kill Nancy Cannon. He agreed and brought an accomplice but when they arrived in Charleston and received five thousand dollars they wired the money home and became paranoid that their girl friends would spend the money so they immediately traveled back to their home state of Kentucky. The accomplice then returned to Charleston to commit the murder but was subsequently arrested on drug charges and attempted to get immunity by confessing to the murder-for-hire. The two-week trial was riddled with complex legal issues and factual posturing. Ms. Moore was convicted on all counts and is appealing.

Judge Price reported that he has not personally handled any civil or criminal appeals.

Judge Price reported that he has held the following judicial office(s):

I am currently the Chief Municipal Court Judge for the City of Folly Beach and have been employed in this capacity since 2007. Jurisdiction does not extend beyond the City of Folly Beach. The court is limited to handling cases in which the penalty does not exceed ninety days incarceration and/or a $500 fine. I was appointed by the Mayor and approved by city counsel.

Judge Price provided the following list of his most significant orders or opinions:
None

Judge Price reported the following regarding his employment while serving as a judge:
(a) Query, Sautter, Price and Forsythe 2004-2013, full time. Was a partner that oversaw the criminal sector of the firm and managed the staff including the attorneys and law clerks.

(b) Bentley Price Law Firm, 2013 to Present. Full Time

Judge Price further reported the following regarding unsuccessful candidacies:

> I have applied and been screened as Qualified or Well Qualified but not nominated for Circuit Court At-Large Seat 15 in 2013, Seat 9 in 2014 and Seat 10 in 2015.

(9) Judicial Temperament:

The Commission believes that Judge Price's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee reported Judge Price to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Price is married to Melissa Ann Price. He has two children.

Judge Price reported that he was a member of the following Bar and professional associations:

a) Charleston Bar Association
b) Berkeley Bar Association
c) Dorchester Bar Association
d) SC Bar
e) Summary Court Judge's Association

Judge Price provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Country Club of Charleston

Judge Price further reported:
My entire legal and judicial career has been devoted to the trial courts and my wide area of practice in criminal and civil cases at all levels of the court system will enable me to be a fair, courteous, and understanding judge. I understand what the litigants are facing with stressful schedules and deadlines and

will do my very best to maintain my continued humility to balance a fair but efficient court.

(11) Commission Members' Comments:

The Commission noted that Judge Price has earned an outstanding reputation as a municipal judge. They commented that his varied experience makes him an excellent candidate for the bench.

(12) Conclusion:

The Commission found Judge Price qualified and nominated him for election to the Circuit Court, Ninth Judicial Circuit, Seat 2.

The Honorable Dale E. Van Slambrook
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Van Slambrook meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Van Slambrook was born in 1958. He is 60 years old and a resident of Goose Creek, South Carolina. Judge Van Slambrook provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Van Slambrook.

Judge Van Slambrook demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Van Slambrook reported that he has spent $433.80 in campaign expenditures for postage and printing.

Judge Van Slambrook testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Van Slambrook testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Van Slambrook to be intelligent and knowledgeable.

Judge Van Slambrook reported that he has taught the following law-related courses:

(a) I have lectured at the April 26, 2018 Berkeley County Bar Day CLE
(b) I made presentation on the topic of Partition Actions on December 15, 2017

Judge Van Slambrook reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Van Slambrook did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Van Slambrook did not indicate any evidence of a troubled financial status. Judge Van Slambrook has handled his financial affairs responsibly.

The Commission also noted that Judge Van Slambrook was punctual and attentive in his dealings with the Commission, and

the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Van Slambrook reported that he is not rated by any legal rating organization.

Judge Van Slambrook reported that he has not served in the military.

Judge Van Slambrook reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Van Slambrook appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Van Slambrook appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Van Slambrook was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

In 1983 he began working as The Steinberg Law Firm, LLP, where he became partner in 1986. From 1983 to 2000, he engaged in general law practice including: divorce, child custody disputes, workers' compensation cases, Chapter 7 and 13 bankruptcy cases, personal injury litigation, probate, social security, and real estate closings and litigation. In 2000, he mostly practiced personal injury, social security, probate, and miscellaneous litigation.

He took the bench in 2009 and has served as Municipal Court judge for the City of Goose Creek and has been serving as the Berkeley County Master-in-Equity since 2014. In his PDQ he

also mentions serving as Special Circuit Court Judge and Associate Judge in the Berkeley County Adult Drug Court.

Judge Van Slambrook reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 10-15 times
(b) State: 10-15 times

Judge Van Slambrook reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 95%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 5% - probate

Judge Van Slambrook reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 50%;
(b) Non-jury: 50%.

Judge Van Slambrook provided that during the past five years he most often served as sole counsel.

The following is Judge Van Slambrook's account of his five most significant litigated matters:
(a) Ruth Atkins (Pinckeny) vs. Atkins, 317 SC 340 (1995).
(b) Coleman Dangerfield vs. Rainbow Carpets, et al. (2011).
(c) Tamson Susor vs. Tommy Lee Schmidt (2012).
(d) Sheryl Elliot vs. Three D Metal, Inc., et al. (2012).
(e) Estate of Catherine Wall vs. La Hacienda, et al. (2011).

The following is Judge Van Slambrook's account of the civil appeals he has personally handled:
(a) Ruth Atkins (Pinckeny) vs. Atkins 317 CS 340 (1995).

Judge Van Slambrook reported he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Judge Van Slambrook's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Van Slambrook to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, reputation, experience, and judicial temperament. They commented "EXCELLENT!".

Judge Van Slambrook is married to Darlene J. Van Slambrook. He has three children.

Judge Van Slambrook reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association 1983- present
(b) Charleston County Bar Association 1983- present
(c) Berkeley County Bar Association 1983- present
(d) South Carolina Master-In-Equity Judges Association 2014- present

Judge Van Slambrook provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) St, James United Methodist Church
(b) National Rifle Association
(c) Goose Creek International Triathlon Club

Judge Van Slambrook further reported that:

I have lived in Berkley County Since 1974 and graduated from Goose Creek High School, Clemson University and University of South Carolina School of Law. I have practiced law with The Steinberg Law Firm, LLP for more than thirty (30) years primarily out of the Goose Creek office and later in a Summerville office.

I began my legal career as general practitioner and handled a variety of cases including but not limited to domestic, criminal, probate, civil cases, high volume of real estate closing and real estate litigation and personal bankruptcy cases.

I have tried cases Jury and Non-Jury in various Courts in Charleston, Berkeley and Dorchester County Common Pleas, Family Court, General Sessions, Master-In-Equity, Magistrate and Municipal Courts. I have handled almost all manner of disputes in these various Courts.
For the last years of my private practice, I focused primarily on personal injury litigation and Social Security Disability.

I presided over Criminal Jury Trials as a Municipal Judge for the City of Goose Creek from 2009 to 2014.

I served as Berkeley County Master-In-Equity primarily in Non-Jury matters that frequently involved Pro Se Litigants during the extremely stressful Foreclosure process. I also have been able to serve as a Special Circuit Court Judge and handle routine matters and have accepted Guilty Pleas and Probation Revocations. As Associate Judge of the Berkeley County Adult Drug Court, I interact on a weekly basis with participants and the Drug Court Team.

My experience as a Master-In-Equity, Special Circuit Court Judge, Berkeley County Adult Drug Court Judge and as Municipal Court Judge has provided me an insight into the difficulties and enormous responsibilities which face every person serving on the Bench.

I believe that based upon my depth of experience as a practicing attorney, service as a Criminal Court Judge, Master-In-Equity, a Special Circuit Court Judge and as Associate Adult Drug Court Judge, I have the training, education and experience to effectively perform the duties of a Circuit Court Judge. I believe that I would be apple to apply a common sense and practical approach to the many duties of a Circuit Court Judge.

(11) Commission Members' Comments:

The Commission commented that Judge Van Slambrook is composed and well rounded. They noted he has a wealth of experience which will serve him well in discharging his responsibilities should he be elected to the bench.

(12) Conclusion:

The Commission found Judge Van Slambrook qualified and nominated him for election to the Circuit Court, Ninth Judicial Circuit, Seat 2.

The Honorable Rivers Lawton McIntosh
Circuit Court, Tenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McIntosh meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McIntosh was born in 1960. He is 58 years old and a resident of Williamston, South Carolina. Judge McIntosh provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McIntosh.

Judge McIntosh demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McIntosh reported that he has not made any campaign expenditures.

Judge McIntosh testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McIntosh testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McIntosh to be intelligent and knowledgeable.

Judge McIntosh reported that he has taught the following law-related courses:

(a) I made a presentation on Canine Search and Seizure to the South Carolina Association of Justice at the August, 2012 Conference.

(b) I made a presentation on What does a Circuit Court Judge Look For in a Return Filed On Appeal? And Ethics to the upstate Summary Court Judges at the annual meeting in the May, 2012.

(c) I made a presentation on E-Discovery at the NBI seminar in Columbia, South Carolina, May, 2012.

(d) I sat as a panel member in the following continuing legal education programs:

(i) Ethics with the Judges - South Carolina Bar Sporting Clays Seminars (Colleton County - October 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2017 and 2018) (Boiling Springs - Spring 2017)

(ii) What Criminal Judges Want You to Know - NBI Seminar, Columbia, South Carolina (February 2012)

(iii) Annual Solicitor's Conference: 2015-2016

(e) I also served as a judge in Furman's Mock Trial Competition (March, 2015, 2017)

(f) I served as a judge in the South Carolina Bar Mock Trial Competition (Greenville, 2014, 2015)

(g) I spoke to the T. L. Hanna High School Law Class. (February, 2014, 2015)

Judge McIntosh reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McIntosh did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McIntosh did not indicate any evidence of a troubled financial status. Judge McIntosh has handled his financial affairs responsibly.

The Commission also noted that Judge McIntosh was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McIntosh reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge McIntosh reported that he has not served in the military.

Judge McIntosh reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McIntosh appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McIntosh appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McIntosh was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

(a) Law Clerk: Honorable Luke N. Brown (1986-1987)
(b) Associate: McIntosh and Sherard (1987-1990)
(c) Partner: McIntosh, Sherard & Sullivan (1990-2009)
(d) Subsequent to my clerkship, I was hired as an associated by McIntosh and Sherard in May of 1987. I continuously worked as either an associate or partner with McIntosh, Sherard and Sullivan from May of 1987 through May, 2009, when I was elected to serve the remainder of the unexpired term of the Honorable J.C. Nicholson, Jr.
(e) May of 1987 through approximately (1990) - The general character of my practice included primarily handling civil and domestic cases. The civil cases I assisted with or handled ranged from representing individuals and businesses as plaintiffs or defendants in business and real estate related litigation. I also represented or assisted with representing plaintiffs in personal injury cases. My domestic practice primarily included representing both wives and husbands as either plaintiffs or defendants. A small percentage of my practice involved representing criminal defendants with charges such as grand larceny, criminal sexual conduct (1st), simple possession, DUI and traffic offenses. Although I represented criminal defendant in Circuit Court on guilty pleas, I did not try any criminal cased above the magistrate's court level. I also occasionally closed loans.
(f) (1990-2000) I discontinued representing criminal defendants and performing loan closings. My civil and domestic practice continued as I described above. I also started representing claimants in workers' compensation cases. Approximately thirty (30%) percent was devoted to domestic abuse; approximately forty (40%) percent of my practice was devoted to personal injury and workers' compensation; and approximately thirty (30%) was devoted to representing individuals and businesses in business and real estate related litigation. In this category, I represented both plaintiffs and defendants.

(g) (2000-2006) While the focus of my practice remained the same the percentage of my practice devoted to each area changed. In March, 2003 our firm hired an associate to assist me with litigation. Our associate focused primarily on domestic cases, enabling me to stop handling domestic cases in 2006 (with the exception of Court-appointed cases). During the period, the number of personal injury cases I handled declined to approximately twenty (20%) percent of my practice, which, together with representing workers' compensation claimants, constituted approximately thirty (30%) percent of my practice. I also began handling probate matters, mostly litigation, which constituted approximately five (5%) percent of my practice. The remainder of my practice continued to focus on representing individuals and businesses as plaintiffs or defendants in real estate and business litigation, as well as my Court appointed cases. I also defended the County of Anderson in two (2) cases.

(h) (2006-2009) Approximately thirty (30%) percent of my practice involved representing plaintiffs and claimants in personal injury and workers' compensation cases. Approximately five (5%) percent involved handling probate matters, mostly litigation. The remainder of my practice continued to involve representing individuals and businesses as plaintiffs or defendants in real estate and business-related litigation as well as my Court-appointed cases.

(i) (May, 2009 to Present) Judge of the Circuit Court, Tenth (10th) Judicial Circuit, Seat #1.

(j) As an associate I did not frequently deal with the firm trust account other than meeting with the office manager to make deposits into the account or disbursements from it. As a partner I received monthly reports on the trust and general accounts and met with the office manager at least monthly to review the reports. Only partners in the firm were allowed to sign firm checks, trust or otherwise.

Judge McIntosh reported that he has held the following judicial office(s):

Yes. Elected to Circuit Court, Tenth Judicial Circuit, Seat 1, 2009 and re-elected in 2013. Currently running for re-election to the same seat. The Circuit Court is a court of general jurisdiction.

Judge McIntosh provided the following list of his most significant orders or opinions:

(a) Smith v. Tiffany, 419 SC 548, 799, SE2nd 479 (2017)
(b) Williams H. Bell, Jr. v. State of South Carolina, Case Number: 2003-CP-04-1859
(c) Encore v. Keone Trask, et al, Case Number: 2015-CP-23-05757
(d) Stevens Aviation Inc. v. Dyna Corp. International, 407 SC 407, 756 SE2d 148 (2014)
(e) Archadect, Inc. v. Isaiah L. Rice et al, Case Number: 2015-CP-04-01662

(9) Judicial Temperament:

The Commission believes that Judge McIntosh's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge McIntosh to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge McIntosh is married to, but currently separated from, Jessie Ruth Wilson. He has one step-child.

Judge McIntosh reported that he was a member of the following Bar and professional associations:

(a) Anderson County Bar Association (no offices held)
(b) South Carolina Bar Association (no offices held)
(c) American Bar Association (no offices held)
(d) South Carolina Circuit Court Judges Association (no offices held)

Judge McIntosh further reported:

I was born and raised in Anderson County. My father was an attorney and my mother a homemaker. My parents instilled fiscal conservatism and a strong work ethic in my siblings and me. My parents taught us to treat people with respect and dignity regardless of their origin, color or station in life. During high school and college, I was involved with organized sport which required me to budget my time and to be physically disciplined. I have tried to continue these traits and to incorporate them in my career. I am married to an orthopedic surgeon. We built our home on her family farm. The family has lived on and operated the farm for over one hundred years. My wife and I have strong values and a traditional view of the value of hard work.

(11) Commission Members' Comments:

The Commission commended Judge McIntosh on his temperament and demeanor. The Commission noted it was impressed with Judge McIntosh's respectful handing of attorneys in his courtroom. They stated that he is an outstanding jurist.

(12) Conclusion:

The Commission found Judge McIntosh qualified and nominated him for re-election to the Circuit Court, Tenth Judicial Circuit, Seat 1.

Ryan Kirk Griffin
Circuit Court, At-Large, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, At-Large, Seat 2, six candidates applied for this vacancy, three candidates withdrew before the commission voted, and one candidate was found not qualified. Accordingly, the names and qualifications of two candidates found qualified and nominated are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Griffin meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Griffin was born in 1974. He is 44 years old and a resident of Sumter, South Carolina. Mr. Griffin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Griffin.

Mr. Griffin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Griffin reported that he has spent $335.77 in campaign expenditures.

Mr. Griffin testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Griffin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Griffin to be intelligent and knowledgeable.

Mr. Griffin reported that he has taught the following law-related courses:

> From 2013-2016, I presented a thirty minute program on preliminary hearings at the Intensive Training Program for Magistrates and Municipal Judges.

Mr. Griffin reported that he has published the following:
Mitigation of Civil Penalties under the Clean Air Act, 7 S.C. Envtl. L.J. 271, Fall 1998.

(4) Character:

The Commission's investigation of Mr. Griffin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Griffin did not indicate any evidence of a troubled financial status. Mr. Griffin has handled his financial affairs responsibly.

The Commission also noted that Mr. Griffin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Griffin reported that he is not rated by any legal rating organization.

Mr. Griffin reported that he has not served in the military.

Mr. Griffin reported that he has never held public office.

(6) Physical Health:

Mr. Griffin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Griffin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Griffin was admitted to the South Carolina Bar in 2000.

He gave the following account of his legal experience since graduation from law school:

(a) The Honorable Thomas W. Cooper, Jr. – Judicial Law Clerk, August 2000 – July 2001

(b) Nexsen, Pruet, Jacobs and Pollard, Associate Attorney, August 2001 – December 2001. After my Judicial clerkship, I worked for Nexsen, Pruet, Jacobs and Pollard as an associate attorney in the firm's litigation department. While my job focused on litigation, my primary job duties consisted of research, writing, and document review.

(c) Bryan, Bahnmuller, Goldman and McElveen, LLP, Associate Attorney – December 2001 – April 2004. I returned to my hometown to work with my father's law firm. My practice focused on personal injury and workers' compensation. In addition to these practice areas, I also served as a prosecutor for the Sumter County Sheriff's Office in Summary Court.

(d) The Griffin Law Firm, LLC, Sole Proprietor, 2004. During 2003, my father was forced to retire from law practice due to health concerns. Upon his retirement, I decided to open my own law practice. While on my own, I engaged in a general law practice, including a brief period where I served as a part time, contract public defender in Sumter County. During this time, I did all of the bookkeeping for my firm, to include management of operating and trust accounts. In the fall of 2004, two colleagues and I merged law practices to form Bryan, Horne and Griffin, LLC.

(e) Bryan, Horne and Griffin, LLC, Partner - 2004 – September 2006. In this three partner law practice, I handled all the litigation practice areas for the firm. I handled personal injury, workers' compensation, social security disability, and family court cases. I also resumed serving as the Summary Court Prosecutor for the Sumter County Sheriff's Office. In September 2006, one of my partners was hired as the full time Sumter County Attorney. As a result, our partnership dissolved in September 2006.

(f) R. Kirk Griffin, LLC, Sole Proprietor – September 2006 – July 2007. I resumed working as a sole proprietor engaging in a general law practice. I resumed managing a law office, including management of operating and trust accounts. I closed my practice in June 2007 to become a full time Assistant Solicitor.

(g) The Honorable C. Kelly Jackson, Third Circuit Solicitor - Assistant Solicitor – July 2007 – January 2011. In 2007, I decided to become a full-time prosecutor. Since I had prior prosecution experience, I was given a full case load immediately. I prosecuted various criminal offenses in Circuit Court, to include murder cases. I worked continually for Solicitor Jackson from July 2007 until his retirement in January of 2011.

(h) The Honorable Ernest A. Finney, III, Third Circuit Solicitor - Deputy Solicitor – January 2011 – Present. I currently serve as Deputy Third Circuit Solicitor. I maintain a full case load and have day to day management duties as delegated by the Solicitor. I, along with an administrative staff person, am responsible for the administration and planning of the Sumter County Court appearance system. I am in the courtroom for two weeks of every month, participating in guilty pleas and jury trials. I continue to handle a wide array of criminal cases, ranging from drug offenses to most serious offenses.

Mr. Griffin further reported regarding his experience with the Circuit Court practice area:

I have been a full time prosecutor in Circuit Court for the past ten years. I have prosecuted a wide array of criminal offenses, from relatively minor traffic and drug offenses to murder. Simply put, I am in the courtroom before a Circuit Court Judge for two weeks every month. During my time as a prosecutor, I have handled every aspect of criminal trial practice. In preparation for trials, I make decisions which bear on my ability to introduce particular pieces of evidence at trial. I believe that trial preparation and trial practice uniquely prepare a prosecutor for ascension to the bench. In my role as a prosecutor, I am also very familiar with the non-jury aspects of criminal practice in

the Circuit Court. I am very familiar with the mechanics of guilty pleas and motion practice, specifically motions dealing with issues raised under State v. Blair and M'Naughten. I believe my career in prosecution has prepared me to be a candidate for Judicial office.

Because I am a full time prosecutor, I have not practiced in the Court of Common Pleas in the past five years. Before I became a full time prosecutor, I did handle cases in the Court of Common Pleas. I tried an automobile accident case to verdict, and I handled numerous Post Conviction Relief matters in the Court of Common Pleas. I believe my experience in civil court coupled with my experience as a prosecutor makes me qualified to be a Circuit Judge. Certainly, I will have to re-familiarize myself with certain areas of civil court practice. I feel that I have the energy, intellect and work ethic necessary to bridge this gap quickly.

Mr. Griffin reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0%
(b) State: 100%
(c) Other: 0%

Mr. Griffin reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 0%
(b) Criminal: 100%
(c) Domestic: 0%
(d) Other: 0%

Mr. reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 50%
(b) Non-jury: 50%

Mr. Griffin provided that during the past five years he most often served as sole counsel.

The following is Mr. Griffin's account of his five most significant litigated matters:

(a) State v. Antwan June, 2011-GS-43-1328

To my knowledge, this case was the first criminal case tried in Sumter County where the Protection of Persons and Property act was raised as a defense. In this murder case, the State was successful in proving that the defendant was not entitled to immunity from prosecution.

(b) State v. Christopher Rodko, 2011-GS-43-1187

This was a brutal murder case. The victim was shot 6 times by her sister's boyfriend. The defendant confessed to the killing. He claimed immunity under the Protection of Persons and Property act. The prosecution decided that we would present our entire case in defense of the claim for immunity. After a 3 and ½ day immunity hearing, the claim for immunity was denied. The defendant immediately appealed the denial of immunity. While the appeal was pending, the defendant passed away at the Sumter Lee Regional Detention Center.

(c) State v. Bernard McFadden, 2010-GS-43-257

In this case, the defendant was charged with Burglary in the Second Degree, Violent. The defendant broke the glass front door of a convenience store with a piece of concrete. As he stepped through the door, he cut himself on the broken glass. A trail of blood was left from the front door to the register area of the store where the cigarettes and lottery tickets were kept. The State provided the defendant committed the crime largely by the testimony of the SLED DNA analyst who matched the defendant's DNA to the blood left at the crime scene. The defendant was convicted and sentenced to the maximum fifteen-year sentence for Burglary in the Second Degree, Violent.

(d) State v. Joseph Dunbar, 2010-GS-43-543

This was an armed robbery case. The State's best evidence in this case was the photo lineup where the victim identified the defendant and her testimony and in court identification of the defendant. The defense chose to present an alibi defense. This case came down to a

question of the victim's credibility versus the credibility of the alibi witness. The Defendant was convicted of Armed Robbery and sentenced to thirty years imprisonment.

(e) State v. Camara Jordan, 2014-GS-43-219

In this case, the defendant and two of his friends came the victim's residence to purchase marijuana. An argument ensued, followed by a physical altercation outside the residence. The physical altercation was broken up. After telling the defendant and his friends to leave his home, the victim went back inside. Minutes later, the defendant re-entered the victim's home with a weapon. After a physical struggle inside the residence, the defendant shot the victim in the chest. This shot killed the victim. The defendant claimed self-defense. At the end of the defendant's case, the trial judge refused to charge self-defense to the jury, citing that the defendant was not without fault in bringing upon the difficulty he faced. Before closing arguments, the defendant decided to plead guilty to voluntary manslaughter.

Mr. Griffin reported he has not personally handled any civil or criminal appeals.

Mr. Griffin further reported the following regarding unsuccessful candidacies:

I was a candidate for the Circuit Court, Third Circuit, Seat Two in January 2018. I was one of the three candidates found qualified and nominated. I withdrew from the race on January 23, 2018.

(9) Judicial Temperament:

The Commission believes that Mr. Griffin's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character,

reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Mr. Griffin is married to Suzanne Burch Griffin. He has two children.

Mr. Griffin reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association, November 13, 2000-present
(b) Sumter County Bar Association- 2001 - present
Mr. Griffin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) The Epicurean Club, Sumter, South Carolina
(b) YMCA Church League Youth Basketball Coach, 2014-2016

Mr. Griffin further reported:
I entered law school in 1997 with a desire to become a trial lawyer. My father is a retired attorney. While I was growing up, I always admired the work he did. I wanted to be like him. After graduation, I worked as judicial law clerk observing trials and learning by watching great trial lawyers. After my clerkship, I sought to build a private practice focusing on trial work.
In private practice, I handled cases in various areas of the law. I represented plaintiffs in civil court, defendants in criminal court and plaintiffs and defendants in Family Court cases. I represented individuals in post-conviction relief cases and probation violation hearings. I defended individuals in abuse and neglect cases in Family Court. My experience gives me a unique perspective. I have been on both sides of the courtroom. I know the pressure involved in going to the top of a civil roster at a roster meeting. I know the pressure that comes along with a criminal trial term. If I am elected, I believe this perspective will enhance my decision making, and insure that all litigants and lawyers are treated fairly.

Throughout my life, I have always tried to treat people like I want to be treated. This has served me well in my legal career. I believe it is important that lawyers, litigants and judges bring

this mindset to the courtroom. All participants deserve to be treated courteously. I believe my experience in civil and criminal court, love of the courtroom and my demeanor will make me a good judge. If I am elected, I will never forget what it's like to be on the other side of the bench.

(11) Commission Members' Comments:

The Commission commented that Mr. Griffin has an excellent reputation in his community and has the respect of his peers. The Commission was impressed with his professional experience and also noted he was a "lawyer's lawyer."

(12) Conclusion:

The Commission found Mr. Griffin qualified and nominated him for election to the Circuit Court, At-Large, Seat 2.

John Patrick (Jack) Riordan
Circuit Court, At-Large, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, At-Large, Seat 2, six candidates applied for this vacancy, three candidates withdrew before the commission voted, and one candidate was found not qualified. Accordingly, the names and qualifications of two candidates found qualified and nominated are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Riordan meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Riordan was born in 1967. He is 51 years old and a resident of Greenville, South Carolina. Mr. Riordan provided in his application that he has been a resident of South Carolina for at

least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Riordan.

Mr. Riordan demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Riordan reported that he has not made any campaign expenditures.

Mr. Riordan testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Riordan testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Riordan to be intelligent and knowledgeable.

Mr. Riordan reported that he has taught the following law-related courses:

I was a Speaker/Presenter/Panelist at a SC Bar Association transportation litigation conference within the past seven years or so (held at the SC Bar offices near the end of the year - Attorneys with Fried, Rogers and Goldberg were involved, as was then SCHP Trooper Matt Sims).

I have spoken on multiple occasions at CLE approved events of the SCDTAA over many years. SCDTAA events would have been both at the Summer and Annual Meetings, would have been personal injury litigation/Tort related and many involved transportation/trucking topics (Chair of Summer Meeting in 2016).

I have lectured numerous times and assisted in all facets of the SCDTAA Trial Academies (Chaired the event in Greenville within the past 3 years, co-chaired a couple more). Those lectures touched upon many different aspects of trial practice, with specific recollection of pre-trial matters, trial notebooks and opening and closing statements.

Most recently (first quarter of 2018) I co-chaired a Webinar hosted by my firm's Transportation Practice Group titled "Managing Truck Accident Litigation," which had over 240 participants.

Mr. Riordan reported that he has published the following:

Contributing author to an article in the January 16, 2006 Lawyers Weekly regarding the Underwood v Coponen Opinion. Served as Assistant Editor of the SCDTAA Defense Line magazine for 2012 (two issues).
Counsel on at least 14 reported opinions, serving as primary author on all but 5 of the Final Briefs. For three of those cases: State v. Hammitt, 341 S.C. 638, 535 S.E.2d 459 (Ct. App. 2000); State v. Vasquez, 341 S.C. 648, 535 S.E.2d 465 (Ct. App. 2000); and State v. Harris, 342 S.C. 191, 535 S.E.2d 652 (Ct. App. 2000), I may have been the prime author, but I do not recall. Anne Hunter Young and John Ozmint were fellow members of those Statewide Grand Jury cases and all of us likely had some input in approving the Final Briefs. Sam Outten was primary counsel and would have approved all my work for the briefs for Lydia v Horton. Finally, Stringer v State Farm was nearly exclusively created by co-counsel, Charles Norris. I primarily drafted the briefs in Underwood v Coponen, with assistance by co-counsel, Zandra Johnson. I primarily authored all briefs for

Hueble v. SCDNR and Vaughn, but had assistance from Johnny Gasser. All other AG matters were of my primary authorship. Don Zelenka would have reviewed/approved those briefs (the actual AG and the Deputy were always listed, but as a formality).

(4) Character:

The Commission's investigation of Mr. Riordan did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Riordan did not indicate any evidence of a troubled financial status. Mr. Riordan has handled his financial affairs responsibly.
The Commission also noted that Mr. Riordan was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Riordan reported that his last available rating by a legal rating organization, Martindale-Hubble, was AV Preeminent. Mr. Riordan reported that he was recognized by a legal rating organization, The Best Lawyers in America, in the area of personal injury litigation since 2012. Mr. Riordan reported that his last available rating by a legal rating organization, Greenville Business Magazine, was Legal Elite.

Mr. Riordan reported that he has not served in the military.

Mr. Riordan reported that he has held the following public office(s):

Perhaps inapplicable, but out an abundance of caution:
(a) Assistant Solicitor, Fifth Judicial Circuit, 1992-1996
(b) Assistant Attorney General, SC Attorney General's Office 1996-1999

No reporting requirements, never subject to penalty.

(6) Physical Health:

Mr. Riordan appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Riordan appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Riordan was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

(a) I believe I continued work for at least a brief time following graduation in May of 1992 with King & Vernon as a law clerk. Though Kermit and counsel primarily handled domestic work, we were also involved with civil litigation claims (property and personal injury) and also represented former USC President James Holderman during his initial legal battles (Dick Harpootlian prosecuting).

(b) My first job following the taking of the Bar was with Dick's Fifth Circuit Solicitor's Office as an Assistant Solicitor from October, 1992 - July 1996. I handled the entire range of criminal offenses (DUI to Murder), eventually serving as the youngest member of the Violent Crime Task Force established by Solicitor Barney Giese following his election and to close my service. During my tenure I tried at least 50 cases before a jury (my first, a DUI conviction, being obtained a week after being sworn in).

(c) I then took a position with the SC Attorney General's Office in July of 1996, initially with Don Zelenka's Capital Litigation Team, handling direct appeal murder cases. I was primary counsel, filing briefs and defending at least twenty murder appeals, eight of which provided argument in the Supreme Court. I assisted Don in defeating the final appeals of serial killer Larry Gene Bell (represented by Steve Morrison and Nelson Mullins) and Thomas Lee Davis (Lander Fountain Murder over Fall Break in 1988) with final hearings on

both being held in Greenwood. I additionally served on the Statewide Grand Jury from October of 1997 to May of 1999, assisting with numerous public corruption cases (mostly police, but others, including at least one school board member for embezzlement) and multi-county drug operations. Finally, I handled some conflict prosecution matters involving the prosecution of jailers in Marlboro County over the death of an inmate (should have never been indicted) and of a Greenville County Sheriff's Deputy for Reckless Homicide (auto accident) throughout my tenure with the Attorney General's office.

(d) In late May of 1999 I became an associate with Leatherwood Walker Todd & Mann. I became a partner at the end of 2002. Since the firm's merger in August of 2008, I have continued as a litigation shareholder with Smith Moore Leatherwood. My private practice has primarily involved Civil Litigation Defense (vehicular accidents (primarily transportation related for last decade), slip and falls, medical and legal malpractice, church defense and products liability). However, I have handled a number of Criminal Defenses cases each year (from Substantial Felonies to White Collar to magistrate level offenses, mostly in State Court, but some Federal); have been involved in Domestic, Probate, Church related and Condemnation actions; and have initiated at least two §1983 Suits (civil rights claims). Additionally, I have been able to initiate at least a few Plaintiff actions and am presently involved in a few substantial Plaintiff claims. Overall, I have tried at least 50 civil matters before juries. As a civil practitioner, I have at least briefed and argued a few appellate matters.

(e) I have not undertaken prime administrative or financial management (including management of trust accounts) at any of the entities but have assisted in training/mentoring younger attorneys, including litigation associates in my firm, both via firm committee and individually.

Mr. Riordan further reported regarding his experience with the Circuit Court practice area:

My criminal experience has lessened during my time in Private Practice. I have been involved in at least two lengthy and contested General Sessions' trials since 2006. The first of which, alleging Burglary and Grand Larceny by a former employee of a DMV, resulted in a not guilty verdict and the successful § 1983 suit against the arresting agencies. The second trial, in May of 2014, regrettably resulted in a guilty verdict of Arson and related offenses, but the convictions remain on appeal and the client was sentenced to home detention. That loss and another adverse matter which ended with a regrettable guilty plea by a young client with no record to First Degree Burglary, Armed Robbery and Weapons Charges admittedly lessened my appetite for significant criminal matters for the past few years, but I believe my overall experience will allow me to quickly regain my procedural "competence" in the Court of General Sessions. I remain a member of the Greenville Association of Criminal Defense Lawyers (GACDL), attending many of our monthly meetings. Given my past as a prosecutor, any case in my firm that remotely suggests a criminal component is likely to garner my involvement. I have good relationships with our past and present Public Defender and staff and our Solicitor (who was an associate with my firm long ago - I sat with him during his first, successful, trial) and one of his deputies, who was co-counsel on several civil matters before he moved into public service. I have handled a number of guilty pleas in General Sessions in private practice over the years and handled many hundreds as a prosecutor.

My civil trial experiences, like many others, have lessened over the past few years. I once tried four Common Pleas matters (all wreck cases) through to positive results for my clients over seven full Court days (Thursday and Friday to close a trial term in Anderson, then back to back to back to close out Joe Watson's final term on the bench in Greenville - the first two were verdicts for Plaintiff, but for less than offered; the final two were pure verdicts for the defense). Comically, I have now tried five cases TOTAL since May of 2014. However, each case lasted at least four days (full week for two) and the stakes were much higher.

The initial trial was the previously mentioned Arson case (General Sessions). The other four consisted of two wrongful death cases (one a logging truck wreck, the other a medical malpractice allegation) and two significant personal injury cases. Both of the wrongful death cases resulted in the obtainment of defense verdicts. The final trials were a truck/dirt bike accident wherein the cycle driver lost his lower left leg and a logging truck/motorcycle involved accident that was the first civil case tried in the new Florence County Courthouse. Following a week-long trial in the truck/dirt bike case, a mistrial was granted due to the jury being hung and a retrial date will likely be set for later this year. The Florence County matter resulted in a verdict for far less (one-fifth) than demanded/requested by Plaintiff.

In the civil defense realm I have likely been one of the more active participants before Circuit Court Judges in my career, though certainly less so these past five years. Beyond trials, I have been involved in many other civil hearings, including successful grants of Summary Judgment (denials have assuredly been issued as well) and relief from default. Though my firm has one of the strongest transportation/trucking practices in the State/Region and I maintain heavy involvement in that area, I continue to have a diverse practice, which presently includes: numerous premises liability matters; a few dram shop actions, including one wrongful death claim; property disputes; actions both defending and pursing claims against nursing homes and a claim against a reckless driver with drug involvement who caused a significant head-on collision, with great injury to my client. Finally, I was able to assist in the successful resolution of the primary claims in a significant wrongful death and personal injury claim in Watauga County, NC (I was co-counsel for the Williams family of Rock Hill, whose eleven year old son was killed and mother injured by Carbon Monoxide exposure from a pool heater at a Best Western in Boone), which resulted in a $12 million dollar settlement in early 2018 (claims against state actors remain with the NC Industrial Commission). I have always sought to expand my exposure/experience in legal matters and expect that breadth of experience will be of benefit in filling this Judicial seat.

Mr. Riordan reported the frequency of his court appearances during the past five years as follows:
(a) Federal: minimal-- less than 5%
(b) State: greater-- encompassing 95% of such "appearances" but still less than in previous years;
(c) Other: none listed

Mr. Riordan reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 88%;
(b) Criminal: 10%;
(c) Domestic: 1%;
(d) Other: 1%.

Mr. Riordan reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 90%;
(b) Non-jury: 10%.

Mr. Riordan provided that during the past five years he most often served as sole counsel.

The following is Mr. Riordan's account of his five most significant litigated matters:

(a) Green v Ebel – Greenville trial in the Fall of 2016 - successful defense of Dr. Ebel in a wrongful death, medical malpractice claim involving the death of a fourteen year old girl. This was a terrible death within fifty hours following her ER discharge by Dr. Ebel, the proper investigation of which would likely have prevented the plausible assertion of medical negligence. Fortunately, Plaintiff experts and opinions were exposed, a wonderful and brave doctor was vindicated and further injustice was prevented after a week-long trial.
(b) State v Larry Gene Bell - I was not involved in the initial trial or appeal, but assisted in the final, week-long litigated hearing regarding a petition by renowned

counsel to prevent execution as cruel and unusual punishment in violation of the eighth amendment due to Bell's mental incapacity. Serial killer Bell's determination to have death by the electric chair (in effect at time of original sentence) rather than lethal injection was raised as one of the reasons in support of Bell's mental incapacity. Rejection of Bell's petition and execution of Bell was greatly significant to the families of the two KNOWN victims of Bell's brutality. The case was additionally significant given infamy of Bell and the renown of counsel and the experts involved (top members of the FBI profile team).

(c) Ken and Janice Bear v. Duke Energy - my first significant Plaintiff's case - I held prime deposition and trial responsibility against numerous defense attorneys. The Bears discovered that their newly constructed home was built on property formerly utilized to "strip" Duke Energy transformers/equipment for scrap metal, resulting in PCB contamination. A remediation agreement was obtained, resulting in an initial one million-dollar clean up, but PCB remained beneath their home. A multi-day trial resulted in an agreeable settlement/resolution for the Bears for property/stigmatic damage.

(d) State v Paula Reed - I defended Reed (former DMV employee referenced earlier), with a criminal not guilty verdict obtained on all counts after a lengthy trial. The successful defense of these initial criminal charges (3 separate "cases" had been indicted, with over 70 years of potential sentencing) revealed the prime investigator to be providing "inaccurate" and/or "mistaken" testimony during trial, after having created "mistaken/inaccurate" incident reports in support of the charging decisions. The obtainment of the not guilty verdict and subsequent dismissal of all other cases allowed the successful pursuit and resolution of the ensuing §1983 matter via mutual agreement prior to trial in Federal Court.

(e) State v Paris Fant - my final criminal prosecution. Fant was a Greenville County Sheriff's Deputy who was involved in the T-bone collision with another vehicle, resulting in

a twenty-six year old mother's death. No charges initially (SCHP representative commented that the deceased had failed to yield right of way, but since she was dead and could not be charged, it would be unfair to charge Deputy Fant). After much adverse publicity a traffic ticket was issued, but Deputy Fant thereafter simply forfeited bond. The victim's family appealed to the Attorney General's office for help. Despite assertions of double jeopardy in further pursuing, I determined this was not so and the mother of the victim was allowed to appear before the Grand Jury. The case was true billed/indicted. Plea offers were rejected. Deputy Fant was convicted of Reckless Homicide after a lengthy trial, which included testimony from representatives of the SCHP MAIT that the headlights from Fant's patrol car were fully removed prior to their arrival and Fant was traveling at least 69 in a 40 mph zone (running late for work). This matter remains significant by ensuring justice is blind and exists for ALL, no matter how unpleasant the facts or repercussions.

The following is Mr. Riordan's account of five civil appeals he has personally handled:

(a) Hueble v SCDNR and Vaughn, 416 S.C. 220, 785 S.E.2d 461 (2016)
(b) Stringer v. State Farm Mut. Auto. Ins. Co., 386 S.C. 188, 687 S.E.2d 58 (Ct. App. 2009, En Banc)
(c) Dorothy L. Sides and Arthur L. Sides v. Greenville Hospital System, Rodgers Builders Inc. and F. T Williams Co., Inc. 362 S.C.250; 607 S.E.2d 362 (Ct. App. 2004)
(d) Underwood v. Copenen 367 S.C. 214; 625 S.E. 2d 236 (Ct. App. 2006)
(e) Lydia v. Horton, 355 S.C. 36, 583 S.E.2d 750 (2003) and 343 S.C. 376, 540 S.E.2d 102, (Ct. App. 2000)

The following is Mr. Riordan's account of five criminal appeals he has personally handled:

(a) State v. Timmons, 327 S.C. 48, 488 S.E.2d 323 (1997) S.C. Supreme Court

(b) State v. Avery, 333 S.C. 284, 509 S.E.2d 476 (1999) S.C. Supreme Court
(c) State v. Taylor, 333 S.C. 159, 508 S.E.2d 870 (1999) S.C. Supreme Court
(d) State v. Collins, 329 S.C. 23, 495 S.E.2d 202 (1998) S.C. Supreme Court
(e) State v. Weston, 329 S.C. 287, 494 S.E.2d 801 (1997) S.C. Supreme Court

Mr. Riordan further reported the following regarding unsuccessful candidacies:

Yes. I was deemed qualified and screened out as a finalist for Judge of the Thirteenth Judicial Circuit, Seat 4, but eventually withdrew in deference to The Honorable Alex Kinlaw, Jr., who was elected to the seat in February of 2018.

(9) Judicial Temperament:
The Commission believes that Mr. Riordan's temperament would be excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Mr. Riordan to be "Well Qualified" as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" as to constitutional qualifications, physical health, and mental stability.

Mr. Riordan is married to Leora Caroline Patterson. He has three children.

Mr. Riordan reported that he was a member of the following Bar and professional associations:
(a) SC Bar
(b) ABA
(c) SCDTAA-- Board Member from 2012-2017

Mr. Riordan provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Sharpshooters Gun Range

(b) Stone Lake Community Pool
(c) Metropolitan Arts Council
(d) Clemson Alumni Association
(e) Pi Kappa Alpha Fraternity

Mr. Riordan further reported:

I have been blessed with a rewarding and interesting life thus far. I do believe my life experiences will influence and benefit the type of Judge I plan to be: one who strives to ensure all who must have interaction with our judicial system are afforded and receive the respect and justice they deserve. I am unsure whether the following is the type of info requested, but I am proud of my family, my accomplishments and the great relations I have had with all throughout my life. I strive to respect all and pre-judge none. Like the law itself, I agree that all are best served when we are blind to any perceived physical differences. The information below, in addition to all related thus far, supports those criteria, including physical health and mental stability.

I am one of six children born to my mother (three boys, three girls), with my older three half-siblings born to her first husband, Dennis Friedman. Mr. Friedman died soon after my older half-brother was born. Within a few years my young widowed mother met and married my father, Pat Riordan, more than three years her junior. Both of my parents were from small towns in Illinois. Mom did not attend college; Dad graduated from the University of Illinois. Dad was born with a deformed right arm and, with two younger brothers, was largely raised by a single mother after their World War II Vet father abandoned the family. Upon the marriage of my parents, Dad became the immediate father of three at twenty-four years of age and was the father of six before he was thirty (yes, they are Catholic). Dad was an engineer in the paper industry. He initially worked with one of the prime paper machine manufacturers in Beloit, WI, where I was born. He later took positions with paper manufacturers who utilized the Beloit machines, allowing us to live in Somers, Connecticut and Baton Rouge, Louisiana before we moved to Rock Hill. I had a largely middle class upbringing and benefitted from the diversity provided by our numerous moves and homes. All of my siblings obtained college degrees, have large families and (with the exception of my sister in New York, whose three

grown children live in SC and who will likely move here upon her and her husband's retirement) remain South Carolinians. My parents have been married over fifty years and their direct family "lineage" should number forty-nine by the fall of 2018. My parents continue to provide me a great example regarding education, work ethic, the importance of family and the fair treatment of all.

I played most sports in some fashion into junior high, but concentrated solely on basketball after breaking my foot during eighth grade football (forcing me to miss basketball for the junior high team after making the team as a seventh grader). I was fortunate enough to continue playing basketball regularly into early 2016, running our year round "Up the Hill" League at Buncombe Street United Methodist Church (we refused to admit we were yet "over the hill") for about a decade. Though I have played with my old team periodically each year since, my playing days are definitely (and sadly) numbered and "play" is mostly relegated to solitary shooting sessions. My wife earned a Master's Degree in Education and taught in public schools until the day before the birth of our son. She was the 2017 20K State Champ and has made fitness her livelihood. She has been an aerobics instructor since college. She has held positions with the Columbia Athletic Club, The Firm/Body Firm (she is in one of the videos), the Life Center in Greenville and the gym of a private company in downtown Greenville; she is a certified personal trainer as well. Our children have followed suit: all eventually swam year round, with my son still swimming for the Clemson Swim Club (they dropped the swim program a few years ago) and my oldest daughter, after only running her final year of high school, now a member of the University of Tennessee Track/Cross-Country team. My youngest daughter should continue to be a valued runner in Track and Cross-Country during her senior year at Wade Hampton High School. My oldest and youngest have served as Assistant Coaches for the Stone Lake Swim Team (SAIL swimming) and all three provide private swim instructions. All of these athletic endeavors have provided great community interaction with players, referees, families, clients and administrators of varying races, ages and backgrounds. The clocks, fields and scoreboards (just like the administration of justice) SHOULD be blind to other than the participants' performance and conduct.

My wife and I have been married 26 years, having met at the end of my first year at Clemson. Her father was a Judge and sparked my interest in the law. Her mother eventually worked as the secretary for both Judge Kittredge and Judge Hill and my in-laws' positions allowed me to have unique insight and affinity for service on the bench and relations with Court personnel. My service as a prosecutor and civil litigator has likewise provided great opportunity for constant interaction, community and friendship with persons within the justice system and from most walks of life. I have been on most sides of both criminal and civil practice and can easily empathize/sympathize (likely having been there before) with the varied circumstances confronting those who appear in Court. All should have confidence they will be treated fairly and impartially when appearing before me.

(11) Commission Members' Comments:

The Commission commented positively on Mr. Riordan's intellect and experience and noted that it would serve him well should he be elected to the bench.

(12) Conclusion:

The Commission found Mr. Riordan qualified and nominated him for election to the Circuit Court. At-Large, Seat 2.

The Honorable R. Keith Kelly
Circuit Court, At-Large, Seat 14

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Kelly meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Kelly was born in 1958. He is 60 years old and a resident of Spartanburg, South Carolina. Judge Kelly provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kelly.

Judge Kelly demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kelly reported that he has not made any campaign expenditures.

Judge Kelly testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kelly testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Kelly to be intelligent and knowledgeable.

Judge Kelly reported that he has taught the following law-related courses:

(a) I have made a presentation on Ethics to the SC Association of Criminal Defense Lawyers as a Circuit Judge.
(b) I have made a presentation on Access to Justice to Circuit Judges.
(c) I have participated as a Circuit Judge on a Panel answering questions from lawyers.
(d) I have made presentations to members of the bar at the annual Solicitor's Conference while serving as a member of the SC House Judiciary Committee.

(e) I have made presentations to members of the bar at the annual Public Defender's Conference while serving as a member of the SC House Judiciary Committee.
(f) I have made presentations to members of the bar at the annual Public Defender's Conference while serving as a member of the SC Sentencing Oversight Committee.
(g) I have spoken to school students on career days about law in general and described our court system, both state and federal.
(h) I taught a class to law enforcement officers on prosecuting DUI cases while I was a lawyer.

Judge Kelly reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Kelly did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kelly did not indicate any evidence of a troubled financial status. Judge Kelly has handled his financial affairs responsibly.

The Commission also noted that Judge Kelly was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Kelly reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Kelly reported the following military service:
16 May 1981 to 16 May 1984, US Army active duty, Honorable Discharge. 17 May 1984 to 29 Aug 1994 US Army Reserve, Honorable Discharge. Captain; 248-21-2382; no longer serving.

Judge Kelly reported that he has held the following public office(s):

2006-2010, SC House of Representatives, Representative District 35, elected.

All reports were timely filed, no penalty.

(6) Physical Health:

Judge Kelly appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Kelly appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Kelly was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

(a) Brooks Law Associates, Spartanburg, SC 1988-1999; General practice of law including criminal, civil and family law. No administrative, financial or trust account management.

(b) R. Keith Kelly Law Firm, Spartanburg, SC 1999-2001; General practice of law including criminal, civil and family law. Sole practitioner. Administrative, financial and trust account management.

(c) Lister, Flynn & Kelly, PA, Spartanburg, SC 2001-2013; General practice of law including criminal, civil and family law. Partner with supervisory responsibility for administrative, financial and trust account management.

(d) SC Judicial Department 2013-present; Circuit Court Judge.

Judge Kelly reported that he has held the following judicial office(s):

SC Circuit Court Judge, 2013 to present.

Judge Kelly provided the following list of his most significant orders or opinions:

(a) Catawba Indian Nation v. State of South Carolina, 407 S.C. 526, 765 SE2d 900(2014). The Indian tribe brought a declaratory

judgment cation against the state to determine the Effect of the Gambling Cruise Act on certain gambling rights. The Supreme Court held declaratory judgment action was not precluded by collateral estoppel; the action was not precluded by res judicata; but, the Gambling Cruise Act did not authorize the tribe of offer video poker gambling on its reservation. I concurred in the opinion as an Acting Associate Justice.

(b) West Anderson Water District v. City of Anderson, SC, 2016 WL 3342245 (2016). The Water District brought a declaratory judgment action against the City to determine the proper service provider to supply water service to Michelin's newly constructed facility. The Court of affirmed my ruling determining the Water Sale and Purchase Agreement allowed the City to provide service to Michelin, enabling legislation authorized the local governing body to execute contracts extending past its members terms of office and there was no delegation of power by the district.

(c) State v. Daniel W. Spade, 2016WL3670561. Defendant was charged with Criminal Sexual Conduct with a Minor, First Degree for forcing his then seven year old daughter to perform oral sex on him during non-custodial visitation. Defendant improperly struck juror 199 because she was a grandmother and later alleged due to her age. I ruled the strike unconstitutional based on gender because only females can be grandmothers and the "dual motivation doctrine" did not cure the constitutional defect. Affirmed.

As a trial judge, almost all of my work on the bench is with a jury as the finder of facts. Therefore, it is rare that I issue an order or opinion.

Judge Kelly has reported no other employment while serving as a judge.

Judge Kelly further reported the following regarding unsuccessful candidacies:

1991 SC Senate special election to fill unexpired term of Senator Horace Smith. I lost in the primary to a challenger. 2010 SC House of Representatives, District 35. I lost in the primary to a challenger. 1995 Family Court Judgeship. I withdrew from

consideration. 1998 Family Court Judgeship. I withdrew from consideration. 2010 US Magistrate Judge. I was not selected. 2016 SC Supreme Court. I withdrew from consideration.

(9) Judicial Temperament:

The Commission believes that Judge Kelly's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Kelly to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Kelly is married to Cynthia (Cindy) Gail Jackson Kelly. He has three children.

Judge Kelly reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) South Carolina Circuit Court Judges Association
(c) Cherokee County Bar Association
(d) Spartanburg County Bar Association
(e) SC Supreme Court Historical Society
Judge Kelly provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Emma Gray Memorial United Methodist Church.
(b) Woodruff Rotary Club, past president 2011-12, 2012-13.
(c) Spartanburg Pilot's Association, former board member.
(d) Woodruff Investment Club

Judge Kelly further reported:
I respectfully submit that my work ethic is one of my strong suits. I worked to pay my way through college and law school. I repaid all student loans timely, and I applied myself to the practice of law and representing clients with the same work ethic. I applied myself and that same work ethic while serving our state as a circuit court judge. And, I will continue to apply that work ethic to cases before the court.

(11) Commission Members' Comments:

The Commission noted that Judge Kelly's courteous demeanor, strong work ethic, devotion to fairness, and insistence upon showing respect, understanding details, and maintaining control in his courtroom demonstrate that he is exceptionally well-qualified to serve as a circuit court judge.

(12) Conclusion:

The Commission found Judge Kelly qualified and nominated him for re-election to Circuit Court, At-Large, Seat 14.

The Honorable Maite Murphy
Circuit Court, At-Large, Seat 15

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Murphy meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Murphy was born in 1969. She is 49 years old and a resident of North Charleston, South Carolina. Judge Murphy provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Murphy.

Judge Murphy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Murphy reported:
I have not had any expenditures to date.

Judge Murphy testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Murphy testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Murphy to be intelligent and knowledgeable.

Judge Murphy reported that she has taught the following law-related courses:

(a) I taught business law courses at Midlands Technical College in Columbia in 1996 and 1997.
(b) I taught the Ethical Issues portion of the Children's Law Center CLE in Orangeburg entitled Training for Attorneys Appointed in Abuse and Neglect Cases on April 30, 2010.
(c) I taught Courtroom Procedure Training at the Dorchester County Sheriff's Department. January – May, 2010.
(d) I taught Courtroom Case Presentation to the South Carolina Litter Control Association on February 24, 2011.
(e) I have been a presenter during the Orientation School for Magistrates and Municipal Judges on two occasions.
(f) I served on a teaching panel for the National Business Institute CLE that was titled "What Civil Court Judges Want You to Know" on 5/4/14.

Judge Murphy reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Murphy did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Murphy did not indicate any evidence of a troubled financial status. Judge Murphy has handled her financial affairs responsibly.

The Commission also noted that Judge Murphy was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Murphy reported that she is not rated by any legal rating organization.

Judge Murphy reported that she has not served in the military.

Judge Murphy reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Murphy appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Murphy appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Murphy was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) I began practicing law in Columbia as a partner with the law firm of Holler, Dennis, Corbett & Garner. I began with said practice in January of 1996 and my practice was a general practice. My practice at that time was primarily focused on civil litigation in the Courts of Common Pleas and General Sessions. I also handled domestic matters in Family Court and cases in Magistrate and Municipal Courts. As a partner in that firm I was responsible for managing trust and firm accounts. My husband and I then moved from Richland County to Dorchester County in March of 1998 and I

was employed as an associate for Richard Wern in North Charleston where I handled civil litigation matters in State and Federal Court until I obtained a position at the First Circuit Solicitor's Office in October of 1998.

(b) During my tenure at the Solicitor's office I rose to the rank of Chief Deputy Solicitor for the First Judicial Circuit. I was second in command to the Solicitor for the entire circuit which is comprised of Calhoun, Dorchester and Orangeburg Counties. I was hired to operate under a grant dedicated to prosecuting crimes of violence against women. I was in charge of prosecuting all violent crimes against women and children. I successfully tried cases of murder, kidnapping, arson, armed robbery, burglary, criminal sexual conduct (all degrees), lewd act upon a child, unlawful conduct towards a child, felony child abuse, sexual exploitation of minors, all levels of assaults, drug and alcohol offenses and criminal domestic violence. I also assisted Solicitor Walter Bailey with the trials of four capital murder cases.

(c) I left the Solicitor's Office in 2005 to join the practice of Quattlebaum & Murphy, L.L.P. as a partner. The firm as of January 2009 is the Murphy Law Firm, L.L.C. The firm is a general practice firm and during my time there I specialized in criminal and civil litigation matters in all courts and also handled domestic litigation. As a partner in the firm I was responsible for the administration and reconciling of financial accounts, trust accounts and personnel matters.

(d) I was confirmed by the Senate as a Magistrate Court Judge for Dorchester County on April 30, 2009. Chief Justice Jean H. Toal appointed me as Associate Chief Magistrate for Dorchester County on June 17, 2009. I served in that capacity until I was appointed as Chief Magistrate by Chief Justice Toal on July 1, 2010. I served as Chief Magistrate part-time and continued my general practice until I was appointed as Master-in-Equity for Dorchester County in May of 2011.

(e) I began my term as Master-in-Equity on June 1, 2011. As Master-in-Equity I heard cases referred by the Circuit Court. I presided over matters that dealt with real

property disputes, business cases, injunctions, default cases with unliquidated damages and supplementary proceedings. The real property cases included mortgage foreclosures, quiet title actions, partitions, boundary disputes and mechanic's liens. On December 22, 2011 Chief Justice Toal appointed me as a Special Circuit Court Judge which allowed me the ability to try non-jury matters in Common Pleas and General Sessions Court. As Master-in-Equity I was responsible for the administration of the office, all personnel matters and financial accounting requirements of the office.

(f) I was elected to my current position on the Circuit Court in January of 2013. My duties as a Circuit Court judge include presiding over terms of Common Pleas Court and General Sessions Court. I dispose of motions, pretrial proceedings and perform administrative duties. I hear appeals from Magistrate, Municipal and Probate Courts and approve or disapprove settlements of minor's interests and all other people with an incapacity, and wrongful death and survivor action settlements. I am currently serving as Chief Administrative Judge as appointed by the Chief Justice. I also serve as a Business Court Judge. I was appointed to the Business Court in August of 2014 and I continue to serve in that capacity.

Judge Murphy reported that she has held the following judicial offices:

I served as Chief Magistrate for Dorchester county. I was appointed as a Magistrate by the Governor, with the advice and consent of the Senate. My appointment was confirmed on April 30, 2009. As a Magistrate Court Judge I had jurisdiction to hear civil actions within the County where the amount in controversy did not exceed $7,500.00. This included actions for breach of contract, damages for injury to rights pertaining to the person or personal or real property as well as all landlord and tenant matters, and actions to recover the possession of personal property whose stated value does not exceed $7,500.00. I had limited jurisdiction of mechanics' liens, agricultural liens, repair or storage liens and animal owner's liens. My Magistrate jurisdiction also included

handling of criminal and traffic offenses which are subject to a fine or forfeiture not exceeding five hundred dollars or imprisonment not to exceed thirty days or both. I also heard cases transferred from General Sessions Court where the penalty did not exceed one year imprisonment or a fine of $5,000.00 or both. These cases were transferred to the Magistrates Court upon petition from the Solicitor and with the consent of the defendant.

I served as Dorchester County Master-in-Equity and my term of service began on June 1, 2011. I was appointed by the Governor and with the advice and consent of the General Assembly on May 19, 2011. As Master-in-Equity I heard cases referred to me by the Circuit Court. I presided over matters that dealt with real property disputes, business cases, injunctions, default cases with unliquidated damages, and supplementary proceedings. The real property cases included mortgage foreclosures, quiet title actions, partitions, boundary disputes and mechanic's liens. I conducted public judicial auctions of real property pursuant to mortgage foreclosure actions. I further executed and delivered Master's Deeds conveying title to real property to successful bidders at the public auctions. If appropriate, I also executed and delivered Master's Deeds to parties to suits that established their legal interests in real property. This jurisdiction was limited to Dorchester County. During my tenure as Master-in-Equity I was also appointed by the Chief Justice on December 22, 2011 to serve as a Special Circuit Court Judge. As Special Circuit Court Judge I was able to try non-jury matters in Common Pleas and General Sessions Court. I also disposed of motions and pretrial proceedings.

I was elected to my current position of Circuit Court, At-Large seat #15 on January 30, 2013 by the South Carolina General Assembly. As a Circuit Court Judge I preside over cases in Common Pleas and General Sessions Court. I am currently serving as Chief Administrative Judge and also serve as a Business Court Judge handling complex business litigation matters. I was appointed to the Business Court by the Chief Justice

on August 8, 2014. As a Circuit Judge I dispose of motions, pretrial proceedings, perform administrative duties necessary to prepare cases for trial and other disposition, including the sounding of the trial roster and docket. I hear appeals from Magistrate, Municipal and Probate Courts and approve or disapprove settlements of minor's interest and all other people with an incapacity, and wrongful death and survivor action settlements. In General Sessions Court I accept Grand Jury returns, preside over guilty pleas, bond hearings, probation revocations and jury trials and also issue search warrants.

Judge Murphy provided the following list of her most significant orders or opinions:

(a) The State v. Shannon Scott, 420 S.C. 108, 800 S.E.2d 793. This Order was significant in that it granted immunity from prosecution to the Defendant under South Carolina Code section 16-11-440(C). This was a unique case in that the victim that was shot by the Defendant was not the person which attacked the Defendant and his family, but he was in a car at the incident location and was shot and killed by the Defendant as he was acting within the confines of Section 16-11-440(C). The Defendant was found to have had the right to use deadly force and stand his ground to prevent death or great bodily injury to himself and his family.

(b) CPM Federal Credit Union v. George W. Lockwood and Sarah Thackston, Civil Action No. 2014-CP-10-7597. This was an Order which addressed the Plaintiff's Rule 59(e) Motion to Reconsider, Defendant's Second Motion for Summary Judgment and Defendant' Motion for Discovery Sanctions. This matter was before me in the Business Court and dealt with numerous claims which included breach of fiduciary duties by former members of the board of directors of the credit union as well as conduct of the officers of the Corporation. The most significant portion of this order dealt with sanctions issued by the court pursuant to South Carolina Rules of Civil Procedure Rule 37. The Plaintiff engaged

in a pattern of discovery abuses. The Plaintiff failed to disclose evidence in a timely manner during the discovery process and at one point in the litigation dumped hundreds of thousands of pages of documents on the Defendant's days prior to trial causing a significant delay in the litigation. I felt as if this order was important in that it demonstrated that discovery abuses are not to be tolerated as the parties are charged with participating in discovery as an enhancement to the truth-seeking process to properly prepare for trial and promote an expeditious determination of the matters at hand.

(c) Erica Butts v. State of South Carolina, Civil Action No. 2014-CP-10-2518. This was an Order of Dismissal in a post-conviction relief matter filed by Erica Butts. Ms. Butts had been sentenced to life in prison subsequent to an Alford plea to homicide by child abuse in Charleston County Court of General Sessions on November 3, 2011. Ms. Butts asserted that her counsel was ineffective for failing to prepare an adequate defense based on battered spouse syndrome. The defendant claimed that her co-defendant, Shanita Cunningham, a person she had a romantic relationship with was physically abusive, controlling and aggressive towards her. Both were charged with homicide by child abuse after a toddler in their care was brutally beaten to death over a period of time. I found that the defendant was not entitled to relief as her counsel presented testimony of the co-defendant's alleged abuse as a mitigating factor in sentencing. This was done by trial counsel even though the defendant failed to cooperate in counsel's investigation of her alleged abuse. Further, battered spouse syndrome was not applicable in that the toddler victim who was killed was a third party, and was not the abuser, as contemplated by the syndrome. The alleged abuse of the defendant by the co-defendant could not justify the murder of the child. The defendant did not passively observe the victim's abuse, but actively participated in it and had no justification or excuse for her actions in the killing of an innocent child.

(d) Ryan Sigal, Ryan Miller, and Jefferey Ward v. Shelly Leeke Law Firm, LLC and Shelly Leeke, Civil Action No. 2018-CP-18-0049. This Order was a denial of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction. This Order is in a matter that is currently still being litigated in the Business Court. The plaintiffs in the case are attorneys that left the firm of the Defendant, Shelly Leeke. Both sides make serious allegations of misconduct in how clients of the Leeke firm were notified of the departure of the attorneys from the firm and how each side may have attempted to be retain the clients of the firm. There are guidelines governing the necessary actions that must be taken to inform clients of an attorney's departure from a firm and explain their options. I did not grant the injunctive relief sought because the plaintiffs did not present sufficient evidence of actual and imminent irreparable injury and in balancing the equities of both parties I found that there is an adequate remedy at law and the injunctive relief was denied. This I felt was an important order in that it highlights the duties owed to clients when attorneys depart from a law firm.

(e) Daniel J. Jenkins v. State of South Carolina, Civil Action No. 2016-CP-10-1700. This matter was post-conviction relief case. The defendant was convicted of criminal sexual conduct in the first degree and was sentenced to life imprisonment without the possibility of parole pursuant to S.C. Code Ann. Section 17-25-45 based on defendant's two prior convictions for "most serious" offenses. This case dealt with interesting issues of identification of the defendant, expert testimony qualifications of sexual assault examiners, the proper notice by the State to seek a life sentence based on prior convictions, and sufficiency of a search warrant for the defendant's DNA.

Judge Murphy reported the following regarding her employment while serving as a judge:

The only employment I have had while serving as a judge was when I served as Dorchester County Magistrate on a part-time

basis and was still employed as a partner in Murphy Law Firm, L.L.C. as described fully in question ten.

Judge Murphy further reported the following during her unsuccessful candidacies:

I was a candidate for Circuit Court Judge of the First Judicial Circuit in 2008. I was found qualified to serve, but I was not nominated to the office. I was a candidate for the Circuit Court Judge, At-Large Seat #8 position in 2009. I was found qualified to serve and nominated by the Judicial Merit Selection Commission but was not elected to the position by the General Assembly. I was a candidate for Circuit Court, At-Large Seat # 9 position in 2010. I was found qualified to serve, but was not nominated to be elected.

(9) Judicial Temperament:

The Commission believes that Judge Murphy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee found Judge Murphy to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. The Citizens Committee noted, "Super."

Judge Murphy is married to Christopher John Murphy. She has two children.

Judge Murphy reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association- 1995 to present;
(b) South Carolina Women's Bar Association- 1995 to present;
(c) Dorchester County Bar Association- 1998 to present. Served as President 2006-2010; Vice-President 2005; Treasurer 2003-2004.

Judge Murphy provided that she has not been a member of a civic, charitable, educational, social, or fraternal organization in the last five years.

Judge Murphy further reported:
I have had the unique opportunity throughout my career to serve on all sides of the bench. From that, I have had the opportunity to learn from other attorneys, judges, litigants and victims of crimes or circumstances. I continually strive to be, and will continue to strive to be, the kind of judge that is above all fair, well-versed in the law, and one that treats all witnesses, jurors, litigants and their counsel respectfully.

(11) Commission Members' Comments:
The Commission stated that it appreciates and is impressed with Judge Murphy's performance as a judge on the Circuit Court bench.

(12) Conclusion:
The Commission found Judge Murphy qualified and nominated her for re-election to the Circuit Court, At-Large, Seat 15.

The Honorable Donald Bruce Hocker
Circuit Court, At-Large Seat 16

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Hocker meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hocker was born in 1952. He is 66 years old and a resident of Laurens, South Carolina. Judge Hocker provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1981. He was also admitted to the US District Court on September 10, 1981 and the U.S. Supreme Court, October 11, 1994.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hocker.

Judge Hocker demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hocker reported that he has not made any campaign expenditures.

Judge Hocker testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hocker testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hocker to be intelligent and knowledgeable.

Judge Hocker reported that he has taught the following law-related courses:

(a) I taught at the SCAA-New Judges School, 7-12-18
(b) I was a speaker at the Eighth Judicial Circuit Seminar-SC Bar, 7-3-18
(c) I was a Panel Member at the forum sponsored by NBI-"What Judges want to know", 3-9-18
(d) I was a speaker at the Eighth Judicial Circuit Seminar-SC Bar, 11-3-17
(e) I taught at the SCCA-New Judges School, 7-5-17

Judge Hocker reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Hocker did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hocker did not indicate any evidence of a troubled financial status. Judge Hocker has handled his financial affairs responsibly.

The Commission also noted that Judge Hocker was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hocker reported that his last available rating by a legal rating organization, Martindale-Hubbell, is either a B+ or A.

Judge Hocker did not report any military service.
Judge Hocker did not report that he has previously held any public office.

(6) Physical Health:

Judge Hocker appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Hocker appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hocker was admitted to the South Carolina Bar in 1981.

He gave the following account of his legal experience since graduation from law school:

(a) General Solo Practice, 1981-2013. Sole manager of Finances and Trust Account.
(b) Associate Probate Judge for Laurens County, 1984-2013.
(c) Circuit Court Judge (2013-Present)

Judge Hocker reported that he held the following judicial offices:

(a) 2013-2019 Circuit Court. Elected.
(b) 1984-2013 Associate Probate Judge for Laurens County. Appointed.

Judge Hocker provided the following list of his most significant orders or opinions:

(a) State of South Carolina vs. Joseph Paul Hudgins, 1993-GS-04-227 and 228
(b) State of South Carolina vs. Adam Rowell, 2015-GS-24-535 and 536
(c) State of South Carolina vs. John William Dobbins, 420 SC 583 (Ct. App 2017)
(d) State of South Carolina vs. David Land, 419 SC 191 (Ct. App 2016)
(e) Kieara Johnson, et. al. vs. Lander University, 2013-CP-24-651

Judge Hocker further reported the following regarding unsuccessful candidacies:

On two prior occasions (approximately 2008 and 2011) I was found qualified but not nominated. In 2010, I was found qualified and was nominated but lost in a contested race. All three times were for Circuit Court.

(9) Judicial Temperament:

The Commission believes that Judge Hocker's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualification found Judge Hocker to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Hocker is married to Gayle Lindler Hocker. He has two children.

Judge Hocker reported that he was a member of the following Bar associations and professional associations:
(a) SC Bar Association
(b) Laurens County Bar Association
(c) National Judges Association

Judge Hocker provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Kappa Alpha
(b) United Methodist Men

Judge Hocker further reported:
Every single day I am honored and very humbled to be a part of the Judiciary for South Carolina as a Circuit Court Judge. As a practicing lawyer for thirty-two years, an Associate Probate Judge for twenty-nine years and a Circuit Court Judge for five years, I have seen so many times how the Court impacts people's lives. Consequently, I strive very hard to be fair and courteous to the lawyers and litigants and further strive to be diligent and conscientious in the decisions I make. Finally, my Christian values play a very important role in the type of judge I am.

(11) Commission Members' Comments:
The Commission commented that Judge Hocker has demonstrated himself to be a fair, patient, firm, and decisive jurist during his time on the bench. They commented on his thoughtful intellect and work ethic which has ably served him in discharging his responsibilities in the Circuit Court.

(12) Conclusion:
The Commission found Judge Hocker qualified and nominated him for re-election to the Circuit Court, At-Large, Seat 14.

FAMILY COURT
QUALIFIED AND NOMINATED

The Honorable Anne Guè Jones
Family Court, First Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court Judge.

Judge Jones was born in 1965. She is 53 years old and a resident of Orangeburg, South Carolina. Judge Jones provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jones reported that she has spent $10-20 in campaign expenditures for postage and in copying costs.

Judge Jones testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jones testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jones to be intelligent and knowledgeable.

Judge Jones reported that she has taught the following law-related courses:

(a) Lectured on "Judicial Pet Peeves on Order Drafting", SC Bar Family Law Bench/Bar JCLE on December 3, 2010
(b) Lectured on "Motions for Reconsideration Under Rule 59(e)", SC Bar Family Law Bench/Bar JCLE on December 2, 2011
(c) Lecturer at Orientation School for Family Court Judges each year since 2011 on the topics of custody, contempt and evidence
(d) Lectured on "Updates in Family Court", SC Bar Family Law Bench/Bar JCLE on December 5, 2014
(e) Lectured at SC Bar 2016 Annual Guardian ad Litem Training and Update on January 29, 2016
(f) Course planner and moderator for the SC Bar Family Law Bench/Bar JCLE in December each year for the years 2013, 2014, 2015, 2016 and 2018

Judge Jones reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Jones did not indicate any evidence of a troubled financial status. Judge Jones has handled her financial affairs responsibly.

The Commission also noted that Judge Jones was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jones reported that she is not rated by any legal rating organization.

Judge Jones reported that she has not served in the military.

Judge Jones reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Jones appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Jones appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Jones was admitted to the South Carolina Bar in 1990.

She gave the following account of her legal experience since graduation from law school:

Judge Jones worked as a staff attorney for the South Carolina Supreme Court from August 1990-June 1991. From July 1991-June 2001 she was a partner at Bryant, Fanning, & Shuler in Orangeburg, SC. In this capacity she handed all domestic and family court cases for the firm, including divorce, separate maintenance actions, custody and visitation child support cases, adoptions, DSS appointed cases and all other types of cases heard in family court. Since July 2001, Judge Jones has served as Family Court Judge for the First Judicial Circuit, Seat 1.

Judge Jones reported that she has held the following judicial office(s):
(a) Family Court Judge, First Judicial Circuit, Seat 1 from July 2001 to present; elected February 2001
(b) SC Family Court has exclusive original jurisdiction over any action concerning children living within its jurisdiction and over domestic matters outlined in SC Code Annotated Section 63-3-530.

Judge Jones provided the following list of her most significant orders or opinions:
(a) Georgina Anne Dearden v. Ian Hargraves Dearden, issued on September 27, 2014, in Richland County Family Court, Case No. 2010-DR-40-5038, affirmed as

Dearden v. Dearden, 2015-UP-023, S.C. Ct. App. dated January 14, 2015. This was a divorce action after a twenty-seven year marriage and involved issues of equitable division, alimony and attorney's fees. I was affirmed by the Court of Appeals in an unpublished opinion.

(b) James Padgett v. Mary Padgett, issued on May 8, 2012, in Orangeburg County Family Court, Case No. 2012-DR-38-251, affirmed as Padgett v. Padgett, 2013-UP-394, S.C. Ct. App. dated October 16, 2013. This was an action for termination or modification of alimony. The Defendant was self-represented. I denied the request to modify the alimony award because the Plaintiff did not meet his burden to prove a substantial change in circumstances. I prepared the Final Order myself and was affirmed by the Court of Appeals in an unpublished opinion.

(c) Melissa Leaphart Hagood v. James Bucker Hagood and Melody "Suzie" Hagood Sharpe, issued in July 5, 2016, in Richland County Family Court, Case No. 2014-DR-40-1541. This was a divorce action which involved a substantial dispute over custody between the biological parents and a third party relative. I found the biological parents were unfit to parent and awarded custody to the third party relative.

(d) Ambrose Anoruo v. Florence Anoruo, issued on June 5, 2012, in Orangeburg County Family Court, Case No. 2010-DR-38-410, affirmed as Anoruo v. Anoruo, 2014-UP-202, S.C. Ct. App. dated May 21, 2014. This was a divorce action with a dispute over equitable division and alimony. I was affirmed by the Court of Appeals in an unpublished opinion.

(e) South Carolina Department of Social Services v. Renauda Brunson, John Doe, Stanley Collins, issued in December 8, 2015, in Orangeburg County Family Court, Case No. 2015-DR-38-388, affirmed as South Carolina Department of Social Services v. Brunson, et al, 2017-UP-008, S.C. Ct. App. dated January 4, 2017. This was a termination of parental rights case. I was affirmed by the Court of Appeals in an unpublished opinion.

Judge Jones reported the following regarding her employment while serving as a judge: N/A

(9) Judicial Temperament

The Commission addressed comments raised in the Ballot Box Survey regarding Judge Jones' judicial temperament. In response, Judge Jones stated at the public hearing that she is committed to maintaining a professional environment in her courtroom where every litigant and attorney that appears before her feels that they have been treated equally and fairly despite the outcome of their issue. She noted that she always is a stickler for the rules and tries to keep on task on the docket due to time constraints. Judge Jones testified that she has taken the Ballot Box comments to heart and stated that she will work to improve her interactions with the attorneys that appear in her courtroom. The Commission appreciates Judge Jones' admissions and her commitment to improving in this area.

(10) Miscellaneous:

The Lowcountry Citizens Committee reported that Judge Jones is "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Jones was married to Carl Arthur Jones until his death in 2018. She has three children.

Judge Jones reported that she was a member of the following Bar and professional associations:

(a) South Carolina Conference of Family Court Judges, Secretary/Treasurer 2012, Vice President 2013, President 2014. She sat on the Family Court Judges' Advisory Committee as an officer of the conference from 2012-2014
(b) South Carolina Bar Association
(c) South Carolina Women Lawyers Association
(d) Orangeburg County Bar Association

Judge Jones provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) First Baptist Church, Orangeburg, SC, Board of Deacons including as Deacon Chair
(b) Junior Service League of Orangeburg, Sustaining Member
(c) Govie Parents Organization, SC Governor's School for Arts and Humanities

Judge Jones further reported:

I was raised by parents who instilled in me a commitment to family, church and community; a strong work ethic, integrity and humility. I have been married for 27 years and have been a working mother for 23 years. My own life experiences make me acutely aware that every person I encounter as a Family Court Judge carries with them their unique personal circumstances. My effectiveness as a Family Court Judge directly depends on my ability to approach all people in the courtroom with a calm, compassionate, respectful and patient temperament. I realize that my daily decisions as a Family Court Judge have life consequences for the participants. I believe it is critically important that all participants leave Family Court confident that their cases were heard patiently and decided fairly, according to the law. I will continue to strive to uphold this personal standard during my service on the Family Court bench. I am thankful for the opportunity to serve in this capacity.

(11) Commission Members' Comments:

The Commission noted the continued service of Judge Jones and appreciates, after seventeen years on the Family Court Bench, that she continues to strive to improve in each of the evaluative criteria.

(12) Conclusion:

The Commission found Judge Jones qualified and nominated her for re-election to Family Court, First Judicial Circuit, Seat 1.

FRIDAY, JANUARY 11, 2019

The Honorable Angela W. Abstance
Family Court, Second Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Abstance meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Abstance was born in 1975. She is 43 years old and a resident of Barnwell, South Carolina. Judge Abstance provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Abstance.

Judge Abstance demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Abstance reported that she has not made any campaign expenditures.

Judge Abstance testified she has not:

a) sought or received the pledge of any legislator prior to screening;
b) sought or been offered a conditional pledge of support by a legislator;
c) asked third persons to contact members of the General Assembly prior to screening.

Judge Abstance testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Abstance to be intelligent and knowledgeable.

Judge Abstance reported that she has not taught any law-related courses:

Judge Abstance reported that she has published the following books or articles:
"Are Employer Credit Checks on the Way Out?" South Carolina Lawyer, November 2013.

(4) Character:

The Commission's investigation of Judge Abstance did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Abstance did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Abstance was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Abstance reported that she has not requested a rating by any legal rating organizations.

Judge Abstance reported that she has not served in the military.

Judge Abstance reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Abstance appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Abstance appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Abstance was admitted to the South Carolina Bar in 2001.

She gave the following account of his legal experience since graduation from law school:

a) The Moore Firm, LLC, 2001-2008. I was an associate attorney at The Moore Firm, LLC, in Barnwell, South Carolina. During this time, I practiced in the areas of family law (including divorce, custody, visitation, equitable distribution, adoptions, domesticating foreign adoptions, defending parents in SCDSS cases, and representation of the volunteer GAL program in DSS cases), civil litigation and personal injury, probate, real estate, post-conviction relief cases, Social Security disability cases, and other general practice matters, including drafting wills. I practiced in state and federal courts and participated in civil appeals, including writing appellate briefs. At that time, I was not responsible for the financial management of the firm. My work involved extensive client contact, legal writing, court appearances, representation in depositions, and interaction with other attorneys and judges.

b) South Carolina Department of Social Services staff attorney, Fourteenth Judicial Circuit, 2008-2011. In this position, I was the sole attorney responsible for handling abuse and neglect cases for the Department of Social Services in Colleton, Hampton, and Allendale Counties. In that capacity, I was usually in court at least three weeks each month. I regularly tried contested cases involving issues of abuse and neglect, including physical and sexual abuse cases where entry of Defendants on the Central Registry of Child Abuse and Neglect was at issue. I was responsible for managing the docket, scheduling cases to be heard in a timely manner, presenting and trying cases in court, supervising the paralegals who assisted in the legal department, ensuring correct data was entered into the case management system, and interacting with attorneys and caseworkers.

c) Abstance Law Firm, L.L.C., 2014- June 2018. I operated a solo law practice in my hometown of Barnwell, South Carolina, in which I was responsible for the administrative and financial management of my practice, including the trust account. I supervised a part-time administrative assistant. I was a certified Family Court Mediator. I was a 608 contract attorney with the Office of Indigent Defense, and regularly defended parents in abuse and neglect cases in the Second and Fourteenth Circuits. I also handled private Family Court cases and regularly served as guardian ad litem in private court cases. I handled guardianship/conservatorship cases in Probate Court, and I also served as guardian ad litem for minors or unknown heirs in Probate Court when needed. I regularly interacted with clients, attorneys, judges, guardians ad litem, and Family Court and Probate Court personnel. I also drafted Wills and Deeds for clients. I had a small percentage of personal injury cases.

d) Family Court Judge, Second Judicial Circuit, Seat #2, July 1, 2018 – present. I was elected Family Court Judge on February 7, 2018 to fill the unexpired term of the Honorable Dale Moore Gable. I began serving my term on July 1, 2018.

Because Judge Abstance did not begin her term as a judge until July 2, 2018, she did not have any reported orders or opinions to list in response to the question which asked her to describe or list five of her most significant orders or opinions.

(9) Judicial Temperament:

The Commission believes that Judge Abstance's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee reported Judge Abstance to be "Well Qualified" in the evaluation criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of Constitutional qualifications, physical health, and mental stability.

Judge Abstance is married to Robert Manning Abstance, III. She has three children.

Judge Abstance reported that she was a member of the following Bar and professional associations:
a) South Carolina Bar
b) Barnwell County Bar

Judge Abstance provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
a) Barnwell County Rotary Club, former member;
b) Former Executive Director, Barnwell County Chamber of Commerce
c) Barnwell County Library Board, former Vice-President, former board member
d) Barnwell County First Steps Board, former board member
e) Denmark First Baptist Church, current member, former chairperson of Personnel Committee, served on Pastor Search Committee, currently a member of the Nominating Committee

Judge Abstance further reported:
I grew up in Barnwell County, South Carolina. My father was a self-employed mechanic, and my mother worked as a lab technician at the Savannah River Site. I have two younger sisters. My parents worked hard and expected the best from me. They encouraged good grades in school and celebrated my academic accomplishments. My father worked long hours building his business, and my mother worked shift work. As a result, I learned to be independent, diligent, and responsible. I was the first person in my immediate family to attend college. I graduated from Furman University in Greenville, and I went on to law school at the University of South Carolina. After graduating from law school, I returned to my hometown to practice law. Practicing law in a small town has its unique opportunities and challenges. My involvement in many types of cases over the years has taught me to recognize the challenges many Family Court litigants face in rural areas, where unemployment is an issue and access to drug treatment services and mental health services are limited. I strive to treat each person I meet with dignity, respect, and empathy. Litigants in Family Court are struggling through the most difficult circumstances in their lives. They are under great stress and are often worried about their children and their assets. Children are

displaced from their homes, and they endure significant changes that affect them greatly. It is important to ensure the best interests of children are protected, that spouses can present their claims and be heard, and that assets are divided fairly, so that people can leave the court with confidence in our judicial system, even if they are not happy with the result. A Family Court judge should be mindful of the due process rights of litigants as well as the needs and best interests of the children whose lives are being decided in the courtroom.

Managing my own law practice required discipline, diligence, time-management skills, and hard work. These qualities are strengths I bring to the Family Court Bench. My years of handling divorce, custody, and guardian ad litem cases together with my work as a staff attorney for SCDSS handling abuse and neglect cases has prepared me for the position. In the area of juvenile justice, I have studied the law and observed our local practitioners in that area to gain the knowledge necessary to handle those issues prior to serving on the bench. I greatly appreciate the opportunity to serve as Family Court Judge for the Second Judicial Circuit.

(11) Commission Members' Comments:

The Commission commented that they appreciate Judge Abstance's service thus far and noted the positive comments about her in the Ballot Box survey.

(12) Conclusion:

The Commission found Judge Abstance qualified and nominated her for re-election to Family Court, Second Judicial Circuit, Seat 2.

The Honorable Angela R. Taylor
Family Court, Third Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Taylor meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Taylor was born in 1958. She is 60 years old and a resident of Sumter, SC. Judge Taylor provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Taylor.

Judge Taylor demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Taylor reported that she has not made any campaign expenditures.

Judge Taylor testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Taylor testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Taylor to be intelligent and knowledgeable.

Judge Taylor reported that she has taught the following law-related courses:

I made a presentation on October 2, 2015 on the topic of Third Circuit Tips from the Bench. I discussed privacy matters associated with court filings, the sealing of records and settlement agreements.

Judge Taylor reported that she has published the following:

Domestic Violence Handbook Young Lawyers Division of the South Carolina Bar 1986), Contributing Author.

(4) Character:

The Commission's investigation of Judge Taylor did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Taylor did not indicate any evidence of a troubled financial status. Judge Taylor has handled her financial affairs responsibly.

The Commission also noted that Judge Taylor was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Taylor reported that she is not rated by any legal rating organization.

Judge Taylor reported that she has not served in the military.

Judge Taylor reported that she has held the following public office(s):

Assistant Solicitor from 1985 through 2009. She was appointed by the acting Solicitor. She was not required to file an Ethics report in her capacity as an Assistant Solicitor

(6) Physical Health:

Judge Taylor appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Taylor appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Taylor was admitted to the South Carolina Bar in 1984.

She gave the following account of her legal experience since graduation from law school:

(a) Reginald Heber Smith Community Fellow, Three Rivers Legal Services. She was a Staff Attorney. Her office represented low income clients in Lake City, Florida in divorce cases, disability cases, and landlord tenant cases. 1983-1984

(b) Neighborhood Legal Assistance Program, Conway South Carolina, staff. The office represented low income clients in family law cases, landlord tenant and disability cases. 1984-1985

(c) Third Circuit Solicitor's Office. She was hired in 1985 as the first full time Family Court prosecutor. She prosecuted juvenile cases and abuse and neglect cases in Sumter, Lee and Clarendon Counties. In 1987, she changed to part-time status and only handled juvenile cases in Sumter County. She also became a contract attorney for the Department of Social Services at that time because the state Solicitors stopped representing the Department of Social Services in abuse and neglect cases. She went into private practice as an associate in the Law Office of Larry C. Weston in 1987 as well. She primarily handled domestic cases as an associate and she continued to work as a part-time Assistant Solicitor. She worked as a part-time Assistant Solicitor until 2009. She also continued to work as a contract attorney for the Department of Social Services while working as an Associate with Larry Weston. She worked as a contract attorney for the Department of Social Services until 2005. She opened her own practice in 1997. She was a solo practitioner and primarily handled family law cases. She also prepared wills and handled a limited number of accident cases. She was responsible for hiring, book keeping and was responsible for maintaining the operating account and trust account in her office.

(d) In 2009, she was elected to the Family Court, first to complete the unexpired term of W. Jeffrey Young and in 2012 she was elected to a serve a six year term.

Judge Taylor reported that she has held the following judicial office(s):

Family Court Judge since 2009 until present. she was elected by the General Assembly. The Family Court is a court of limited jurisdiction. It is limited to domestic matters involving divorces, child custody, adoption, abuse and neglect cases and juvenile proceedings to name a few.

Judge Taylor provided the following list of her most significant orders or opinions:

(a) Lori C. Reed v. Elton Reed et.al. 2015-DR-31-10
(b) SCDSS v. Angela Georgia et. al., Op. No. 2018-UP-136 (S. C. Ct. App. Filed March 28, 2018)
(c) SCDSS v. Tyeshia Miller et. al., Op. No. 2016-UP-265 (S. C. Ct. App. Filed June 2, 2016)
(d) Johnny Andrew Parsons. V. Tabatha Jacobs Parson, Op. No. 2015-UP-047 (S. C. Ct. App. Filed January 28, 2015)
(e) In the Interest of Stephen W., a Juvenile Under the Age of Seventeen, Op. No. 27413 (S.C. Sup. Ct. filed July 16, 2014)

Judge Taylor has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Taylor's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Taylor to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the evaluative criteria of constitutional qualifications, mental stability, and physical health.

Judge Taylor is not married. She does not have any children.

Judge Taylor reported that she was a member of the following Bar and professional associations:

(a) Sumter County Bar Association
(b) South Carolina Bar Association
(c) South Carolina Family Court Judges Association.
(d) Pee Dee Inn of Court, Master.

Judge Taylor provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Mount Pisgah African Methodist Episcopal Church, Steward Board
(b) 2017 Heritage Award for Outstanding Contributions to the Community
(c) 2015 South Carolina Domestic Violence Task Force
(d) The Digital Recording Committee in Sumter County one of the pilot counties for the Digital recording systems.

Judge Taylor further reported:
I have been involved in activities related to my church for over 25 years. I have served as a Steward for a significant number of years. A Steward is a very high office in the AME church. I have also served on the Finance Committee in my church. That Committee counts the money taken up in collection following Sunday service. One is selected to serve on the Finance Committee by the pastor.
I have read to elementary school students on reading days at local elementary schools. I have served as a judge in Mock Trial competitions as a part South Carolina Bar Law Related Education program
I believe all litigants should be given an opportunity to be heard whether they are represented by counsel or self- represented. I believe court should be conducted in a calm and dignified manner.

(11) Commission Members' Comments:
The Commission was very impressed with Judge Taylor's judicial temperament and reputation of a jurist with great humility. They commented that Judge Taylor's focus on leaving a legacy that she was fair to all who appeared before her is admirable. Her experience, reputation and composed demeanor

will serve her well as she continues to serve on the Family Court bench.

(12) Conclusion:

The Commission found Judge Taylor qualified and nominated her for re-election to Family Court, Third Judicial Circuit, Seat 2.

The Honorable Gordon B. Jenkinson
Family Court, Third Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jenkinson meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jenkinson was born in 1948. He is 70 years old and a resident of Kingstree, South Carolina. Judge Jenkinson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1974.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jenkinson.

Judge Jenkinson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jenkinson reported that he has not made any campaign expenditures.

Judge Jenkinson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jenkinson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Jenkinson to be intelligent and knowledgeable.

Judge Jenkinson reported that he has taught the following law-related courses:
Business Law, Williamsburg Technical College -- For two years in the late 1970s.

Judge Jenkinson reported that he has published the following:
(a) Live Oaks (Nimrod House 1996);
(b) A History of Homes and People of Williamsburgh District (History Press 2007);
(c) St. Albans Episcopal Church: A Short History of a Small Mission (R.L. Bryan 2007);
(d) River Road (Pelican Publishing 2011); and,
(e) Black River and its Tributaries: 300 Years of Lowcountry History (forthcoming 2018).

(4) Character:
The Commission's investigation of Judge Jenkinson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Jenkinson did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Jenkinson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Jenkinson reported that his last available rating by the legal rating organization, Martindale-Hubbell, was BV.

Judge Jenkinson reported the following military service:
I served in the U.S. Army and was on active duty from July [to] October of 1974 when I attended and graduated from the Ordnance Officers basic course at Aberdeen Proving Ground, Maryland. I was honorably discharged from the inactive reserves approximately [six] years later as a captain.

Judge Jenkinson reported that he has held the following public office(s):
In the mid 1990s, I was elected for a [four] year term to the SC Coastal Council. I did not seek re-election. I filed all required reports with the State Ethics Commission and I was never subjected to a penalty.

(6) Physical Health:

Judge Jenkinson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Jenkinson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Jenkinson was admitted to the South Carolina Bar in 1974.

He gave the following account of his legal experience since graduation from law school:
After being discharged from the Army in October 1974, I joined a family practice founded by my father William E. Jenkinson, Jr. in 1945. My brother, William E. Jenkinson, III was a partner, having joined the firm in 1971. We had a general civil and criminal practice, which continued until I withdrew from my old firm in 2002 and founded my own firm where I practiced by myself until my election to the Family Court bench in 2007. Early in my career, I concentrated in the criminal law field and I was a part-time public defender for Williamsburg County from 1981 to 1992. I tried well over a hundred jury trials to conclusion

in the Court of General Sessions and was co-counsel on five death penalty cases. During the 1980's, I was also chief counsel for the South Carolina Public Service Authority and I handled a number of condemnation cases to facilitate the construction of a large power line across our county. I was also heavily involved in personal injury litigation. I was successful in arguing the landmark case of Wise v. Broadway in the early 1990's in the South Carolina Supreme Court. I also argued approximately 12 cases in the SC Supreme Court. In the early 1990's, I began concentrating on Family Law cases, which I continued until my election to the bench in 2007. My father, my brother and I shared the administrative and financial management of our firm until my father's death in 1991 and thereafter my brother and I shared these duties.

Judge Jenkinson reported that he has held the following judicial office(s):
Family Court, Third Judicial Circuit, Seat 3 (2007 to present)

Judge Jenkinson provided the following descriptions of his most significant orders or opinions:

(a) I tried a divorce action in Charleston County about 8 or 9 years ago. The wife was a Family Court lawyer from Horry County, where the parties resided, so venue was transferred to Charleston County. The husband was a pro se disbarred lawyer who had mental health issues. It took seven days to hear the case and was spread out over about five months, as I recall. The valuation issues were very difficult to say the least. The parties owned a front beach house at Garden City Beach that had 14 bedrooms and a creek front home in Murrells Inlet. The action was filed just before the Great Recession in 2008 and, by the time the case was tried, the property values had decreased substantially. The husband ha[d] also purchased hundreds of tax titles in about six states, which added to the valuation issues. I granted a divorce on the grounds of one year's continuous separation and awarded the wife 60% of the marital property. No appeal was filed.

(b) I tried a visitation case in Dorchester County over three days that had some unique issues. The mother had

custody. She was pro se and extremely intelligent, but she had some mental health issues. It was uncontroverted that the mother had denied the father his visitation rights. The father was a Jewish man living in Israel while he studied to be a rabbi. The wife called as her main witness Dr. Barton Saylor, a highly respected counselor in the Charleston area. The child was about 8 or 10 years old, as I recall, and Dr. Saylor testified that it would not be in the child's best interests to try to reunify her with her father because a normal father-daughter relationship could not be restored. The father called as his main witness a Dr. DeFelise, who is also well respected in her field. Dr. DeFelise testified that in her opinion it was in the child's best interest to reunite the child with her father and the best way to facilitate the reunification would be to send the child to a facility in the Columbia area for about six months. I decided in favor of the father and sent the child to the facility in the Columbia area. The guardian, a very conscientious, competent lawyer was so angry at my ruling that she wept in open court. About a year after my ruling I learned that the reunification was successful, that the father had gained full custody, and that the child was living with her father in Israel.

(c) I tried an interesting and significant case in Sumter on June 1st and 2nd, 2016, David Berry, III vs. Ashley Berry. The parties were never married, but had one very small child, born December 5, 2012, that had been diagnosed with autism. The father filed an action seeking either joint custody or standard visitation. The father had been [] granted very limited, supervised visitation with no overnight visitation. The mother filed a counterclaim seeking termination of the father's parental rights for his alleged failure to visit and failure to support. It was uncontroverted that the mother refused to allow the father to visit his child and the father testified that the mother refused payment of child support. The father was a very credible witness and the mother was not a credible witness. The Court ruled that the mother did not prove by clear and convincing evidence that the father failed to visit or pay child support. The court also ruled

that it would not be in the child's best interests to terminate the father's parental rights. Among some of the reasons for denial w[ere] that [] the father had good insurance to cover the child, [that the father] had a good job, and the mother's inability to work due to severe hearing loss. Also, the court put great emphasis on the mother's expert witness who testified that some individuals that had autism similar to the child's can never function normally. This decision was not appealed.

(d) Undoubtedly one of the most complicated and significant cases that I've heard in my eleven years on the bench was Daisy Wallace Simpson, Appellant/Respondent v. William Robert Simpson, individually and as shareholder/member of Simpson Farms, LLC and William R. Simpson, Jr. as shareholder/member of Simpson Farms, LLC, Respondent/Appellants. The parties were divorced in 2004 and my predecessor in office in Clarendon County divided the parties' extensive landholdings[,] g[iving] the wife 34 percent of the marital property valued at [$]784,055. The case initially came before me on the Wife's rule to show cause which alleged that the Husband did not transfer all of the land that was awarded the Wife. As it turned out, there was a scrivener's error in the decree. The trial judge set out the tracts that were to be conveyed to the Wife, but in the "Wherefore" clause he left out [two] tracts that were awarded the Wife. To me, it was plain what the intention of the trial judge was and, at a later hearing, I modified the decree to reflect what was clearly the intention of the Trial Judge. The Court of Appeals reversed my decision, holding that the case law was clear that the family court does not have the authority to modify court ordered property divisions. I completely agree with that statement of law, but nowhere in the Court of Appeals decision did it mention the scrivener's error and the resulting discrepancy in the properties awarded. *See* 404 S.C 563 (App. 2013), 746 S.E. 2d 54.

(e) About 4 or 5 years ago, I conducted a [three] day trial in Aiken [where] the custodial parents were seeking to

> terminate the parental rights of the biological parents. The biological parents were Native Americans so the federal Indian Child Welfare Act applied to this action. The parents were members of the Catawba Tribe of York County and the Tribe was represented by their in-house attorney from Miami. At least one expert was also a member of the Tribe and he testified at length about Catawba customs and the Tribe's efforts to perpetuate them. The testimony was fascinating and educational. The children had been previously removed by DSS, so it was not difficult to rule that the parents were unfit and termination of their parental rights was in the best interests of the children. There was no appeal filed.

Judge Jenkinson has reported no other employment while serving as a judge.

Judge Jenkinson further reported the following regarding unsuccessful candidacy:

> In 2002, I ran unsuccessfully for the seat that I currently hold.

(9) Judicial Temperament:

The Commission believes that Judge Jenkinson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Jenkinson to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and, "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Jenkinson is married to Margaret Kelley Jenkinson. He has two children.

Judge Jenkinson reported that he was a member of the following Bar and professional associations:

(a) I served as [P]resident of the Williamsburg County Bar Association for [two] years in the 1990s;
(b) I was also a member of the SC Trial Lawyers Association for many years; and,
(c) I was also a member of the Resolution of Fee Disputes Board for the Third Judicial Circuit for many years.

Judge Jenkinson provided that he has not been a member of any civic, charitable, educational, social, or fraternal organizations during the past five years.

(11) Commission Members' Comments:
The Commission commented that Judge Jenkinson has an outstanding reputation as a jurist and thanked him for his years of service on the bench.

(12) Conclusion:
The Commission found Judge Jenkinson qualified and nominated him for re-election to the Family Court, Third Judicial Circuit, Seat 3.

The Honorable Salley Huggins McIntyre
Family Court, Fourth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge McIntyre meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McIntyre was born in 1969. She is 49 years old and a resident of Dillon, South Carolina. Judge McIntyre provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge McIntyre.

Judge McIntyre demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McIntyre reported that she has not made any campaign expenditures.

Judge McIntyre testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McIntyre testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McIntyre to be intelligent and knowledgeable.

Judge McIntyre reported that she has taught the following law-related courses:
(a) I taught a business law class through Coker College shorty after being admitted to the bar. It was a night class taught at the National Guard Armory in Mullins, SC and mainly consisted of adult students who were working full time and attending school part time.
(b) Several times a year, I volunteer to speak to local high schools and middle schools regarding juvenile matters and the law in general. I also volunteer to speak to different schools during Law Education Week.
(c) I frequently make appearances at schools to encourage students to stay active in school and explain the importance of education and their attendance.
(d) I have also served on a panel of Family Court Judges for the National Business Institute speaking at several CLEs.
(e) I have served on a panel of judges for the Family Court Bench Bar and the Horry County Bar during CLE courses.

Judge McIntyre reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge McIntyre did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge McIntyre did not indicate any evidence of a troubled financial status. Judge McIntyre has handled her financial affairs responsibly.

The Commission also noted that Judge McIntyre was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge McIntyre reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge McIntyre reported that she has held the following public office:

I was elected to serve as the Mayor of the City of Dillon from May 1999 until May 2003. I did not seek a second term. Reports were timely filed with the State Ethics Commission.

I served as the Associate Probate Judge for Dillon County and served from July 2009 until January 2011. I did not have to file with the State Ethics Commission.

(6) Physical Health:

Judge McIntyre appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge McIntyre appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge McIntyre was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

Upon graduating from law school, I clerked for the Honorable James E. Lockemy from August 1995 until June 1996. In June 1996, I became an Associate at the firm of Greene & Bailey, P.A. in Dillon, SC. In June of 1998, A. Glenn Greene, Jr. and I formed Greene & Huggins, P.A. where I practiced until being elected to the Family Court Bench in 2011.

While in private practice, I maintained a general practice in the areas of domestic, real estate, personal injury and probate. As the years passed, my real estate and domestic work increased substantially, and I had less work in the area of personal injury. Practicing in a rural area, I had to have a general practice to service most of the community with its needs.

I also served as attorney for the Dillon County Guardian ad Litem program beginning from 1998 until I was elected in 2011. My work with the program was all volunteer until contracts were offered in 2009. The pay is very nominal compared to the amount of time involved in and out of court.

In June of 2009, the Dillon County Probate Judge passed away after a very brief illness. I was asked to serve as the Associate Probate Judge. The Clerk of Court for Dillon County was the Acting Probate Judge handling all of the personnel matters and my role was to hear all matters and answer all legal questions. I served as the Associate Probate Judge until the newly elected Probate Judge took office on January 4, 2011. When the newly elected Probate Judge took office, I agreed to serve six months as the Associate Probate Judge pro bono to assist her in making her transition successful.

I took office as a Family Court Judge in July 2011 and have served in that capacity since taking office.

Judge McIntyre reported that she has held the following judicial office(s):

(a) Family Court Fourth Judicial Circuit, Seat 2; July 2011-current; elected

(b) Dillon County Associate Probate Judge; July 2009 – January 2011; appointed

Judge McIntyre provided the following list of her most significant orders or opinions:

(a) Shaw v. Shaw, Op. No. 2016-UP-380 (S.C. Ct. App. fil May 20, 2015)
(b) Short v. Short, Op. No. 2016-UP-188 (S.C. Ct. App. Filed May 4, 2016
(c) SCDSS v. Spurill, Op. No. 2016-UP-251 (S.C. Ct. App filed June 2, 2016)
(d) SCDSS v. In re: Samiya Alexander, 2015-DR-16-0109
(e) Robert Garris v. Elizabeth Garris Weaver and Jason Postlewait, 2010-DR-26-0508

Judge McIntyre has reported no other employment while serving as a judge.

Judge McIntyre further reported the following regarding unsuccessful candidacies:

I was found qualified and nominated in the Spring of 2009 election, for the Fourth Circuit Family Court, Seat 3. I withdrew as a candidate prior to the election.

(9) Judicial Temperament:

The Commission believes that Judge McIntyre's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizen's Committee on Judicial Qualification found Judge McIntyre to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic abilities, character, reputation, experience, and judicial temperament; ad, "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge McIntyre is married to Frederick Martin McIntyre, Jr. She has four children.

Judge McIntyre reported that she was a member of the following Bar associations and professional associations:

(a) South Carolina Bar
(b) South Carolina Association of Family Court Judges
(c) Dillon County Bar; President 2007

Judge McIntyre provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Main Street United Methodist Church, served on both Board of Trustees and Educational Committee
(b) Through my church we have begun a reading program and mentoring program at a local elementary school.

Judge McIntyre further reported:
I have always been a very hard worker from a very young age. I was blessed with two loving, hard-working parents who taught me to have strong morals, character and value. I lost my father to cancer when I was 20 years old and beginning my junior year in college. My father always taught me that money would never by happiness and that giving and doing for others would make me a more fulfilled person. I never went into the practice of law for the money. Fortunately, I was able to make a good living to help support my family through my legal career and private practice while helping others in my small rural town. I have served my community and the children in my community for many years and have maintained a well-balanced career and home life. While in private practice, my guardian work was clearly the most fulfilling. Knowing that I, along with the hard work of my office staff, have made a difference in children's lives is very rewarding. I was always very passionate about my private practice and feel that that passion and energy has carried over to the Family Court Bench.
My husband is a high school math teacher and football Coach in Dillon. We see every day that the children of our community are our future. I have on numerous occasions seen him leave the house early to pick up "the boys" for practice or run them home after practice. For years, we have always had extra children come to our house for a ride to school. Knowing they did not have breakfast at home, we would always feed them along with our children. We have a regular breakfast menu and it has always been fun to watch these children consistently show up on the days we were having their favorite breakfast. Many times I have

seen my husband as well as other coaches take money out of their own pockets to help these less fortune children who come from single-parent homes or who are being raised by a relative. Our home has been open to so many children who have been less fortunate that us as either athletes that played for my husband or friends of my children. Most importantly, I have seen firsthand, the lives that these children who are a part of our system live.

Two years after my last election, our six year old daughter was diagnosed with Hodgkin's Lymphoma. My family learned the importance of a great support system during her diagnosis and treatment. Most importantly, I learned coping skills on a greater level. Our daughter is doing well and is now 11 years old.

Unfortunately in Dillon County, we have seen a rise in the Department of Social Service cases with the decline in the economy. I have been able to carry the knowledge gained from 15 years of pro bono work as the attorney for the guardian ad litem program onto the bench. I have learned to effectively communicate with litigants in situations where emotions and tempers are high. I feel that I have developed a good sense of humor, civility and compassion when dealing with the public. All these are traits that a judge should possess.

(11) Commission Members' Comments:

The Commission commented that Judge McIntyre had excellent responses on her Ballot Box survey. They noted that she is well-qualified to continue serving on the family court bench.

(12) Conclusion:

The Commission found Judge McIntyre qualified and nominated her for re-election to the Family Court, Fourth Judicial Circuit, Seat 2.

The Honorable Michelle M. Hurley
Family Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hurley meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Hurley was born in 1969. She is 49 years old and a resident of Columbia, South Carolina. Judge Hurley provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hurley.

Judge Hurley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hurley reported that she has not made any campaign expenditures.

Judge Hurley testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hurley testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hurley to be intelligent and knowledgeable.

Judge Hurley reported that she has taught the following law-related courses:

The Following are my CLE Presentations:

(a) *Family Law Update*, SC Black Lawyer's Association, September 26, 2013.
This was a panel presentation on the new laws regarding family law.

(b) *Reflection from the Newbies: Is there an Escape Clause?* Family Court Bench Bar, December 2013.
This was a panel presentation from the newly elected Family Court judges.

(c) *As Family Court Judges See It: Top Mistakes Attorney's Make in Litigating Divorce*, National Business Institute (NBI), November 7, 2014.
This was an all-day panel discussion on various issues related to litigating divorce cases.

(d) *Keep Out! SC and the School to Prison Pipeline*, SC Bar Convention, January 24, 2015.
This was a panel discussion on the "school to prison pipeline".

(e) *Now That I Have My Sea Legs-Thoughts from the Bench*, SC Bar, Hot Tips from the Coolest Domestic Law Practitioners, September 25, 2015.
I provided insight on practicing in Family Court.

(f) *Tips from the Family Court Bench*, SC Bar, Fifth Circuit Tips From the Bench, January 8, 2016.
I polled the family court judges and presented our "pet peeves" and helpful tips.

(g) *Pathway to Judgeship in SC*, SC Women's Law Association (SCWLA), June 9, 2016.
A panel of female judges from different courts discussed our backgrounds and the process of becoming a judge in South Carolina.

(h) *What Judges Want You to Know About Family Court*, National Business Institute (NBI), November 14, 2016.
This was an all-day panel discussion on various issues related to Family Court.

(i) *Judicial Hollywood Squares*, SC Bar Convention, January 20, 2017.
This was a fun game to test participants' knowledge of legal issues.

(j) *Parental Alienation, its Impact on Children and its Remedies*, SC Association for Justice, Annual Convention, August 3, 2017.
I presented on the issue of parental alienation and the Noojin v. Noojin case.

(k) *Standardizing "Standard" Visitation: A View from the Bench*, SC Bar, Family Court Bench Bar, December 1, 2017.

This was a presentation on the judicial view of different visitation plans.

(l) *Children and the Family Court: Evidentiary Issues*, Children's Law Center, February 16, 2018.
I discussed evidentiary issues related to child abuse and neglect cases, such as presenting a child witness and S.C. Code Ann. Section 19-1-180.

(m) *Lunch and Learn* (Nelson Mullins), May 16, 2012.
I discussed handling DSS Appointments: registering the appointment; meeting with the client; information to gather from the client; discovery requests; avoiding foster care through relative/non-relative placements; time frames for hearings; the purpose of each hearing and the applicable standards of proof.

(n) *Homeless Experience Legal Protection Project Training*, October 27, 2011.
I presented on the issue of representing the Homeless in Child Protection Cases.

(o) *Training for New Attorneys Subject to Appointment in Abuse and Neglect Cas*es, May 13, 2011 and August 6, 2011.
This CLE was presented in the 5th and 9th Circuits. This course was aimed at preparing new attorneys for the inevitable DSS appointment. I explained the child protection process and the applicable laws, and provided helpful navigation tips.

(p) *Immigration Issues and Educational Needs of Children in Foster Care*, May 23, 2011, June 22, 2011, July 8, 2011 and July 15, 2011.
I lectured on the Fostering Connections to Success and Increasing Adoptions Act of 2008. Particularly, the importance of a foster child having as few foster home moves as possible; the importance of school stability and the negative impact multiple homes and schools have on a foster child's success in education, relationships, and mental and physical health. Also spoke on the role of caseworkers, guardians ad litem, and foster parents in advocating for the educational and health care needs of foster children, the law in South Carolina as it relates to school enrollment requirements for children, the roles of DSS and schools in ensuring that foster children remain in their schools of

origin, and their roles and duties, under the Fostering Connections Act, when foster children must change schools. I discussed other mandates in the Fostering Connections Act such as, the ongoing duty of child welfare agencies to locate and connect foster children with their relatives for placement and/or adoption; placement of siblings in the same foster home; the importance of children to be able to maintain significant relationships with relatives and friends while they are in foster care, particularly when the child's permanent plan is reunification with his/her family; placement of children in foster homes within or near their home communities and school zones; and the duty of child welfare agencies to recruit foster homes near a child's biological home, when a foster home is not available in that community.

(q) *DSS Upstate/Court Improvement CLE*, 2010.
I presented on best practices in child protection hearings.

(r) *Representing Parents in Child Maltreatment Cases*, November 2010
Provided helpful tips to attorneys hired and/or subject to appointment in child protection cases.

(s) *SCDSS Child Support Enforcement*, June 4, 2010
I spoke on child support issues in abuse and neglect cases.

(t) *Basic Training for Juvenile Public Defenders*, April 2010
Discussed home assessments vs. home studies; children being placed into emergency protective custody at disposition hearings; coordinating cases and services when both DSS and DJJ are involved with a family.

(u) *Lunch and Learn, Handling DSS Appointments* (Nelson Mullins), June 2009
I gave a similar lecture as item "m".

(v) *Training for Child Support Enforcement Division*, November 2009
Discussed the duties of DSS county attorneys.

(w) *Representing Volunteer Guardians ad Litem*, March 14, 2008
Discussed the role of the guardian ad litem and his/her attorney in child abuse and neglect and Termination of Parental Rights cases.

(x) *Training for Attorneys Appointed in DSS Cases*, July 27, 2007

I presented on handling DSS appointments.

(y) *Complex Issues in Family Law*, March 2006.
Provided an overview of the grounds for Termination of Parental Rights.

I have taught/lectured the following law related courses:

a) *Trial Advocacy Training for DSS Case Workers and Attorneys*, 2005-2012.
I taught a three-day lecture and mock trial course for newly hired DSS employees. The course entailed a day and a half of lecture and a day and a half of testifying. This course was held on average once per month, except in 2009, when it was held three times per month. I lectured on the family court system, the Children's Code, Family Court Rules, evidence; standards of proof, court preparation and appearance, effective testifying, and the grounds for termination of parental rights.

During the mock trial portion of the course, a retired family court judge presided over the hearings. Using fictional case files, the participants testified in probable cause, merits, permanency planning and termination of parental rights hearings. Newly hired attorneys played the role of the DSS attorney. Both the attorneys and caseworkers were videotaped and were provided constructive feedback.

b) *Advanced Legal Training for Caseworkers*, 2006-2012.
This was an 8-hour course for DSS caseworkers. In 2006 and 2007, I traveled to each of the sixteen circuits to teach this course. From 2008-2012, I taught this course four to five times per year in the four regions of the state. This course was designed to help caseworkers gain a better understanding and appreciation of the procedural and legal requirements of their jobs by connecting the South Carolina Children's Code, the 14th Amendment, and federal laws to the DSS policy and procedure manual.

This training covered administrative hearings, developing and using case theories, the Indian Child Welfare Act (ICWA), the Adoption and Safe Families Act (ASFA), The

Fostering Connections to Success and Increasing Adoptions Act, Title IV-E requirements and the meaning of Reasonable Efforts, making decisions in the best interests of children, child custody and guardianship, avoiding foster care through alternative placements, diligent searches, the Responsible Father Registry, relinquishments for adoption, and termination of parental rights.

c) *Multi-Ethnic Placement Act* (MEPA), 2010-2012.
This training was a result of the South Carolina Department of Social Services being placed under a federal Corrective Action Plan, to correct the discriminatory practices of the agency in the placement of children in foster and adoptive homes. The practices in effect delayed positive permanence and caused children to languish in foster care longer than necessary.

The Multi-Ethnic Placement Act is a federal law enacted in 1994 and amended by President Clinton in 1996. The Act prohibits the delay or denial of the placement of a child in a foster home or prospective adoptive home based on the race, color or national origin (RCNO) of the child, foster parent or adoptive parent. MEPA applies to all public child welfare placing agencies and all private child-placing agencies that receive any federal funding either directly or indirectly.

This training was held twice per year in each of the 16 circuits. I became a federally approved MEPA trainer in 2010.

d) Guest Lecturer, *Child Advocacy Studies,* USC Upstate, 2011.
Lectured to undergraduate students on the mandated reporting laws of South Carolina.

e) Guest Lecturer, USC School of Social Work, 2010.
Lectured to graduate students on the laws pertaining to child protection. I discussed each phase of a case and the different avenues a case can take from the moment a report is made of suspected child abuse and neglect. Topics included: the investigation of the allegations, treatment cases vs. removal

of children from the home, placement plans, the purpose of each court hearing, reunification, alternative placements, and termination of parental rights and adoption.

f) Guest Lecturer, Summer Institute for School Guidance Counselors, 2008, 2009, 2010, 2011.
Lectured to guidance counselors about when and where to report suspected child abuse and neglect; the intake process and response time when a report is made; the information the reporter will need to provide to DSS and/or law enforcement; and their rights and duties as mandated reporters.

g) Guest Lecturer, *Children and the Courts*, USC School of Law, 2007, 2008, 2009, 2010, 2011.
Lectured to law students about "a day in the life of a child welfare attorney".

h) Legal Training for Foster Care Licensing, Adoptions, and Out-of-Home Abuse and Neglect Unit (OHAN), 2007.
Provided legal training for DSS staff involved in licensing foster and adoptive homes, the unit charged with investigation institutional abuse, and the administrative hearing officers.

Judge Hurley reported that she has published the following:

While employed at the Children's Law Center, I authored or co-authored the following manuals and publications. Although many have subsequently been edited and/or updated, several of them can still be found at http://childlaw.sc.edu, or by contacting the Children's Law Center.

(a) A Guide for the Use of Expert Witnesses in Child Abuse and Neglect Cases, 2010;
(b) Guide to Title IV-E Requirements, 2010 (Provided to Family Court Judges);
(c) Termination of Parental Rights Evidence Checklist, 2010 (Provided to Family Court Judges and DSS Attorneys);
(d) Information for Clergy as Mandated reporters, 2010;

(e) Information for Healthcare Workers as Mandated Reporters, 2010;
(f) Advanced Legal Training for Caseworkers (Manual), 2005, revised 2007, 2009 and 2010.

(4) Character:

The Commission's investigation of Judge Hurley did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Hurley did not indicate any evidence of a troubled financial status. Judge Hurley has handled her financial affairs responsibly.

The Commission also noted that Judge Hurley was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Hurley reported that she is not rated by any legal rating organization.

Judge Hurley reported that she has not served in the military.

Judge Hurley reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Hurley appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Hurley appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Hurley was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) November 2001 to January 2002: I worked for the Finney Law Firm. I had previously worked for the firm as a law clerk, and was offered a position after I passed the bar exam. I mostly handled juvenile and probate matters.

(b) January 2002 to September 2003: I was employed as a law clerk for the Honorable Alison Rene Lee, South Carolina Circuit Court, At –Large Seat 11. As a judicial law clerk, I managed the judge's docket, reviewed files and briefed the judge on the issues, accompanied the judge to various circuits to hear civil and criminal cases, sat with the judge and assisted her during hearings, prepared civil and criminal charges for the jury, performed research, and drafted orders.

(c) September 2003 to October 2005: I was employed as a staff attorney for the Richland County Department of Social Services. I handled cases involving abused and neglected children, and vulnerable adults. I represented the agency in probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings.

(d) October 2005 to April 2012: I was employed as a legal trainer and resource attorney for the Children's Law Center of the University of South Carolina School of Law. As a legal trainer, I trained attorneys and child welfare professionals on such topics as trial advocacy, rules of evidence, effective testifying, legal writing, best practices, best interests, case theory, the Indian Child Welfare Act (ICWA), the Fostering Connections to Success and Increasing Adoptions Act of 2008, the Multi-Ethnic Placement Act (MEPA), the Interstate Compact on the Placement of Children (ICPC), mandatory reporting of child abuse and neglect, child custody and guardianship, making reasonable efforts, permanency planning, devising meaningful treatment and placement plans, kinship foster care, alternative placements, and the administrative hearing process.

As a resource attorney, I provided legal guidance to child advocacy professionals and members of the legal community who contacted the children's Law Center. I also

presented at CLEs on various topics and authored, co-authored, updated and/or edited manuals and publications. Additionally, I provided research and drafted legal memos for family court judges.

I served as a guest speaker at the South Carolina Foster Parent Association's (FPA) annual convention and at many of the FPA's monthly county meetings, on such topics as foster parents' rights, advocating for foster children, what happens when foster parents are accused of abuse and/or neglect, and independent living services for foster children. I also served as the advisor to the Children's Advocacy Law Society at the University of South Carolina School of Law;

(e) July 2011 to March 2013: I served as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With exceptions, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than $500.00 and/or imprisonment of not more than 30 days. Municipal Court judges preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.

(f) April 2012 to April 2013: In April 2012, I left the Children's Law Center to become the Assistant Director of the SCDSS Office of Individual & Provider Rights/Administrative Hearings. I served as the legal advisor for the department and as supervisor of four administrative hearing officers. This office is responsible for hearing and deciding appeals from different federal and state social services programs including, but not limited to, foster care licensing denials and revocations, adoption application denials, adoption supplemental benefits, adoption investigator certifications, foster child removals from foster homes, Out-of-Home Abuse and Neglect (OHAN) investigations of foster parents and institutions, placement on the Central Registry of Child Abuse and Neglect, group home and daycare licensing, Family Independence (FI) program, Supplemental Nutrition Assistance Program (SNAP), and the ABC Child Care program. This office also handles civil rights and Health Insurance Portability and Accountability Act (HIPAA)

issues. Appeals from decisions from this office are heard in Family Court or the Administrative Law Court.

(g) April 2013 to Present: I serve as a Family Court Judge for the Fifth Judicial Circuit. As a Family Court Judge, I have jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental rights, adoption, juveniles charged with violating laws and/or ordinances, and requests for Orders of Protection by victims of domestic abuse.

Judge Hurley reported that she has held the following judicial office(s):

(a) July 2011 to March 2013: I was appointed by City Council to serve as an Associate Municipal Court Judge for the City of Columbia. As a part-time judge, I held court an average of two to five days per month. With exceptions, Municipal Court has jurisdiction over criminal offenses that are subject to fines of not more than $500.00 and/or imprisonment of not more than 30 days. Municipal Court judges preside over criminal, criminal domestic violence, traffic, quality of life and bond courts.

(b) April 2013 to Present: In 2013, I was elected by the General Assembly to serve as a Family Court Judge for the Fifth Judicial Circuit. Family Court has jurisdiction to hear and determine a myriad of matters, including, but not limited to, issues related to marriage, separation, divorce, division of marital property and debts, name changes, paternity determinations, child custody, visitation, child and spousal support, abuse and neglect of children and vulnerable adults, termination of parental rights, adoption, juveniles charged with violating laws and/or ordinances, and requests for Orders of Protection by victims of domestic abuse.

Judge Hurley provided the following list of her most significant orders or opinions:

(a) Noojin v. Noojin, 417 S.C. 300, 789 S.E.2d 769 (Ct. App. 2016), this case addresses the concept of parental alienation and "forced" visitation and is significant because it is the first in South Carolina to address the issue.

(b) SCDSS v. SB, L.B. and O.G., Appellate Case No.: 2015-002008, 2017-UP-091. This was an appeal from a merits/removal hearing involving abused and/or neglected children. This case is significant because it demonstrates the important role Family Court plays in protecting the safety and wellbeing of children against the interests of their parents/guardians.

(c) SCDSS v. Mack, Appellate Case No.: 2014-000815, 2014-UP-363 and Appellate Case No.: 2014-000470, 2014-UP-412. This case is significant to me because it was my first case appealed after I was elected to Family Court. It was a termination of parental rights case and I was affirmed by the Court of Appeals. I listed it only because it was a moment of validation for me.

(d) Roof v. Steele, 413 S.C. 543, 776 S.E.2d 392 (Ct. App. 2015) This case is significant to me because it was one of the first trials I presided over after assuming the bench and I carry it with me mentally. The case involved the issues of health insurance and alimony.

(e) Thompson v. Thompson, App. Case No.: 2016-000122, 2017-UP-428. This case is significant because it involves bigamy and common law marriage.

Judge Hurley reported the following regarding her employment while serving as a judge:

From 2013 until 2014, I assisted in a family-owned business. I did not receive any compensation for my services, and the business closed in 2014.

(9) Judicial Temperament:

The Commission believes that Judge Hurley's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Hurley to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In addition, the Committee found Judge Hurley to be "well-qualified" and "very compassionate with the children." However, the Committee also noted that it has "some concerns about finishing contested cases in the time allotted without mistrying [the] case."

Judge Hurley is married to George Craig Johnson. She has two children.

Judge Hurley reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association;
(b) American Bar Association (membership expires in August 2018, not certain I will renew);
(c) Columbia Black Lawyers Association.

Judge Hurley provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) The Moles. Inc., co-chair of Resolutions/Recommendations Committee;
(b) Jack & Jill of America, Inc., Chapter Historian;
(c) Columbia Historic Foundation, Advisory Committee;
(d) Delta Sigma Theta Sorority, Inc.

Judge Hurley further reported:

I endeavor every day to live by the Gold Rule. Through my years of experience in the funeral industry, I have learned not to judge people by their appearance, but to treat everyone with dignity and respect no matter their race, creed, color, religion, sexual orientation, age or perceived status in life. I believe that everyone is important and everyone has a story worth telling. A funeral director has to be kind, patient and sympathetic to a family's mourning, but also professional, to ensure the business side is also handled.

Like a funeral director, a judge comes into contact with people going through difficult times, which requires a certain decorum and temperament. As I judge, I hope that I have carried what I have learned to the bench. I always strive to be patient, unbiased, respectful, and understanding, while at the same time decisive, equitable, firm and professional.

(11) Commission Members' Comments:

The Commission noted that Judge Hurley's patient, courteous, and firm approach has ably served her in discharging her responsibilities as a Family Court Judge.

(12) Conclusion:

The Commission found Judge Hurley qualified and nominated her for re-election to Family Court, Fifth Judicial Circuit, Seat 2.

The Honorable Michael Scott Rankin
Family Court, Fifth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Fifth Judicial Circuit, Seat 3, two candidates applied for this vacancy. Both candidates were found qualified and nominated. Accordingly, the names and qualifications of

the two candidates found qualified and nominated are herby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Rankin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Rankin was born in 1965. He is 53 years old and a resident of Camden, South Carolina. Judge Rankin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Rankin.

Judge Rankin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Rankin reported that he has made campaign expenditures only to pay for postage to submit his application.

Judge Rankin testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Rankin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Rankin to be intelligent and knowledgeable.

Judge Rankin reported that he has not taught any law-related courses.

Judge Rankin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Rankin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Rankin did not indicate any evidence of a troubled financial status. Judge Rankin has handled his financial affairs responsibly.

The Commission also noted that Judge Rankin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Rankin reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Rankin reported that he has not served in the military.

Judge Rankin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Rankin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Rankin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Rankin was admitted to the South Carolina Bar in 1993.

He gave the following account of his legal experience since graduation from law school:
(a) 1992 - 1993 Law Clerk; Jack Swerling, Criminal Defense
(b) 1993 - 1995 Associate; D. Kenneth Baker, P.A., General Practice
(c) 1995 - Present Law Office of M. Scott Rankin, now known as Rankin Law
Firm, Solo practice firm practicing in the areas of Family Law, Family Court Mediations and Personal Injury
(d) 1998 - 2001 Public Defender; Kershaw County (by contract)
(e) 2006 - Present Part-time Magistrate, Kershaw County

Judge Rankin further reported regarding his experience with the Family Court practice area:
Divorce and Equitable Division of Property: I have had the opportunity to handle divorce actions involving a one-year uncontested divorce to highly contested actions involving grounds for divorce and division of significant assets. I have handled divorces involving all statutory grounds except for the ground of desertion. I have represented battered women and at times have represented a batterer. In those matters involving domestic abuse, I have filed for ex parte emergency relief and have attended domestic abuse hearings. I have handled divorces which have involved issues in Magistrate's Court, Probate Court, Bankruptcy Court and Social Security Disability.

Child Custody: A significant portion of my practice has involved child custody and other child-related issues. I have represented parents whose children range from infants to teens. I have represented a few parents of adult disabled children and special needs children. More recently, I have represented a significant number of grandparents seeking custody due to drug and/or alcohol abuse by the parents. In addition to dealing with drug and alcohol abuse, I have dealt with parental alienation, mental health issues, physical abuse and sexual abuse. Earlier in my practice, I did a significant amount of work as a guardian ad litem. In February of this year, I started taking guardian ad litem appointments.

Adoption: I have served as guardian ad litem and as counsel for a party, or parties, in private adoption cases involving termination of parental rights, both contested and uncontested. Some of my more memorable cases involved adoption and termination of parental rights. In one recent matter, I represented foster parents who sought to terminate the parental rights of the parents. The Department of Social Services was not cooperative initially in seeking to terminate the rights of the parents. The minor child had been placed with the foster parents when she was ten (10) days old. The TPR action was filed when the minor child was twenty (20) months old. The parental rights of the parents were ultimately terminated.

Abuse and Neglect: I have been both appointed and privately retained to represent parties in abuse and neglect cases. In those cases, I have dealt with custody and termination of parental rights. I have represented parents who struggle with addiction and mental illness. I have represented parents who have physically and sexually abused their children. I have represented grandparents who have intervened to get their grandchildren out of foster care.

Juvenile Justice: From 1998-2001, I was Public Defender for Kershaw County. In that role, I represented countless parents/juveniles. As a result, I have been involved with DJJ, the solicitors, and other state agencies. I have attended hearings related to that action, including detention hearings, adjudication and sentencing hearings, and dispositional hearings. I have contacted various local and state agencies in an effort to obtain alternative treatment/placement for my clients. I have also attended hearings as a parent of a victim. That one incident provided me a different perspective in dealing with juvenile justice. Over the years, I have also counseled clients whose children have struggled with drug and alcohol abuse. I have assisted them in getting their children treatment including out-of-state placement. I have also helped clients whose children struggled with severe mental illness. Those experiences will assist me in dealing with juvenile justice matters as well as other matters involving children.

Judge Rankin reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None;

(b) State: My appearance in state court varies, but on average, primarily with regard to my practice in Family Court, I appear weekly. There are weeks when I may not have any hearings and weeks where I may have four to five hearings scheduled;

(c) Other: None.

Judge Rankin reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

(a) Civil: 30%

(b) Criminal: 0%;

(c) Domestic: 70%;

(d) Other: 0%.

Judge Rankin reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 2%;

(b) Non-jury: 98%.

Judge Rankin provided that prior to his service on the bench he most often served as sole counsel.

The following is Judge Rankin's account of his five most significant litigated matters:

(a) Bower v. Bower This was a divorce action in which I represented Wife. The parties had separated after five (5) of marriage. Wife had a Ph.D. in Economics and was the dean of a business school in Pennsylvania. Husband had a B.A. and at one time, held various licenses used by financial advisors to sell securities and insurance. At the time of the marriage, Husband was drawing unemployment benefits and earning income through his management of his stock portfolio. Husband did not re-enter the workforce during the marriage which was an issue with Wife. Husband managed the parties' investments and essentially acted as a day trader. He was a sophisticated investor and Wife, despite her

education, was not. Further, he alleged he could not work due to various health issues. Husband had a vocational expert testify that he would be unable to return to the workforce. He was seeking permanent alimony and a 50/50 division of the marital assets. However, he took the position that some of his assets weren't marital. During the pendency of litigation, it was discovered that Husband had deliberately withheld information from Wife as it related to the management of her stock portfolio and retirement accounts. In fact, he had taken money from her non-marital accounts to cover some of his stock losses. After four (4) days of trial, the Court ruled in Wife's favor denying Husband alimony and granting Wife 54% of the marital estate. In addition, Wife was granted $15,000 in attorney fees which offset what she owed him through equitable division. This case was significant because we were able to establish that Husband was able to work despite his claims to the contrary and that several assets he claimed were non-marital had actually been transmuted.

(b) Wymer v. Ballentine and Stacey This was a post-divorce custody action in which I represented Mother. Father was granted custody of the parties' minor son in the divorce. Approximately two (2) years later, Father was accused of physically abusing the minor child with said abuse being reported to DSS by his own father. DSS made a finding of physical abuse and Father fled to Texas with the minor child. Mother gained physical custody of the minor child six (6) months later. At that time, Mother had remarried. Mother maintained physical custody of the minor child for six (6) months when the minor child sustained 1st and 2nd degree burns as a result of taking a bath. Due to the burn incident, DSS and the Kershaw County Sheriff's Department became involved. The minor child was placed with Mother's parents. Mother's new husband was accused of holding the minor child in the hot water as some sort of punishment. The husband was never charged despite presentment to the Kershaw County Grand Jury. Further, DSS did not indicate a finding of physical abuse against Mother or her husband. Fifteen (15) months after

the investigation by DSS, Mother's parents moved to Florida with the minor child. After much back and forth, Father eventually had a visit with the minor child who he had not seen in two (2) and one-half (1/2) years. Father then took the minor child back to Texas. His reasoning for taking the minor child was that Mother's husband had intentionally harmed him while taking a bath. The Court subsequently issued an Emergency Order requiring the minor child be brought back to South Carolina. Temporary custody was granted to Father's parents. After a forensic interview of the minor child, a supplemental temporary hearing was held and custody was changed to Mother's parents. At trial, Father's attorneys presented expert testimony that a standard temperature for a water heater is 120 degrees and the minor child would have been forced to stand in that water for five (5) to ten (10) minutes to sustain his injuries. We were able to establish that the water heater had been mistakenly set at 140 degrees which could cause the minor child's injuries with exposure of only one (1) second. Ultimately, Mother was granted custody of the minor child after six (6) days of trial. This matter took two (2) and one-half (1/2) years to resolve. This matter was significant because I believed my client was a good mother from beginning to end. Despite the multiple twists and turns, she prevailed. In addition, Father had a significant amount of financial resources and Mother was a stay-at-home mom. Further, Father was represented by two (2) very experienced Family Court practitioners.

(c) Pair v. Hardy, Bouknight, and DSS My clients, who are Caucasian, were licensed foster parents to a mixed-race girl. They received her through a DSS action when she was approximately ten (10) days old. The minor child's mother used illegal drugs during her pregnancy with the minor child. The mother failed to comply with her treatment plan and eventually quit trying to see the minor child. The mother did not initially identify the father of the minor child as he was in prison. However, once the father was released from prison, he attempted to become involved in the minor child's life. He was

given a treatment plan which he did not complete. He would visit the minor child at DSS for a couple of months and then he would not show up for several months. The minor child did not know this man as her father and at times, the visits were very traumatic for her. DSS kept telling my clients that they were going to file a termination of parental rights action but they never did. We kept getting the run around and all the while, this little girl's life wasn't settled. Something had to give so I filed a TPR action on behalf of the foster parents. Eventually, DSS cooperated with us and we had a successful outcome for the minor child. The parents' rights were terminated and I have filed an action for adoption which is currently pending. The reason this action is significant is a personal one. The foster mother is unable to have children and the foster father is a, Army Veteran who was critically wounded in Iraq by an IED. If ever anyone needed a good outcome, it's this family.

(d) Campbell v. McCaskill This case involved a post-divorce action for termination of parental rights and adoption by the step-father. Mother and Father initially shared joint custody of the two (2) minor children with Mother having primary placement pursuant to a custody agreement. One (1) year later, the parties divorced and they executed an addendum to their custody agreement allowing Mother to move to Atlanta, Georgia. The addendum also terminated Father's child support obligation. Mother married Stepfather fifteen (15) months later and they continued to reside in Atlanta with the minor children. Mother and Father subsequently executed a Child Custody Agreement one (1) year after Mother remarried wherein Mother would have sole custody of the minor children and Father would begin paying child support. I filed a complaint to have the agreement approved by the Court. Unfortunately, Father avoided service of process and stated he had changed his mind. We dismissed the complaint and filed the TPR/Adoption action two (2) months later. The grounds in the complaint alleged that Father's rights should be terminated as a result of his willful failure to visit the

minor children during the six (6) months prior to the initiation of the action and as a result of his willful failure to support the minor children during the six (6) months prior to the filing of the action. Father contested the TPR and filed an answer and counterclaim seeking custody of the minor children. In addition, he filed an order and rule to show cause alleging Mother refused to allow him visitation. He even attempted, through counsel, to force visitation with the minor children during the pendency of the action. Fortunately, the Court didn't grant his request. At trial, I was confident in establishing that Father had not contributed materially during the prior six (6) months. Even though there was not an order requiring Father to pay support, I believed he still had a duty to support his children. I was more concerned over the visitation allegation. Father alleged Mother had prevented him from seeing the children and that he had kept them a little over six (6) months prior to filing the action. He also provided evidence that he had contacted Mother on numerous occasions during the six (6) months prior to our filing. After two (2) days of trial, the Court granted the TPR/Adoption on the basis Father willfully failed to visit and not on the support issue. While I was pleased with the result, I was a little surprised by the Court's reasoning. It made me realize that there was more for me to learn and I believe it has made me a more thorough lawyer.

(e) State of South Carolina v. Lionel Williams This was by far the most stressful case I have ever been associated with. I was the Public Defender for Kershaw County when I was appointed to represent Lionel Williams. Lionel had been charged with Armed Robbery and Kidnapping and he had signed a written confession admitting his guilt. The Solicitor offered Lionel twelve (12) years if he would plead guilty. Lionel maintained his innocence from the first day I met him stating that he was forced to sign the confession after hours of interrogation. In addition, the timeline didn't add up as he was in the Kershaw County jail a few hours before the crime took place. Lionel had been in jail for shoplifting a case of beer. When he was released, the prosecution's theory

was that he left the jail on foot, obtained a gun and bandana, walked three (3) miles and robbed a man. All would have occurred within ninety (90) minutes of his release. It was illogical that he could pull that off in such a short period of time. But, they had a confession. I was very concerned he would be found guilty and spend a significant time in prison if we went to trial. A couple of months before trial, I met Lionel's brother, his twin brother. Once I met his brother, I knew Lionel was innocent. I actually had an innocent client and it terrified me. What if I failed him? Fortunately, I didn't worry about that too long as I had to focus on making sure Lionel wasn't wrongfully convicted. Given the obvious similarities between Lionel and his brother, I focused on the witness identification. Another lawyer referred me to an expert on witness identification and I was able to convince the Court to approve funding for my expert from Florida State University. The expert explained the process of false identifications especially when it involves different races. After short deliberation, Lionel was found not guilty on both charges. That case was significant in that I learned it is vitally important to really listen to your client and not just look at the facts. Sometimes, you learn more by listening. By listening and trusting Lionel, I believe I was able to save his life.

Judge Rankin reported he has not personally handled any civil or criminal appeals.

Judge Rankin reported that he has held the following judicial office(s):
Part-time Magistrate, Kershaw County. Appointed. Presently I handle the civil cases for Kershaw County and I set bond one (1) week per month.

Judge Rankin provided the following list of his most significant orders or opinions:
Unfortunately, I do not have any significant orders or opinions since becoming Magistrate in 2006.

Judge Rankin reported the following regarding his employment while serving as a judge:
I am currently a part-time Magistrate for Kershaw County and have been since 2006. During that time, I have maintained my private law practice.

(9) Judicial Temperament:
The Commission believes that Judge Rankin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Rankin to be "Well-Qualified" in the fields of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found Judge Rankin "Qualified" in the fields of constitutional qualifications, physical health, and mental stability. Also noted in the Committee report is that Judge Rankin has "lots of experience in the family court and will strive to move cases along."

Judge Rankin is married to Charlotte Wallace. He has two children.

Judge Rankin reported that he was a member of the following Bar and professional associations:
(a) Kershaw County Bar Association - President; 1995-1997
(b) South Carolina Bar Association - Member 1993 - Present

Judge Rankin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Camden Country Club – Board of Directors President 2017-2018, Vice-President 2016-2017 and currently Past President
(b) Fine Arts Center of Camden - Board Member 2010-2013
(c) School Improvement Council, President - Camden High School, Kershaw County School District – 2015-2017
(d) Lyttleton Street United Methodist Church, Camden, South Carolina - Nominating Committee 2013-2016.

Judge Rankin further reported:

When I was 12 years old, I was a voracious reader. I would read anything I could get my hands on. It didn't matter whether it was Sports Illustrated, The Hardy Boys, or even World Book Encyclopedia, I read it. It was during this period that I discovered F. Lee Bailey. I became fascinated with his life as a Criminal Defense lawyer and specifically, his defense of Sam Sheppard. It was amazing how he successfully got a not-guilty verdict after Sheppard had previously been convicted of murdering his wife. I read The Defense Never Rests and For the Defense. After reading those books, as well as a few others, I was determined to become a criminal lawyer. I wanted to get justice for my clients. I knew that was my calling. Fast forward fifteen (15) years and I graduate from the University of South Carolina School of Law. At that time, I had no idea what kind of practice I wanted. Fortunately, Ken Baker hired me in December 1993 and he allowed me to handle a variety of matters. That is when I had my first experience with Family Court. I realized then that I enjoyed helping people solve their domestic problems. I believe part of that was due to the fact that my parents had divorced about a year earlier and their divorce wasn't amicable. I wanted to fix things that I couldn't with my parents.

Even today, I try to "fix" things that I can't control. I have learned over the years practicing in Family Court, that I will not always get a favorable result for a client. However, that doesn't make it any easier. It bothers me when I see a client hurting after a hearing and I wonder what I could have done differently. Some may see that as a weakness but I see it as a strength. It's a strength because it demonstrates how much I care. Over the past twenty-five (25) years, I have fought hard for reasonableness and fairness. As a Family Court Judge, I intend to do the same.

In addition, I recently had the experience of running into a former juvenile client. Samantha (name changed to protect her identity) was an assistant manager at a restaurant and she saw me walk through the door. After I was seated, she made her way over to our table. While I recognized her face, I couldn't place her name or how I knew her. She then told me her name and I immediately knew. Samantha was a troubled teen who had no respect for authority and she was essentially kicked out of her home by her parents. She ended up committing various crimes

and spent some time at DJJ. I was appointed to represent her. This was approximately twenty (20) years ago. Samantha told me that she had turned her life around and had two (2) children of her own. She said she was doing well and even had a good relationship with her parents. She then said "thank you." I was taken aback and asked her why. She stated that throughout her troubles, I was the one who stood by her and didn't abandon her. Needless to say, I was floored. I didn't realize what kind of an impact I could have on someone. It's those moments which make me realize what an even bigger impact I can have as a judge. While I know I can't save every troubled teen, I can try to save as many as possible.

(11) Commission Members' Comments:

The Commission commented that Judge Rankin has an extensive and lengthy practice in Family Court.

(12) Conclusion:

The Commission found Judge Rankin qualified and nominated him for election to Family Court, Fifth Judicial Circuit, Seat 3.

Carrie Hall Tanner
Family Court, Fifth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Fifth Judicial Circuit, Seat 3, two candidates applied for this vacancy. Both candidates were found qualified and nominated. Accordingly, the names and qualifications of the two candidates found qualified and nominated are herby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Tanner meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Tanner was born in 1971. She is 47 years old and a resident of Elgin, South Carolina. Ms. Tanner provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Tanner.

Ms. Tanner demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Tanner reported that she has not made any campaign expenditures.

Ms. Tanner testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Tanner testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Tanner to be intelligent and knowledgeable.

Ms. Tanner reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Ms. Tanner reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Tanner did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Tanner did not indicate any evidence of a troubled financial status. Ms. Tanner has handled her financial affairs responsibly.

The Commission also noted that Ms. Tanner was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Tanner reported that she is not rated by any legal rating organization.

Ms. Tanner reported that she has not served in the military.

Ms. Tanner reported that she has never held public office.

(6) Physical Health:

Ms. Tanner appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Tanner appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Tanner was admitted to the South Carolina Bar in 1998.

She gave the following account of her legal experience since graduation from law school:

(a) November 1998 – March 1999: Law Office of H. Dewayne Herring, Jr.

I was an associate attorney to Mr. Herring who was a solo practitioner specialist in Estate Planning, Probate and Trust law. I assisted him in drafting complex wills and trusts as well as probate administration. We also handled some residential real estate closings. In addition, my duties included managing the accounts receivables and payables for the firm and maintaining the operating and trust accounts. I handled any law office management issues with computers, office supplies and subscriptions. I trained the support staff in administrative duties and handled these tasks myself when needed.

(b) March 1999 – June 2000: Fifth Circuit Solicitor's Office, Kershaw County. I served as an Assistant Solicitor to Barney Giese, assigned specifically to Kershaw County. I assisted the First Assistant prosecute General Sessions cases and handled all juvenile petitions for Kershaw County.

(c) June 2000 – October 2001: Fifth Circuit Solicitor's Office, Kershaw County. During this period of time, after entering private practice, I served as the Family Court juvenile prosecutor for Kershaw County on a contract basis.

(d) June 2000 – present: Speedy, Tanner, Atkinson & Cook, LLC

I have been in private practice in the same location since June 2000. I began as an associate with the firm then known as Furman, Speedy & Stegner. As a new lawyer I handled primarily Family Court cases but occasionally handled estate planning and probate matters. I assisted the partners with some real estate loan closings and with any research or preparation necessary for their civil or criminal cases.

That partnership dissolved and became Law Offices of George W. Speedy in 2006. I continued my focus on Family Court cases with the occasional estate planning and probate matters.

In January 2009 we became a partnership known as Speedy, Tanner & Atkinson, LLC which then became Speedy, Tanner, Atkinson & Cook, LLC in April 2013. Since 2009 I have devoted my practice exclusively to Family Court cases.

Ms. Tanner further reported regarding her experience with the Family Court practice area:

My practice has been primarily in the Family Court for the last eighteen years. Within the past five years, I have appeared before a Family Court Judge, on average, once per week. During many terms of Court, I have multiple cases. I have extensive experience in every Family Court practice area.

I have handled cases involving every ground for divorce including fault cases of adultery, habitual drunkenness and/or drug use and physical cruelty as well as no-fault divorces. I have proven adultery cases both with a private investigator's testimony and with testimony and evidence from my client's family and friends. The habitual drunkenness and/or drug use cases have involved DUI or drug offense arrests and records from rehabilitation facilities. The physical cruelty cases have stemmed from the spouse's arrest for Domestic Violence.

Many of these cases have had contested issues involving equitable division of property and debt. I have handled contested litigation regarding the identification, valuation and division of marital assets, including issues of inherited and gifted property, transmutation and special equity. I have had disputes over marital homes and other real property where a third party claimed an interest and where I have had to employ an expert to testify regarding value. Many of my property cases have issues of valuation of retirement benefits and at times disputes over identification and valuation of marital household items and vehicles. I have had to trace contributions in investment and bank accounts through subpoenaed records to prove assets to be non-marital. In cases involving businesses, I have employed experts to value business interests and determine income. Many cases involve identification and division of marital debts, some with the added issue of bankruptcy. Mediation frequently resolves a lot of the issues surrounding equitable apportionment.

For issues of child custody, I have represented mothers and fathers, both married and unmarried, as well as grandparents and other third parties seeking custody. Although truly contested custody cases are not the norm, there are frequently issues of parenting schedules and often conditions and guidelines for visitation. Most of these cases have involved the appointment of a guardian ad litem for the child(ren), either an attorney or lay guardian. My cases have run the spectrum of first time unmarried parents of an infant to long term married couples with older teens. Every case is unique with its own set of obstacles. Along with the custody and scheduling issues comes the issue of child support which is often more contested. Many of my cases require diligence in determining accurate income figures as well as child care and health insurance credits for the parties. My more contested custody cases have required psychological and/or psychiatric evaluations and custody evaluations. Some of these cases have been resolved at mediation. I have represented grandparents in custody actions against the biological parents where drug issues are present or other concerns involving the parents' ability to care for a child. I have also handled cases for "de facto custodians" and "psychological parents."

In the area of adoptions, I have handled numerous step-parent adoptions, both contested and uncontested where consents were secured, as well as other relative and non-relative adoptions. The latter requires securing pre and post placement investigations. I have litigated jurisdiction under the UCCJEA and a contest over validity of a consent to relinquishment of parental rights. Following DSS termination of parental rights actions, I have represented many foster parents in adopting their foster child.

For the first ten years of my private practice, I took nearly monthly appointments over two counties representing defendants in Department of Social Services abuse and neglect actions. I have negotiated and tried numerous cases, helping parents navigate through their treatment plan or identifying appropriate alternatives with relative placement. Over my career, I have handled cases, both appointed and retained, involving parents with drug addictions, in abusive relationships, lacking education, work skills and family support. Some of these cases have involved a shaken baby, babies born addicted and

parents using excessive corporal punishment. In addition, I have represented parents in the ultimate termination of parental rights actions that have stemmed from the original abuse and neglect case. Over the last approximately ten years I have also represented many Kershaw County volunteer guardian ad litems in their appointments in these DSS cases.

At the beginning of my legal career, I worked as a juvenile prosecutor for Kershaw County for approximately two years. I handled essentially all juvenile petitions that came through our county during this period, from truancy to assaults, drugs, larceny, bomb threats, robbery and sex crimes. I worked closely with the Department of Juvenile Justice, Department of Mental Health, Department of Social Services and the school district in handling these cases, some which had to be waived to general sessions and some that entered pre-trial intervention. Once I left my role as prosecutor, I handled several cases for my firm defending juveniles both at the adjudication and disposition stages.

Ms. Tanner reported the frequency of her court appearances during the past five years as follows:
(a) Federal: None;
(b) State: Weekly;
(c) Other: N/A.

Ms. Tanner reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 100%;
(d) Other: 0%.

Ms. Tanner reported the percentage of her practice in trial court during the past five years as follows:
(a) Jury: 0%;
(b) Non-jury: 100%.

Ms. Tanner provided that during the past five years she most often served as sole counsel.

The following is Ms. Tanner 's account of her five most significant litigated matters:

(a) Melissa Leaphart Hagood v. James Buckner Hagood, Melody "Suzie" Hagood Sharpe, Third Party Defendant; 2014-DR-40-1541: I represented the Husband/Father in this case which involved divorce, property division, alimony and child custody. My client's adult daughter was joined as a third party Defendant to take custody of the child during the litigation which involved the child being committed at a mental health facility, two forensic interviews (one on a private basis and the other by DSS referral) and two DSS involvements due to allegations of abuse against my client. The Court ordered a counselor for the child and the parties submitted to a custody evaluation as well as psychological evaluations. This was deemed a complex case and spanned two years of litigation with multiple Court appearances. The Mother had seven attorneys during the course of the case. The case was ultimately bifurcated for trial with the child related issues tried over five days and the property division / alimony over two separate days. We had two experts in the child custody trial. My client and his daughter were granted joint custody of the child and the Mother was required to have supervised visitation. The property division portion of the case involved issues of transmutation of real property and investment accounts and the Wife's allegation of her inability to work and request for alimony. My client prevailed in the Court's denial of alimony for the Wife and a determination that his property was non-marital. Both portions of this case are currently on appeal.

(b) Margaret McLaurin Barnes Pennebaker v. Gordon Elliott Pennebaker; 2014-DR-28-523: This case involved a long term marriage between my client and her husband who is a local physician. There were issues of valuation of his business interests, division of marital property, alimony and attorney fees. With the assistance of valuation experts we settled the business and property division issues. The issues of alimony and attorney fees

were tried over two days. Our expert testified regarding the parties' standard of living and the Husband had an economic expert to testify regarding his allegation that the Wife was underemployed. The Wife prevailed with an alimony award of $8,000 per month and her full attorney fees.

(c) Cherie Morgan Brown and Troy Artis Brown v. Carter, a minor under the age of seven years; 2012-DR-40-4513 consolidated with Jonathan D. Haggler v. Morgan L. Stanfield Hagler; 2012-DR-40-4465: This was a contested grandparent adoption. I represented the maternal grandparents in what began as an uncontested matter. However, the biological father, who lived in the state of Washington, contested the validity of the relinquishment he signed in the state of Alabama and brought a parallel action against the mother who lived in the state of Virginia. The Court first had to address the jurisdictional issues under the UCCJEA with a joint hearing with the judge from the state of Washington. The biological father filed a Notice of Removal to Federal Court and a Motion to Set Aside the Consent in our action. The grandparents prevailed and the adoption was granted.

(d) SCDSS v. George A. McCaskill, Patricia Hancock and Evelyn Grantham; 2009-DR-28-593: This DSS action involved allegations of physical abuse against my client Father. Both parties completed a treatment plan. The contested issue was which parent should receive custody of the child. The parties reached an agreement but prior to the Order being signed, we discovered evidence of the Mother's commitment to a mental health facility that was not previously disclosed. I filed a motion to vacate the agreement under Rule 60(b) which was granted. A two day trial was scheduled to hear the custody matter but the Mother agreed to my client having primary custody immediately prior to the start of trial.

(e) Rumi Lopez v. Megan Elizabeth Reno; 2012-DR-40-1476 (also ending 2013-DR-40-2163): I represented the Defendant/Mother in this custody action between an unmarried couple. The Plaintiff/Father was represented throughout the case until immediately prior to the trial where he proceeded pro se. My client alleged their relationship was physically abusive. An issue in dispute was the Father's ability to work and his underemployment as it related to child support. The Mother prevailed by getting custody with the Father's visitation suspended until he completed anger management counseling, parenting classes and a psychological evaluation. The Father's request for a reduction in child support was denied and the Mother was awarded attorney fees.

The following is Ms. Tanner's account of four civil appeals she has personally handled:

(a) Melissa Leaphart Hagood v. James Buckner Hagood, Melody "Suzie" Hagood Sharpe, Third Party Defendant, Court of Appeals Case No. 2016-001637, still pending.

(b) Melissa Leaphart Hagood v. James Buckner Hagood, Melody "Suzie" Hagood Sharpe, Third Party Defendant, Court of Appeals Case No. 2016-001898, still pending.

(c) John Doe v. Jane Doe, 370 S.C. 206, 634 S.E.2d 51 (S.C. App., 2006), decided July 3, 2006. My partner, George W. Speedy, was the attorney of record but I was solely responsible for the briefing on behalf of the Respondent, John Doe.

(d) William Settlemeyer v. Katherine McCluney, 359 S.C. 317, 596 S.E.2d 514 (S.C. App., 2004), decided May 11, 2004. My partner, George W. Speedy, was the attorney of record but I was solely responsible for the briefing on behalf of the Respondent McCluney.

Ms. Tanner reported that she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Tanner's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Ms. Tanner to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee found Ms. Tanner "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee added "Most qualified of two candidates -- will be a great asset to the Judiciary! Great temperament." In a summary statement, the Committee indicated "very well qualified."

Ms. Tanner is not married. She has two children.

Ms. Tanner reported that she was a member of the following Bar and professional associations:
(a) Kershaw County Bar Association: President, 2000-2001.

Ms. Tanner provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) None in the last five years.

Ms. Tanner further reported:

My legal career has been devoted to Family Court. I have represented parties in every aspect of domestic law. I have served as guardian ad litem for numerous children in all types of circumstances. In 2008, I was certified as a Family Court mediator. As my experience has grown, so has the quality of my representation. My compassion and genuine concern for my clients has not waned. My personal experience having gone through a divorce in 2015 with children has given me a unique perspective in what litigants face in being involved in a Family Court case. I believe this personal experience coupled with my extensive professional experience and knowledge makes me

the best candidate for the next Family Court judge for seat 3 in the Fifth Judicial Circuit.

(11) Commission Members' Comments:

The Commission indicated that it was pleased with Ms. Tanner's experience in Family Court matters, noting her long career as a lawyer in that field. The Commission also noted that it was thoroughly impressed with Ms. Tanner, and believed her to be imminently qualified to serve as a Family Court judge.

(12) Conclusion:

The Commission found Ms. Tanner qualified and nominated her for election to Family Court, Fifth Judicial Circuit, Seat 3.

The Honorable Coreen B. Khoury
Family Court, Sixth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Khoury meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Khoury was born in 1959. She is 59 years old and a resident of Lancaster, South Carolina. Judge Khoury provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Khoury.

Judge Khoury demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Khoury reported that she has not made any campaign expenditures.

Judge Khoury testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Khoury testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Khoury to be intelligent and knowledgeable.

Judge Khoury reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Khoury reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Khoury did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Khoury did not indicate any evidence of a troubled financial status. Judge Khoury has handled her financial affairs responsibly.

The Commission also noted that Judge Khoury was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Khoury reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Khoury reported that she has not served in the military.

Judge Khoury reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Khoury appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Khoury appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Khoury was admitted to the South Carolina Bar in 1985.

She gave the following account of her legal experience since graduation from law school:

(a) Thomas, Goldsmith, Folks and Hodges; August 1985-August 1987
(b) Goldsmith, Folks and Hodges; August 1987-March 1990
(c) Goldsmith, Folks, Khoury and DeVenny; March 1990-December 1991
(d) Folks, Khoury & DeVenny; December 1991-March 7, 2014;
(e) Family Court Judge, Sixth Judicial Circuit, Seat 1; March 17, 2014-present

The law firm of Folks, Khoury and DeVenny was a general practice firm. I became a partner with the firm in January of 2000. I practiced predominantly in the area of family law throughout my legal career. As a partner in the firm, I shared in the administrative and financial management of the firm.

Judge Khoury reported that she has held the following judicial office(s):

(a) Family Court Judge Sixth Judicial Circuit Seat 1
March 17, 2014-present
Elected February 5, 2014 by the legislature
Family Court is a court of limited jurisdiction. Exclusive and concurrent jurisdictions are conferred on this Court

by the SC General Assembly. The Family Court has exclusive jurisdiction over all matters involving family relationships including actions for separate support and maintenance, divorce, alimony, custody, visitation, child support, adoption, termination of parental rights, division of marital assets and debts, name changes, minors charged with crimes or status offenses and cases involving the abuse and neglect of minor children and vulnerable adults.

(b) Lancaster County Juvenile Drug Court
2005 to present
Appointed by Chief Justice

(c) Lancaster County Adult Drug Court
2018 (as needed)
Appointed by Chief Justice

My responsibility is to preside over the hearings scheduled during my assigned weeks and impose sanctions for violations of Drug Court rules and conditions.

Judge Khoury provided the following list of her most significant orders or opinions:
The only Orders issued from Drug Court hearings are bench form Orders. Five of my most significant Family Court Orders are:

(a) South Carolina Department of Social Services vs. Boulware, 422 S.C. 1, 809 S.E.2d 223 (2018).
This case is significant because it clarified the issue of standing to pursue a private action for adoption of children in the care of the Department of Social Services. To attain standing, the person who petitions for adoption must first be a resident of South Carolina. Second, the child must not have been placed by the Department of Social Services for adoption at the commencement of the adoption action. The South Carolina Supreme Court reversed the decision of the Court of Appeals and remanded the case to Family Court to proceed with Petitioners' action for adoption.

(b) Mary Ann Guinta vs. Joseph L. Guinta, 2012-DR-29-364.

This case involved contested issues of identification and characterization of assets, transmutation and distribution of assets. The property to be divided included real property, trust property, annuities, whole life insurance policies, automobiles, bank accounts, furniture/household belongings and a home health care policy. This case is significant because it is representative of the issues and assets involved in complex equitable distribution determinations.

(c) Sherrie Storey vs. Scott Souzza, 2011-DR-43-1390.

This case was a contested custody action involving two fit parents. Each party possessed strengths and characteristics that would be beneficial to the growth and development of the children. Each parent had the ability to provide for the child financially, physically, emotionally and spiritually. This case is significant in that it is representative of the difficulty faced by Family Court judges in crafting decisions that serves the best interest of the children by allowing the children to spend quality time with both parents but still providing the children with a normal and stable life routine. Contested custody cases are always difficult for children, litigants, lawyers and judges but are representative of decisions made in Family Court affecting family relationships.

(d) Jennifer Martin vs. James Martin, Jr., 2014-DR-23-3632.

This was an action for Separate Support and Maintenance that included the determination of most issues found in family court cases---custody, visitation, parental guidelines, child support, health insurance, uncovered health expenses, tax dependents, life insurance, division of property/debt, alimony, college expenses, transmutation of non-marital assets and attorney fees.

(e) Stradford vs. Wilson, 378 S.C. 301, 662 S.E.2d 491 (Ct.App. 2008).

This was a case that I tried as an attorney but it remains a significant order. I have used the findings and legal arguments in deciding cases involving the name change of minor children. The parties to this action were not married. Father petitioned the Court to change the child's surname to the name of his family. The Court

determined that both parents have an equal interest in a child bearing their respective surname. The Court held that the party attempting to change the child's name must establish by a preponderance of the evidence that the name change is in the child's best interests. The Court further enumerated the factors to consider when making a determination as to whether the name change is in the child's best interests.

Judge Khoury reported the following regarding her employment while serving as a judge:

(a) Lancaster County Juvenile Drug Court; 2005-present
(b) Lancaster County Adult Drug Court; 2018 (as needed)

Judge Khoury further reported the following regarding unsuccessful candidacies:

In 2008, I was unsuccessful in my run for Family Court Judge, Sixth Judicial Circuit, Seat 2. This election was won by W. Thomas Sprott, Jr.

(9) Judicial Temperament:

The Commission believes that Judge Khoury's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee reported that Judge Khoury was "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary that Judge Khoury's "practical, thoughtful approach to her tasks as a Family Court judge is evidence of her deep experience and insight. She also has an easy, accessible manner that bespeaks exemplary judicial temperament."

Judge Khoury is married to Jeff Hammond. She has two children.

Judge Khoury reported that she was a member of the following Bar and professional associations:

(a) Lancaster County Bar Association
(b) South Carolina Bar Association
(c) South Carolina Women Lawyers Association
(d) South Carolina Conference of Family Court Judges

Judge Khoury provided that she was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Khoury further reported:
As a parent, community participant, teacher, lawyer and judge, I have seen how decisions made in Family Court affect the lives of litigants, their families and friends. I have dealt with clients in distress and turmoil. I have experienced the stress and pressure of a family court lawyer. As a judge, I hope to never lose sight of the emotions of litigants, the pressures of family court practitioners and the importance of each and every decision made in Family Court. I behave in a way that facilitates conflict resolutions and not in a fashion that spurs emotional strife. I am courteous to litigants, lawyers and court personnel. I am attentive during the hearing, well versed in the law and render decisions in a timely fashion. I try to remember that what is routine and common to me as a regular participant in family court hearings is new and terrifying to most litigants and witnesses. I hope to be viewed as a judge who uses her gut, heart and head to render good decisions. I hope to have litigants and lawyers leave the courtroom, whether successful or not, feeling their stories were heard, their positions considered and they were treated with respect in the resolution of their disputes.

(11) Commission Members' Comments:
The Commission commented that Judge Khoury has a wonderful rapport with, and the respect of, the community as well as the attorneys that practice before her. They commended Judge Khoury on her temperament and service on the bench.

(12) Conclusion:
The Commission found Judge Khoury qualified and nominated her for re-election to the Family Court, Sixth Judicial Circuit, Seat 1.

FRIDAY, JANUARY 11, 2019

The Honorable Phillip K. Sinclair
Family Court, Seventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Sinclair meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Sinclair was born in 1953. He is 65 years old and a resident of Spartanburg, South Carolina. Judge Sinclair provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Sinclair.

Judge Sinclair demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Sinclair reported that he has spent $250.00 in campaign expenditures for his former legal secretary's help in completing his application.

Judge Sinclair testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Sinclair testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Sinclair to be intelligent and knowledgeable.

Judge Sinclair reported that he has taught the following law-related courses:

a) Rutlege Business College - Taught income taxation in early 1980's.
b) Provided Legislative updates in Family Law to South Carolina Trial Lawyers on two occasions.
c) Provided Legislative updates to South Carolina Family Court Judges Conference on two or three occasions.
d) Panelist at CLE "What Family Court Judges Want You to Know."
e) Panelist at S.C.A.J. CLE
f) Spoke on "Temporary Hearings" at CLE sponsored by Spartanburg County Bar Association.

Judge Sinclair reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Sinclair did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Sinclair did not indicate any evidence of a troubled financial status. Judge Sinclair has handled his financial affairs responsibly.

The Commission also noted that Judge Sinclair was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Sinclair reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Sinclair reported that he has not served in the military.

Judge Sinclair reported that he has held the following public office:

I served in the South Carolina House of Representatives, District 35, from 2001 to 2006. All Ethics Reports were timely filed, with the exception of the last report due which was due on December 31, 2006. The failure to file was an oversight on my part. Though I had left elective office, I still had a small amount of money in a campaign account. I paid a $100 fine and filed the report on February 2, 2007.

(6) Physical Health:
Judge Sinclair appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Sinclair appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Sinclair was admitted to the South Carolina Bar in 1978.

He gave the following account of his legal experience since graduation from law school:

a) 1978-1979 -- Served as a law clerk for SC Circuit Judge Paul M. Moore. Assisted Judge Moore with legal research, preparation of orders, etc.
b) 1979-1982 – Assistant Solicitor for the Seventh Judicial Circuit. Prosecuted criminal cases primarily in General Sessions Court. Also handled preliminary hearings and occasionally handled juvenile prosecutions. During this period of time, I prosecuted or assisted in the prosecution of virtually every type of criminal case from driving under the influence to capital murder cases.
c) 1982-1984 – Thompson and Sinclair, Attorneys at Law. Joined Fletcher D. Thompson, an established practitioner, in his law practice. I initially handled primarily criminal defense, but gradually developed a general practice including Civil Court, Probate and Family Court.

d) 1984-1995 – Thompson, Sinclair and Anderson, Attorneys at Law. Mr. Thompson and I were joined in practice by David F. Anderson. Though I continued to handle criminal, civil and probate work during this period, more than fifty percent of my time was spent in Family Court. During the early years, Mr. Thompson and I represented a Spartanburg automobile dealership and handled several cases in Federal Court on behalf of the dealership. Mr. Thompson also began to develop an extensive adoption practice and I assisted him in this area of practice. In 1989, we were joined by James Fletcher Thompson.

e) 1995-1998 – Thompson and Sinclair, Attorneys at Law. David Anderson withdrew from our practice and continued as a sole practitioner in the same location. My practice continued to expand in the area of Family Court.

f) 1999-2006 – Phillip K. Sinclair, LLC. I continued to practice in all Courts, but primarily in Family Court. By the late 1990's, my practice had become approximately two-thirds Family Court and the balance in Civil and Criminal Court with an occasional trial in Probate Court. I also served during this time in the South Carolina House of Representatives. While serving in the House, I had an associate, Angela J. Moss, who assisted me on days when the House was in session.

g) 2006-2010 – Sinclair and Collins, LLC. I was joined in practice by David M. Collins, Jr. Both David and I practiced heavily in Family Court, though we both worked in other areas such as criminal law, probate and occasionally in civil law.

In all of the firms I was a part of from 1982 until I left private practice, I was intimately involved in the administrative and financial management of the law firm."

Judge Sinclair reported he has not personally handled any civil or criminal appeals.

Judge Sinclair reported that he has held the following judicial office(s):

The only judicial office I have ever held is that of Family Court Judge, Seventh Judicial Circuit, Seat One, from July 2010, to the present.

Judge Sinclair provided the following list of his most significant orders or opinions:

a) Alukonis v. Smith – Case number 2015-DR-42-2977
b) McLeod v. Starnes – 396 S.C. 647, 723 S.E.2nd 198 (S.Ct. 2012)
   After this case was heard by the Supreme Court, it was remanded to the Trial Judge, who issued another Order. The Trial Judge retired before motions to reconsider could be heard. I was assigned to hear and decide the motions for reconsideration. My order was not appealed.
c) Directo v. Department of Social Services – Case number 2016-DR-42-1529
d) In the Interest of Justin B, a Juvenile under the age of seventeen, Appellant – 419 S.C. 575, 799 S.E.2nd 675 (S.Ct. 2017)
e) South Carolina Department of Social Services v. Destiny McDade and Jonathan Riemann – Op. No. 2017-UP-468 (S.C. Ct. App. filed December 20, 2017)

Judge Sinclair has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Sinclair's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Sinclair to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and, "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Sinclair is married to Vicki Reynolds Butler Sinclair. He has three children.

Judge Sinclair reported that he was a member of the following Bar and professional associations:

a) South Carolina Bar Association, 1978 to present.
   Fee Dispute Resolution Committee for Spartanburg County (1986-2010).
b) Spartanburg County Bar Association, 1978 to present.
   Family Court Committee Member (1999-2010).
c) American Bar Association (1979-2010).

Judge Sinclair provided that he is not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Sinclair further reported:
I practiced extensively in the Family Court for more than twenty-eight years before becoming a Family Court Judge. The work done in Family Court is extremely important and often deals with the most sensitive issues of people's lives. It is critical that a Family Court Judge be knowledgeable and competent as well as patient and compassionate. I believe that my education, experience and temperament are a good fit with the Family Court. I enjoy the work that I do as a Family Court Judge and would like to continue my service, if possible. It has been an honor to serve as a Family Court Judge.

(11) Commission Members' Comments:

The Commission commented that Judge Sinclair has an outstanding reputation as a jurist. They noted and were impressed by the unanimous positive feedback on his Ballot Box survey.

(12) Conclusion:

The Commission found Judge Sinclair qualified and nominated him for re-election to the Family Court, Seventh Judicial Circuit, Seat 1.

FRIDAY, JANUARY 11, 2019

Michael Todd Thigpen
Family Court, Seventh Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Seventh Judicial Circuit, Seat 2, three candidates applied for this vacancy. Two candidates withdrew before the commission voted, and one candidate was found qualified and nominated. Accordingly, the names and qualifications of the one candidate found qualified and nominated is herby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Thigpen meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Thigpen was born in 1970. He is 48 years old and a resident of Spartanburg, South Carolina. Mr. Thigpen provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Thigpen.
Mr. Thigpen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Thigpen reported that he has not made any campaign expenditures.

Mr. Thigpen testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Thigpen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Thigpen to be intelligent and knowledgeable.

Mr. Thigpen reported that he has taught the following law-related courses:

(a) I co-presented and prepared the written materials for the Case Law Update: "Custody, Child Support, and Visitation" at the 2007 South Carolina Trial Lawyers Association Convention;

(b) In 2010, I lectured to a group of student therapists from Converse College about HIPAA, subpoenas, qualification as an expert witness, a therapist's role in child custody cases, and other areas of family law;

(c) I was a panel member for a panel discussion at the 2012 Program Attorney Training: Information to Represent Volunteer Guardians ad Litem; and

(d) I assisted in training volunteer guardians ad litem for the Spartanburg County Volunteer Guardian ad Litem Program on four (4) or five (5) occasions between 2002 and 2015.

Mr. Thigpen reported that he has not published any books or articles.

I have not published any books or articles. However, the Honorable Jerry D. Vinson, Jr. used a guardian ad litem report I prepared to create the suggested format for a guardian ad litem report in his presentation of "Guardian

ad Litem Reports: What's in it for me?" at the 2007 Children's Issues in Family Court seminar.

(4) Character:

The Commission's investigation of Mr. Thigpen did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Thigpen did not indicate any evidence of a troubled financial status. Mr. Thigpen has handled his financial affairs responsibly.

The Commission also noted that Mr. Thigpen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Thigpen reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Mr. Thigpen reported that he has not served in the military.

Mr. Thigpen reported that he has never held public office.

(6) Physical Health:

Mr. Thigpen appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Thigpen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Thigpen was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) Since I was admitted to the South Carolina Bar on November 18, 1996, I have been a sole practitioner in Spartanburg, South Carolina; my practice has been

devoted almost exclusively to Family Court cases; and I have handled thousands of Family Court cases since I began practicing law;

(b) From 1997 until 2004, I represented indigent Family Court clients through Piedmont Legal Services' Private Bar Involvement Program;

(c) Since about 1998, I have been appointed to serve as the guardian ad litem in over eight hundred (800) private Family Court cases involving the issues of child custody, visitation, adoption, termination of parental rights, and name changes;

(d) From about 2002 until June 30, 2015, I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program, and I represented volunteer guardians ad litem in thousands of DSS child abuse and neglect hearings during that time;

(e) Since 2002, I have been a certified Family Court Mediator, and I have served as the mediator in approximately four hundred (400) Family Court cases in the past five (5) years; and

(f) Since about 2004, I have done legal work on occasion for the General Counsel's Office at Spartanburg Regional Health Services District, Inc. primarily filing petitions in Probate Court to have a guardian and/or conservator appointed for its patients who are incapacitated and do not have adult relatives who are able or willing to serve as their guardian or conservator.

Mr. Thigpen gave the following account on his experience in Family Court in the areas of divorce and equitable division of property, child custody, adoption, abuse and neglect, and juvenile justice:

(1) Divorce: In almost twenty-two (22) years of private practice, I have filed or defended over fourteen hundred (1,400) divorce and decree of separate support and maintenance cases. Although many of those cases were uncontested, many of the cases were contested and also included the issues of child custody, visitation, child support, alimony, equitable division of marital assets and debts, attorney's fees and costs, etc. In addition, I have

represented clients in divorces on all statutory grounds, except desertion, including, one (1) year's continuous separation, adultery, habitual drunkenness, and physical cruelty. Moreover, I have filed or defended many annulment and common law marriage cases: Finally, I have served as the guardian ad litem or mediator in hundreds of cases that also included the issue of divorce.

(2) Equitable Division of Property: I have represented clients in hundreds of cases involving the issue of equitable division of marital assets and debts. Specifically, I have dealt with the identification, valuation, and division of many different types of marital assets, including, but not limited to, real estate, rental properties, time shares, retirement accounts, pension plans, state retirement, military retirement, investment accounts, bank accounts, automobiles, and personal property. In addition, many of the equitable division cases I have handled also included the identification and division of different types of marital debt, including mortgages, equity lines, secured debts, unsecured debts, tax debts, credit card debts, and personal loans. Moreover, several of the equitable division cases I have handled have included the issues of proving whether an asset is marital or non-marital, whether a non-marital asset has been transmuted into marital property, and whether a spouse has acquired a special equity interest in the other spouse's non-marital asset. Finally, I have mediated numerous cases involving the issue of equitable divisions of property and debts, a few of which have involved the division of millions of dollars of marital assets.

(3) Child Custody: I have served as the attorney, guardian ad litem, or mediator in hundreds of child custody cases since I began practicing law. As the attorney, I have represented mothers, fathers, grandparents, and other third parties in all types of child custody cases, including initial child custody determinations, modification actions, relocation cases, third party custody disputes, and other child-related issues. In addition, as the guardian ad litem, I have represented the best interests of hundreds of children in contested child custody cases.

Although the majority of the cases settled prior to trial, I have been involved in many child custody cases where the trial lasted anywhere from one (1) to five (5) days. Finally, as the mediator, I would conservatively estimate I have successfully mediated over one hundred (100) child custody cases in the past five (5) years.

(4) Adoption: Although I mostly represent clients in relative adoptions, I have also represented several clients in non-relative adoptions. In addition to representing clients in adoption cases, I have served as the guardian ad litem in many contested and uncontested relative and non-relative adoptions. The most significant adoption case I have been involved in as the attorney was a case where I successfully defended the biological mother and adoptive father when the biological father attempted to overturn the adoption based on fraud, etc. The most significant adoption case I have been involved in as the guardian ad litem was a case where the biological mother unsuccessfully tried to withdraw her consent. In short, I would conservatively estimate I have served as the attorney or guardian ad litem in hundreds of adoption cases over the past twenty-one (21) years.

(5) Abuse and Neglect: Because I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program for over thirteen (13) years, I have been involved in hundreds of DSS child abuse and neglect cases. During that time, I would conservatively estimate I represented the volunteer guardians ad litem in thousands of DSS hearings, including probable cause hearings, status hearings, motion hearings, merits hearings, removal hearings, intervention hearings, judicial review hearings, permanency planning hearings, and termination of parental rights hearings. In addition, before I was a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program, I was court appointed to serve as the guardian ad litem or attorney for several adults in DSS adult protective services cases. Moreover, I have been court appointed or retained to represent parents and other third parties in numerous DSS child abuse and neglect cases.

(6) Juvenile Justice: I have been court appointed to serve as the attorney or guardian ad litem for a juvenile on a few occasions. In addition, I have represented adults in criminal cases in the past, and I believe I have sufficient knowledge of criminal law and procedure. However, if I am elected to the Family Court Bench, I intend to spend as much time as possible viewing DJJ hearings before I take the bench; I will pay careful attention to this area of the law in Judge's School; and I will ask to sit with a Family Court Judge who is hearing DJJ cases during my training.

Within the past five (5) years, I have appeared before a Family Court Judge for over seven hundred (700) hearings (Note: I have made a good faith effort not to include the hundreds of DSS hearings I appeared in as a contract attorney for the Spartanburg County Volunteer Guardian ad Litem Program prior to June 30, 2015).

Mr. Thigpen reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0;
(b) State: An average of 145 court appearances per year.;
(c) Other: 0.

Mr. Thigpen reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 99%;
(d) Other: 1%.

Mr. Thigpen reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 0%;
(b) Non-jury: 100%.

Mr. Thigpen provided that during the past five years he most often served as sole counsel.

The following is Mr. Thigpen's account of his five most significant litigated matters:

(a) Staggs v. Staggs, 2011-DR-42-3102, was a contested decree of separate support and maintenance action, which lasted over two (2) years, and I represented the wife. The issues that were tried were the wife's request for alimony, both parties' requests for an equitable distribution of the marital assets and debts, and the wife's requests for attorney's fees and costs. After an all day trial, the wife, who was disabled, was awarded $600.00 per month in permanent periodic alimony, equitable distribution of the marital assets and debts, and all of her attorney's fees and costs. Although the case did not involve complex issues, it was significant to me because the wife, who was not represented by counsel at the temporary hearing, was not awarded any temporary alimony, and I was able to assist her in obtaining permanent periodic alimony and reimbursement for all of her attorney's fees and costs at the final hearing.

(b) Wright v. Staggs, et al., 2003-DR-42-3288, was an action wherein I represented the maternal grandmother who sought to terminate the parental rights of the biological father in and to his two (2) minor children on the ground that he was convicted of the murder of the children's biological mother pursuant to S. C. Code Ann. § 63-7-2570(10). After hearing the testimony of the children's therapist and other witnesses, the court found it was in the children's best interests for the parental rights of the biological father in and to his minor children to be forever terminated. In addition, the court granted the maternal grandmother's request to change the children's surname from the biological father's surname to her surname. Although the biological father appealed the decision, the Court of Appeals affirmed the trial court's decision in an unpublished decision.

(c) Simpson, et al. v. Pham, et al., 2001-DR-23-5811, was an action wherein the biological father sought to overturn his biological daughter's adoption by her stepfather almost two (2) years after the adoption was finalized, and I represented the mother and the adoptive father. The case was interesting because the biological father

and his mother sought to have the mother's marriage to the adoptive father annulled; the biological father's mother sought to either directly or collaterally attack the adoption even though she was not a party to the adoption action; and the biological father and his mother also sought to have the biological father's consent/relinquishment set aside even though a final decree of adoption had already been entered. Although the majority of those alleged causes of action were dismissed based on a pretrial motion prior to trial, we were required to try the issue of whether or not the biological father could collaterally attack the adoption based on extrinsic fraud, and the court found the father failed to prove extrinsic fraud by clear and convincing evidence and dismissed the case.

(d) Rollins v. Rollins, 2003-DR-42-1665, was a divorce action wherein the primary issue was child custody and I represented the father. The mother, who initially moved to Tennessee to live with family when the parties separated, was granted temporary custody of the parties' minor child at the temporary hearing, and we learned shortly before the final hearing that she had moved to Georgia. In preparation for trial, I was relying on the long-standing presumption against allowing a parent to relocate with a child out of state, as set forth in McAllister v. Patterson, 278 S.C. 481, 299 S.E.2d 322 (1982), but the Supreme Court overruled McAllister in Latimer v. Farmer, 360 S.C. 375, 602 S.E.2d 32 (2004), a few weeks before the final hearing. Fortunately, after a three (3) day trial, I was able to successfully argue that the case of Davis v. Davis, 356 S.C. 132, 588 S.E.2d 102 (2003), allowed the court to consider the mother's avowed desire to continue living out of state if she was awarded custody of the child as a factor in determining which parent should be awarded custody in an initial child custody determination, and the father was awarded custody of the parties' minor child.

(e) Penland v. Penland, 2005-DR-42-2246, was an extremely contested child custody case, which lasted almost three (3) years, wherein I served as the guardian ad litem for the parties' minor children. Due to the mother's

allegation that the father was alienating the children from her, the father's allegation that the mother abused prescription drugs and alcohol, and both parents' allegations of domestic violence, I arranged for Dr. Selman Watson to conduct a full custody evaluation of the parties and their minor children, with a specific request that he determine whether or not there was any evidence of parental alienation. The mother, who was represented by three (3) different attorneys at the beginning of the case, was self-represented for the majority of the case, and she filed numerous pro se motions, which resulted in over twenty (20) hearings and Orders during the pendency of the case. After hearing almost five (5) days of testimony, the Honorable Wesley L. Brown issued a fiftyfive (55) page Order awarding the father custody of the parties' minor children and denying the mother any visitation with the parties' minor children until she successfully completed substance abuse treatment.

The following is Mr. Thigpen's account of the civil appeal he has personally handled:

Walters v. Pitts, Unpublished Opinion No. 2006-UP-174, was a child support modification action wherein I represented the mother. After the court increased the father's child support retroactive to January 1, 2002, required the father to pay his child support payments via wage withholding through the clerk of court's office, and awarded the mother attorney's fees and costs, the father appealed. In his appeal, the father argued the Family Court erred in: (1) increasing his child support obligation retroactive to January 1, 2002; (2) requiring him to pay his child support payments via wage withholding through the clerk of court's office; and (3) awarding the mother attorney's fees and costs. In an unpublished opinion, the Court of Appeals found the Family Court erred in increasing the father's child support obligation retroactive to January 1, 2002, but found the facts of the case warranted a retroactive increase to December 29, 2003. In addition, the Court of Appeals affirmed the Family Court's decision to require

the father to pay his child support payments via wage withholding through the clerk of court's office and the award of attorney's fees and costs.

The following is Mr. Thigpen's account of criminal appeals he has personally handled:

State v. R. W. T. (initials are used for the defendant because the charge was later dismissed and expunged) was an appeal of a criminal domestic violence conviction from the Magistrate Court to the Circuit Court wherein I represented the defendant. On appeal, I argued the Magistrate had improperly charged the jury on the law of self-defense where the defendant used non-deadly force in self-defense. Specifically, I argued the Magistrate's charge to the jury indicated the defendant had a duty to retreat before he could use nondeadly force in self-defense, and the charge also indicated to the jury that the defendant had to be in fear of death or great bodily harm before he could use non-deadly force in selfdefense. The Circuit Court reversed the defendant's conviction and remanded the case to the Magistrate Court for a new trial, but the charge was later dismissed and expunged.

Mr. Thigpen further reported the following regarding unsuccessful candidacies:

In 2012, I was a candidate for the newly created seat for Judge of the Family Court, AtLarge, Seat 6; the JMSC found me Qualified, Not Nominated; and the Honorable David E. Phillips was elected to that seat.

In 2016, I was a candidate for the newly created seat for Judge of the Family Court, AtLarge, Seat 7; the JMSC found me Qualified, Not Nominated; and the Honorable Thomas T. Hodges was elected to that seat.

(9) Judicial Temperament:

The Commission believes that Mr. Thigpen's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification reported Mr. Thigpen to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. He was found "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

The Upstate Citizens Committee Report included the following Summary Statement: "The committee is extremely impressed with Mr. Thigpen's depth of experience. He has practiced in every area of the Family Court. He has significant experience as a Guardian ad Litem. The number of GAL cases he has handled indicates his peers and Judges trust his judgment, ethics and knowledge. Additionally, a candidate with such extensive GAL experience indicates the ability to work well with others and we believe is a positive indicator for a desirable judicial temperament."

Mr. Thigpen is married to Laurie Lynn Ver-Cauteren Thigpen. Mr. Thigpen does not have any children.

Mr. Thigpen reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar, Member of Family Law Section;
(b) American Bar Association (ABA), Member of Family Law Section; and
(c) Spartanburg County Bar Association, 2018 Chair of Family Court Committee.

Mr. Thigpen provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Mr. Thigpen further reported:
As a sole practitioner, I have always taken pride in the quality of my work, which has often times caused me not to delegate as much work as I should to my legal assistant and others. Therefore, because I understand the duties of a Family Court Judge extend far beyond the courtroom, I believe it could reflect negatively on me if I do not delegate some responsibilities to my administrative assistant and others.

On the other hand, because I have had family members involved in Family Court litigation, I have firsthand knowledge of the emotional and financial impact Family Court litigation has on the parties, their families, and the children involved. In addition, for almost twenty-two (22) years, I have devoted my practice almost exclusively to Family Court cases, and I have been involved in thousands of Family Court cases as the attorney, guardian ad litem, or mediator. Moreover, I believe my years of experience have provided me with the insight necessary to understand how a Family Court Judge's decision can forever change the lives of families, and most importantly children. In short, I believe the fact that I have devoted my practice almost exclusively to Family Court cases for almost twenty-two (22) years should reflect positively on me as a candidate for Judge of the Family Court.

(11) Commission Members' Comments:

Mr. Thigpen was questioned as to his status as being legally blind. Mr. Thigpen testified before the Commission that he is physically able to perform the work of a Family Court Judge. Pursuant to the ADA, he was questioned as to whether he would be able to perform the essential function of the position with or without reasonable accommodations. Based on Mr. Thigpen's testimony, the Commission felt Mr. Thigpen addressed this to their satisfaction and found him to be Qualified and Nominated.

(12) Conclusion:

The Commission found Mr. Thigpen qualified and nominated him for election to the Family Court, Seventh Judicial District, Seat 2.

The Honorable Matthew Price Turner
Family Court, Eighth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Turner meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Turner was born in 1978. He is 40 years old and a resident of Laurens, South Carolina. Judge Turner provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Turner.

Judge Turner demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Turner reported that he has not made any campaign expenditures.

Judge Turner testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Turner testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Turner to be intelligent and knowledgeable.

Judge Turner reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Turner reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Turner did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Turner did not indicate any evidence of a troubled financial status. Judge Turner has handled his financial affairs responsibly.

The Commission also noted that Judge Turner was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Turner reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV Distinguished.

Judge Turner reported that he has not served in the military.

Judge Turner reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Turner appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Turner appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Turner was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

(a) Turner and Burney, P.C., Associate, August 2003-2007
(b) Turner and Burney, P.C., Partner, 2007 –March 2018

Turner and Burney is a general practice firm. During my time as a practicing attorney, we had offices in Laurens and Simpsonville. I represented clients in cases in Common Pleas, General Sessions, Probate Court, Family Court, and Magistrate's Court. However, at least fifty percent (50%) of my caseload was devoted to Family Court cases. I was involved in the management of the practice, including the staff and finances. I was also the attorney responsible for overseeing the firms' trust account.

Judge Turner has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Turner's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee found Judge Turner to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health and mental stability. The Committee commented that "Though he has only been on the bench a short time, Judge Turner has deep family law experience. The Committee was impressed by his work ethic and seriousness with which he has taken his judicial responsibilities."

Judge Turner is married to Megan Wadford Turner. He has two children.

Judge Turner reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
(b) Laurens County Bar; President 2006 - 2018
(c) Greenville County Bar
(d) South Carolina Association for Justice (formerly)
(e) South Carolina Association of Criminal Defense Lawyers (formerly)

Judge Turner provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) First Baptist Church, Laurens- former Chair, Board of Deacons
(b) YMCA of Greater Laurens- member and former Board Member
(c) Straight Street Youth Ministry-volunteer

Judge Turner further reported:

I have always been a driven, goal-oriented person. At a young age, I decided to attend the University of South Carolina, go to law school, and return home to practice law with my father. That is what I did. I am committed to my wife and children, my church, and my job. When I commit to do something, I put in one hundred percent (100%) effort. I pride myself on being a hard worker. To that end, I have no problem working long hours to ensure that the task is completed thoroughly and precisely. I have continued that practice on the bench. I am relatively young and have the energy and motivation needed to be an effective judge.

I have served on various boards in my community and my church. I have served as chair of the YMCA board and chair of the board of deacons of the First Baptist Church of Laurens. I volunteer at Straight Street Laurens which is a program that gives middle school and high school youth a safe environment where they can spend time together and keep them out of trouble. I have also coached many of my boys' sports teams through the YMCA. My experience coaching and volunteering at Straight Street have given me the opportunity to work with children and youth from all walks of life.

During my time in private practice, I had the pleasure of working with clients through some of the most difficult times they ever faced. I represented individuals from all walks of life, from those who are indigent to those who are very wealthy, from those who had little or no education to those who are well educated and successful. I have also been there for friends and family members who have dealt with unfaithfulness in their marriage, divorce, custody cases, and addiction. I have seen the emotional and financial stress that people go through in Family Court cases as an attorney and as a friend/family member.

I have always tried to be kind and respectful to others, and to treat them the way I want to be treated. Throughout my life, I have made

a point to be courteous to everyone and be open to what they have to say, even when I disagree with them. The experiences I have had, both professionally and personally, have served to strengthen my desire to be open minded and to treat everyone with respect.

(11) Commission Members' Comments:

The Commission was highly impressed with this judge. The Commission commended Judge Turner on his sterling reputation amongst his peers and an impressive demeanor on the bench despite his short time on the bench. The Commission advised Judge Turner to "keep up the good work".

(12) Conclusion:

The Commission found Judge Turner qualified and nominated him for re-election to the Family Court, Eighth Judicial Circuit, Seat 1.

The Honorable Joseph C. Smithdeal
Family Court, Eighth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Smithdeal meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Smithdeal was born in 1967. He is 51 years old and a resident of Greenwood, South Carolina. Judge Smithdeal provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Smithdeal.

Judge Smithdeal demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Smithdeal reported that he has not made any campaign expenditures.

Judge Smithdeal testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Smithdeal testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Smithdeal to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Smithdeal reported that he has taught the following law-related courses:
(a) Newberry Bar CLE 7/18 – Lectured on use of Court Rules and Practice Tips;
(b) NBI CLE As Judges See It 12/17 – Group discussion of Trial Strategies;
(c) SCBAR CLE 1/16 – Panel discussion on various aspects of Family Law;
(d) VFCF CLE 9/15– Lectured on changes to the DSS statutes involving children with a plan of APPLA;
(e) Law School for Non-Lawyers - Lectured multiple times over the years on topics ranging from Family Law, Workers Compensation, Probate, and the SC Court System.

Judge Smithdeal reported that he has not published any books and/or articles.

(4) Character:
The Commission's investigation of Judge Smithdeal did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation

of Judge Smithdeal did not indicate any evidence of a troubled financial status. Judge Smithdeal has handled his financial affairs responsibly.

The Commission also noted that Judge Smithdeal was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Smithdeal reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Smithdeal reported that he has not served in the military.

Judge Smithdeal reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Smithdeal appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Smithdeal appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Smithdeal was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

(a) Judson Ayers & Associates, P.C. 1992-1995, Associate attorney- Family Court, general civil & Criminal litigation - Circuit Court and Federal District Court, Workers Compensation, real estate and employment law.

(b) Ayers & Smithdeal, P.C. 1995-1997 Partner – Family Court, general civil & Criminal litigation - Circuit Court and Federal District Court, Worker Compensation, real estate, probate, employment law.

(c) Ayers, Smithdeal & Bettis, P.C. 1997-2013 Managing Partner and President – practice areas were substantially the same, but I was responsible for administrative and financial management of the firm which included the Firm's trust accounts.
(d) Family Court Judge, 2013-present.

Judge Smithdeal reported that he has held the following judicial office(s):
April 2013-present. Family Court, Eighth Judicial Circuit, Seat 3 – elected.

Judge Smithdeal provided the following list of his most significant orders or opinions:
(a) Looney v Looney – This case involved a long term marriage with disabled adult children. Mr. Looney had obtained a Dominican Republic divorce from his first wife while they were both residents of South Carolina. He then married Mrs. Looney. Mrs. Looney claimed that she and Mr. Looney were not validly married because the Dominican divorce was not legal. As the validity of marriages is reserved to the Court of Common Pleas pursuant to §20-1-510, 520 and NOT to the Family Court under its jurisdictional statute, I was forced to dismiss Mr. Looney's divorce complaint so they could litigate that issue in the Court of Common Pleas.
(b) DSS v Walls and Walls, 16-UP-483 and 16-UP-482 (S.C.Ct.App. filed November 16, 2016)– A twenty three day old baby had skull fractures, bleeding on the brain, a fractured vertebra, broken leg, broken ankle, broken ribs, and internal injuries in various stages of healing. Neither parent knew who done it. Based on the evidence presented, I was compelled to remove the child and terminate the parents' parental rights.
(c) Young v Young – This was the second marriage each for an elderly couple. The wife and her attorney presented a prenuptial agreement to the husband before the marriage. Husband willingly signed it as both spouses had substantial pre-marital property to protect. Later wife, through her adult children, attempted to set aside the agreement after she deeded all her property to her

children in an effort to lay the cost of nursing home care on the husband. After significant consideration, I denied wife's alimony claim and upheld the prenuptial agreement even though the husband was unrepresented at the time of the signing of the agreement.

(d) Mayo v Mayo – This was a heartbreaking case involving a long term marriage with five daughters. The middle daughter accused the father of sexually assaulting her during the litigation. Several experts testified, but this issue essentially came down to a classic he said-she said, and the preponderance of the evidence did not weigh more heavily on one side or the other. I did not find sexual abuse occurred, but I could not grant visitation to the father with that daughter because of the toxic relationship.

(e) Johnson v Johnson – Mother was a prison guard and was caught cheating with an inmate. Before Father filed for divorce, mother accused father of molesting the children. Father was charged criminally and accused by DSS of abuse. The divorce case was put on hold – for five years. During these years he had no visitation with his four children. He went to General Session Court and was acquitted. The DSS trial resulted in no finding of abuse or neglect against him. He spent everything he had to defend himself and try and get back together with his children. By the time of this trial, the children had grown up substantially and really did not have much interest in seeing him. I granted graduated visitation so that hopefully they could reestablish a relationship.

Judge Smithdeal has reported no other employment while serving as a judge.

Judge Smithdeal further reported the following regarding unsuccessful candidacies:
2009 I was nominated by the Judicial Merit Screening Commission and then withdrew my name from consideration before the vote. 2010 I was nominated by the Judicial Merit Screening Commission and then withdrew my name from consideration before the vote.

(9) Judicial Temperament:

The Commission believes that Judge Smithdeal's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizen's Committee on Judicial Qualification found Judge Smithdeal to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

The Citizens Committee stated, "Judge Smithdeal acted soon after being sworn in to find innovative ways to end the backlog of juvenile cases in his court. That effort is emblematic of the energy and diligence that he brings to the Family Court bench".

Judge Smithdeal is married to Elizabeth C. Smithdeal. He has five children.

Judge Smithdeal reported that he was a member of the following Bar associations and professional associations:
(a) South Carolina Bar Association
(b) Greenwood County Bar Association

Judge Smithdeal provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Knights of Columbus. My family received the family of the month award for February.
(b) Citadel Alumni Association – Life Member
(c) Our Lady of Lourdes Catholic Church – Sunday school teacher

Judge Smithdeal further reported:
Two of my children are college graduates, one is in college now, one is in high school and one is in middle school. In other words, I understand families and the issues they face. I take my younger two to school almost every day and get to work between 7:30-8:00 a.m. I prepare for court every morning and am ready to start on time with knowledge of the cases which are to come before me that day. When I ran for this judgeship I promised to be

diligent, hard-working and courteous. I believe I have honored my promise.

(11) Commission Members' Comments:

The Commission commented that it has a great impression of Judge Smithdeal and appreciates his service on the bench. They further commented that Judge Smithdeal was very diligent and forthcoming in his testimony before the Commission.

(12) Conclusion:

The Commission found Judge Smithdeal qualified and nominated him for re-election to the Family Court, Eighth Judicial Circuit, Seat 3.

The Honorable Alice Anne Richter
Family Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Richter meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Richter was born in 1977. She is 41 years old and a resident of Mount Pleasant, South Carolina. Judge Richter provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Richter.

Judge Richter demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Richter reported that she has not made any campaign expenditures.

Judge Richter testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Richter testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Richter to be intelligent and knowledgeable.

Judge Richter reported that she has taught the following law-related courses:

(a) Adjunct professor at Charleston School of Law 2009-2010, legal research and writing.
(b) Assisted in organizing and spoke frequently at the Charleston Guardian ad Litem Association monthly lunch CLE programs 2013-2015 for lay and attorney guardian ad litem related issues.
(c) I have been a guest speaker for Judge Brian Gibbons' family law class at the Charleston School of Law for the past three years on custody, termination of parental rights, assisted reproduction and jurisdictional issues.
(d) I spoke at the Orientation School for New Family Court Judges in June of 2016.
(e) Family Court Bench Bar CLE, December 1, 2017, speaker on judge's panel regarding issues related to child support, visitation and other family court topics.
(f) In the Best Interest of the Child: 2018 Guardian ad Litem Training and Update 2018, January 26, 2018. Speaker on judge's panel.

Judge Richter reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Richter did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Richter did not indicate any evidence of a troubled financial status. Judge Richter has handled her financial affairs responsibly.

The Commission also noted that Judge Richter was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Richter reported that she is not rated by any legal rating organization.

Judge Richter reported that she has not served in the military.

Judge Richter reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Richter appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Richter appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Richter was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

(a) Following graduation from law school, I clerked for the Honorable Diane S. Goodstein in the South Carolina Circuit Court for the First Judicial Circuit. No administrative or financial management at this position.

(b) From 2003 to 2004 I worked with partners and associates as a contract attorney at Moore and Van Allen in Charlotte, North Carolina. I worked on various litigation teams to assist in the defense of large corporate clients involved in complex, multi-million dollar corporate litigation. No administrative or financial management at this position.

(c) Subsequent to the birth of my son in 2004, while still in Charlotte, North Carolina, I began remotely working as a contract attorney for Richter and Haller, LLC of Mount Pleasant, South Carolina, mostly on civil cases involving complex legal issues. No administrative or financial management at this position.

(d) In 2005 I moved back to Charleston, South Carolina and became an associate of the Richter Firm, LLC, until my election to the judiciary in February 2015. I continued to work on complex civil litigation matters in Federal and State courts in South Carolina, as well as multi district litigation, administrative court, bankruptcy court, criminal court, probate court and family court. Prior to taking the bench, my practice was primarily in probate court and family court. I assisted in hiring personnel and was a co-signer on the office account.

(e) In February 2015 I was elected to the South Carolina Family Court for the Ninth Judicial Circuit, Seat two, Charleston. I have performed all functions and duties of a family court judge, including serving as Chief Administrative Judge for Charleston County from July 2017 through June 2018.

Judge Richter reported that she has held the following judicial office(s):
Elected by the legislature of South Carolina on February 4, 2015 as Judge of the Family Court for the Ninth Judicial Circuit, Seat Two, Charleston. This court is a court of limited jurisdiction as set forth in the South Carolina Code.

Judge Richter provided the following list of her most significant orders or opinions:

(a) Scheidweiler v. Phoenix, 2015-DR-10-965, 2018-UP-036.

In this private Termination of Parental Rights (TPR) action brought by the father, I found the mother's parental rights should not be terminated as father had failed to meet his burden of proof and termination would not be in the minor child's best interest. The father brought his TPR action shortly after a final order was issued in the parties' prior initial custody litigation and required a careful analysis of the Termination of Parental Rights statue and case law on the issue as applied to the unique facts of this case. My order was appealed, and my decision was affirmed by the South Carolina Court of Appeals in an unpublished opinion.

(b) Rebecca Mendez v. Carlos Francisco Franco, 2018-DR-10-871

This order issued from a joint hearing with the court in the state of California on Plaintiff's Motion for Home State Finding under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). This case had a complicated factual history and extensive analysis of the UCCJEA, South Carolina law, specific jurisdictional and substantive issues, and consultation with the court in California was required and ultimately resulted in the joint hearing being held in South Carolina and California to make a determination. California was determined to be the home state of the minor children pursuant to the UCCJEA and South Carolina law.

(c) State of South Carolina v. C.A.T, 2018-DR-10-241

The Ninth Circuit Solicitor's office brought this case against a juvenile who was alleged to have been in possession of a moped stolen from one of his neighbors. Most juvenile cases are resolved by agreement between the solicitor and defense counsel. This case was tried, and after multiple witnesses were presented, the juvenile was found guilty based on a finding that the solicitor had proven the allegations beyond a reasonable doubt. He was adjudicated delinquent and was sentenced accordingly which required the ruling balance the interests and safety of the community, the victim, and the needs and interests of the juvenile.

(d) South Carolina Department of Social Services v. J.F., 2015-DR-10-2332

This action for Termination of Parental Rights (TPR) of the mother was brought by the Department of Social Services (DSS) following the entry of a finding in an underlying child protective services case in which the child was removed from the care of mother. DSS was found to have proven by clear and convincing evidence the mother's parental rights should be terminated and that such relief was in the minor child's best interest. TPR actions are some of the most serious types of cases we hear in family court and the results have significant implications on all involved. This action differs from the private TPR action referenced previously in that the mother in this case had been provided with a treatment plan in the underlying child protective services action and had failed to sufficiently remedy the conditions that led to the child's removal from her care, which provided part of the factual basis for the termination action.

(e) Robinson v. Robinson, 2013-DR-18-557

This action for divorce, custody, alimony, equitable apportionment, and attorney fees dealt with difficult issues regarding the dissolution of the parties' marriage in a multi-day trial. The order was very detailed on each issue presented.

Judge Richter has reported no other employment while serving as a Judge.

(9) Judicial Temperament:

The Commission believes that Judge Richter's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Richter to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and, "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Lowcountry Citizens Committee commented Judge Richter is, "bright, radiant, humble… excellent."

Judge Richter is married to Joseph Paul Cerato. She has two children.

Judge Richter reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Charleston County Bar
(c) South Carolina Women Lawyers Association

Judge Richter provided that she is not a member of any civic, charitable, educational, social, or fraternal organization.

(11) Commission Members' Comments:
The Commission commented that Judge Richter has an outstanding reputation as a jurist. They noted her numerous positive responses on the Ballot Box surveys, and appreciated her humble temperament.

(12) Conclusion:
The Commission found Judge Richter qualified and nominated her for re-election to the Family Court, Ninth Judicial Circuit, Seat 2.

The Honorable Wayne M. Creech
Family Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Creech meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Creech was born in 1951. He is 67 years old and a resident of Pinopolis, South Carolina. Judge Creech provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1976.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Creech.

Judge Creech demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Creech reported that he has spent $250 in campaign expenditures for assistance with the preparation of the judicial application, paid to Lynne Messemer, and $24.70 for postage, totaling $274.70.

Judge Creech testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Creech testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Creech to be intelligent and knowledgeable.

Judge Creech reported that he has taught the following law-related courses:

(a) I taught at the New Judge Orientation School from 2003 through 2009.
(b) I have made numerous presentations to the SC Bar Family law Section
(c) I have made numerous presentations at the SC Family Court Bench/Bar CLE meetings.
(d) I have made numerous presentations to the SC Family Court Judges Association at the Spring Conferences.

(e) I have spoken numerous times to Family Law Section at the Charleston School of Law about Family Law issues.

Judge Creech reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Creech did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Creech did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Creech was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Creech reported that his last available rating by a legal rating organization, Martindale Hubbell, was B.V.

Judge Creech reported that he has not served in the military.

Judge Creech reported that he has held the following public office:
Moncks Corner Town Attorney - Elected by Town Council - November 1981-March 1987

(6) Physical Health:

Judge Creech appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Creech appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Creech was admitted to the South Carolina Bar in 1976.

He gave the following account of his legal experience since graduation from law school:

(a) Law office of H. N. West – Associate – August 1976 – July 1977 Real Estate / Family Law
(b) Dennis and Dennis – Associate – July 1977 – January 1978 Real Estate / Family Law / Criminal Law / General Civil Litigation
(c) Dennis, Dennis, and Watson – Associate – January 1978 – November 1981 Real Estate / Family Law / Criminal Law / Municipal Law / Civil Litigation
(d) Watson and Creech – Partner – November 1981 – July 1983 Real Estate / Family Law / Criminal Law / Municipal Law / Civil Litigation
(e) Watson, Creech, and Tiencken – July 1983 – January 1987 Real Estate / Family Law / Criminal Law / Municipal Law / Civil Litigation
(f) Watson, Creech, Tiencken, and West – January 1987 – March 1987 Real Estate / Family Law / Criminal Law / Municipal Law / Civil Litigation
(g) Wayne M. Creech, Sole Practitioner – March 1987 – September 30, 1988 Real Estate

Judge Creech reported that he has held the following judicial office(s):

(a) Elected by the S.C. General Assembly April 27, 1988 to fill the unexpired term of The Honorable Warren H. Jolly from October 1, 1988 - June 30, 1989.
(b) Re-elected May 3, 1989 for term from July 1, 1989 - June 30, 1995.
(c) Re-elected May 25, 1995 for term from July 1, 1995 - June 30, 2001.
(d) Re-elected February 7, 2001 for term from July 1, 2001 - June 30, 2007.
(e) Re-elected February 7, 2007 for term from July 1, 2007 - June 30, 2013.
(f) Re-elected January 30, 2013 for term from July 1, 2013 - June 30, 2019.

Judge Creech provided the following list of his most significant orders or opinions:

(a) SCDSS v the Father, the Mother and the Step-Father: Case # 88-DR-10-0608

This was the most complex and lengthy trial of my 24 year career. It is a child abuse / Child Custody case that was transferred to SC from the state of Virginia because of adverse publicity that prevented a fair trial of the issues in Virginia. The case involved allegations of ritualistic child abuse and use the child abuse protection "under-ground railroad." The case gained national and international attention. The trial court order was written by me. The decision was appealed but the appeal was ultimately dismissed by the S.C. Supreme Court.

(b) State v Annette Moody: Case # 92-JU-10-1738

This is the first S.C. case in which a legal custodian was found in criminal contempt of court for failing to supervise a juvenile released to the care of a custodian on "home detention." The criminal contempt sanction imposed was affirmed by the S.C. Supreme Court without comment in an unpublished opinion.

(c) Sharps v Sharps: 342 S.C. 71

In this case, Wife sought an increase in alimony after the emancipation of her children and cessation of child support. Husband claimed that emancipation of the children was a foreseeable future event at the time of the initial alimony award and could not be used as a changed circumstance justifying an increase in alimony. The SC Court of Appeals agreed with Husband and reversed my decision. The SC Supreme Court reversed the Court of Appeals, determined that though foreseeable, the impact of the emancipation of the children could not have been factored into the initial alimony calculation, and therefore the emancipation of the children could be used as changed circumstances for modification of the alimony initially awarded. The SC Supreme Court affirmed my decision.

(d) Latimer v Farmer: 360 S.C 375

In this child custody / relocation case, Father sought to move to Michigan with his children. Mother objected and sought custody or in the alternative denial of Father's right to move with the children. I granted

Father's request for sole custody and allowed him to relocate to Michigan.

The S.C. Supreme Court upheld my decision and changed S.C. law to eliminate the longstanding "presumption against relocation." This case also contains the first reported instance of computer assisted visitation via webcam.

(e) In The Interest of M.B.H., A Minor Under The Age of Seventeen:

In this case M.B.H. (juvenile) pled guilty to two counts of assault and battery of a high and aggravated nature (ABHAN). As part of the disposition of the offenses, the juvenile was required to register as a sex offender. The issue presented was whether there was "good cause" shown to require registry as a sex offender. The SC Supreme Court affirmed my decision to require registration and clarified the meaning of "good cause". The court found that in this context "good cause" means "only that the judge consider the facts and circumstances of the case to make the determination of whether or not the evidence indicates a risk to reoffend sexually."

Judge Creech has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Creech's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Creech to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee found Judge Creech "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Additionally, the Lowcountry Citizens Committee commented that Judge Creech was: "A++, Humble, Classy, Courteous,

Empathetic, Wise, On and on, We are very lucky to have him as a judge - Gold Standard."

Judge is married to Annette Lewis Cook Creech. He has four children.

Judge Creech reported that he was a member of the following Bar and professional associations:
(a) SC Bar Association
(b) Berkeley County Bar Association

Judge Creech provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Freedom Church of Moncks Corner - Elder
(b) Freedom Church of Moncks Corner Community Group Leader

Judge Creech further reported:
I have a wide range of legal problem solving experience. I was in general practice for 11 years prior to my election to the Family Court Bench. During that time, I served as Town Attorney and Prosecutor for the town of Moncks Corner. I was elected to the bench in 1988 and have held court in at least 28 of the 46 counties in South Carolina and have served as Chief Administrative Judge for the Ninth Judicial Circuit and Berkeley County Family Court numerous times. I am the 2010 recipient of the Buchan, Brown, Jacobs Award presented by the South Carolina Conference of Family Court Judges honoring integrity, professionalism, skill, compassion, spirit, optimism and courage.

(11) Commission Members' Comments:
The Commission commented that Judge Creech is to be commended for all that he has accomplished and for his passion and desire to continue to serve after 30 years on the Family Court Bench. Further, the Commission appreciates that Judge Creech holds himself to a high standard and his strict adherence to the letter of the law. Judge Creech is held in high esteem by his colleagues and peers.

(12) Conclusion:

The Commission found Judge Creech qualified and nominated him for re-election to the Family Court, Ninth Judicial Circuit, Seat 4.

The Honorable Edgar Henderson Long Jr
Family Court, Tenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Long meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Long was born in 1964. He is 65 years old and a resident of Anderson, South Carolina. Judge Long provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1981.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Long.

Judge Long demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Long reported that he has not made any campaign expenditures.

Judge Long testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Long testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Long to be intelligent and knowledgeable.

Judge Long reported that he has taught the following law-related courses:

(a) lectured at National Business Institute Judicial Forum "What Family Court Judges Want you to Know;

(b) lectured at Anderson County Bar Association CLE seminar, Rules to Show Cause in Family Court.

Judge Long reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Long did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Long did not indicate any evidence of a troubled financial status. Judge Long has handled his financial affairs responsibly.

The Commission also noted that Judge Long was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Long reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV

Judge Long reported that he has not served in the military.

Judge Long reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Long appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Long appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Long was admitted to the South Carolina Bar in 1981.

He gave the following account of his legal experience since graduation from law school:

January, 1982 – November, 1983, Legal Services Agency of Western Carolina, staff attorney, represented clients in family court matters, not involved in administrative or financial management.

November, 1983 – June, 1984, Law Offices of Edgar H. Long, primarily domestic relations practice, solely responsible for administration and finances.

June, 1984 – July, 1986, Tenth Circuit Solicitor's Office, represented D.S.S. and Dept. of Youth Services. Not involved in administrative or financial management.

July, 1986 – February, 1993, Chapman, King & Byrholdt, associate attorney in a three man firm, Primary responsibility for all domestic relations cases, Not involved in administrative or financial management.

February, 1993 – May, 2003, Law Offices of Long & Smith, partner (See below)

May, 2003 – June, 2006, Law Offices of Long, Smith and Burrell, partner (below)

June, 2006 – February, 2009, Law Offices of Edgar H. Long, partner

Until my election to the bench I was in private practice as a partner and later, a sole practitioner, since 1993. The primary focus of my practice was domestic relations and family law, including child custody, divorce, and all other issues that may arise in a divorce. I did a great deal of work as a court appointed Guardian ad Litem in private custody cases. I worked as a

contract attorney for the Department of Social Services, handling all types of cases involving that agency.

March of 2009 – present, Family Court Judge

Judge Long reported that he has held the following judicial office(s):
Family Court Judge since 2009.

Judge Long provided the following list of his most significant orders or opinions:
(a) State v. Jesse Osborne (waiver hearing for juvenile), case still under appellate review, Docket Nos. 2016-JU-04-236 through 2016-JU-04-245. Motion to waive juvenile up to General Sessions Court was heard between February 12, 2018 and February 16, 2018, and was granted by the court.
(b) Mary Ann Beeson v. Joseph A. Beeson, Docket No. 2008-DR-04-2622, fully contested divorce with multi-million dollar estate. Case was heard over an entire week; Order issued by the court was dated May 13, 2013, and consisted of 28 pages. No appeal taken.
(c) SCDSS v. Ngoc Tran, et al, Appellate Case No. 2014-001134, Court of appeals reversed the lower court ruling which granted Termination of Parental Rights to the Plaintiff agency. Basis for reversal was Plaintiff agency failed to ascertain status of earlier custody actions in other states.
(d) SCDSS v. Holly Smith, et al Appellate Case No. 2105-001095, Court of Appeals affirmed lower court granting of Termination of Parental Rights.
(e) Cauley v. Cauley, Docket No. 2015-DR-23-3763. Contested divorce on issues of custody, Case tried over two days. Instructions issued by the court on October 7, 2016, Order signed on November 14, 2016.

(9) Judicial Temperament:
The Commission believes that Judge Long's temperament has been, and will continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Long to be "Qualified" in the evaluative criteria of

constitutional qualifications, physical health, and mental stability. The Committee found Judge Long "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Long is married to Amy (Hunt) Tripp Long. He has two children.

Judge Long reported that he was a member of the following Bar and professional associations:
(a) Anderson County Bar Association 1982 to present
(b) S.C. Bar Association 1982 to present
(c) S.C. Trial Lawyers 1986 to 1998(?)

Judge Long provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Long further reported:
After completion of my college career, I entered U.S.C. Grad School and earned a Master's degree in public administration. Although I never worked in the area of public administration, my education gave me a background to be better organized and to better utilize my time efficiently.
After receiving my law degree, my first job was with Legal Services. This allowed me to represent lower levels of society, and gave me an appreciation of the issues that face people in this position.
After leaving Legal Services, I shortly thereafter accepted a position as Assistant Solicitor for Family Court, handling not only Department of Social Services cases, but Department of Juvenile Justice cases as well. This allowed me to gain a wealth of court room experience, as well as substantive knowledge in those areas.
In 1986, I accepted a position with a law firm in Anderson. Although I handled a large variety of cases, my primary area of practice was in domestic relations. I also developed a large practice as a Guardian ad Litem in private custody cases, which I continued until my election as a Family Court Judge.

(11) Commission Members' Comments:

The Commission commented that Judge Long has an excellent reputation in his community. The Commission also noted his good temperament and his years of service.

(12) Conclusion:

The Commission found Judge Long qualified and nominated him for re-election to the Family Court, Tenth Judicial Circuit, Seat 1.

The Honorable Huntley S. Crouch
Family Court, Eleventh Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to S.C. Code Ann. § 2-19-40, the chairman of the Commission waived the public hearing for Judge Crouch, upon recommendation of the Commission members, since she took the bench within the last year, her candidacy for re-election was uncontested, and there was no substantial reason for having a public hearing regarding her candidacy.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Crouch meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Crouch was born in 1972. She is 46 years old and a resident of Lexington, South Carolina. Judge Crouch provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Crouch.

Judge Crouch demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

(3) Professional and Academic Ability:

The Commission found Judge Crouch to be intelligent and knowledgeable.

Judge Crouch reported that she has taught the following law-related courses:

a) I lectured at the South Carolina Bar Convention 2016 in Charleston, South Carolina as part of the Children's Law Committee CLE. I presented on the topic of Father's Rights, Alienation, and Ethical considerations for practicing family law attorneys.

b) The Honorable Anne Gue Jones invited me to speak at the December 2016, Family Court Bench/Bar CLE on the issues of Guardians *ad Litem* in Family Court. I also presented on the importance of the Form 4 in Family Court.

Judge Crouch reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Crouch did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Crouch did not indicate any evidence of a troubled financial status. Judge Crouch has handled her financial affairs responsibly.

The Commission also noted that Judge Crouch was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Crouch reported that she is not rated by any legal rating organization.

Judge Crouch reported that she has not served in the military.

Judge Crouch reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Crouch appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Crouch appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Crouch was admitted to the South Carolina Bar in 1998.

She gave the following account of her legal experience since graduation from law school:

1998-1999 Law Clerk to the Honorable Wyatt T. Saunders, Circuit Court Judge, Eighth Judicial Circuit

1999-2010 Brown, Jefferies & Boulware; contract attorney with general practice firm. No involvement in management from an administrative or financial aspect at all.

2010-2014 Cofield Law Firm: associate attorney hired to create Family Law division in general practice firm. No involvement with financial management of this entity and no authority over and no management of trust accounts. Some involvement in management from an administrative/personnel standpoint, as I was included in the hiring and firing of employees and in calling meetings when necessary to address any issues or concerns related to personnel.

2014-2016 Cofield Law Firm: partner in five attorney general practice firm heading up Family Law division. No involvement with financial management of this entity and no authority over and no management of trust accounts. Some involvement in management from an administrative/personnel standpoint, as I was included in the hiring and firing of employees and in calling meetings when necessary to address any issues or concerns related to personnel.

2016-2018 Law Offices of Huntley S. Crouch, LLC: member, solo practice firm practicing in the area of family law and family court mediations. Solely responsible for all aspects of the firm, including management and reconciliation of all accounts.

Judge Crouch further reported the following regarding unsuccessful candidacies:

> I ran for Family Court for an at-large seat in Spring 2017. I was found qualified and was nominated. I withdrew prior to the vote, and The Honorable Thomas Hodges was elected.

(9) Judicial Temperament:

The Commission believes that Judge Crouch's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Crouch to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental stability.
The Committee commented Judge Crouch was pleasant, she will strive to gain experience, and she is well qualified.

Judge Crouch is married to Charles "Chuck" Martin Crouch, Jr. She has three children.

Judge Crouch reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) Lexington County Bar Association, Executive Committee; Mediation Chair
(c) South Carolina Bar, Judicial Qualifications Committee Member
(d) South Carolina Bar, Children's Law Committee and legislative sub-committee member
(e) Special Committee, Guardian *ad Litem*

Judge Crouch provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) School Improvement Council, Lexington 1 School District; 3 years

(b) Lexington United Methodist Church, Snack Sacks program; nationally recognized in People Magazine's Allstars Among Us campaign. Also, I was the recipient of a grant to help expand the program after submitting a favorable application. Currently send home approximately 290 bags of healthy snacks each weekend for school aged children in need.

(c) Lexington Life magazine's Best in Lexington Family Lawyer; 3 years

Judge Crouch further reported:

I grew up playing in the law library, back when there were such things, in my father's law firm. I would pull the books from the shelves, pretending that I was a great lawyer like my father, preparing to argue a landmark case. That was in the fifth grade. As a child, I thought my father was the greatest attorney. As an adult, I still believe that, but now I understand that it is not his skill at arguing a case before a jury which makes him great, but it is his approach to his practice and his treatment of his clients. Even after practicing for over forty years, he still approaches every case as if it is the most important case and every client as if he or she is the most important client. All of this is to say that as an attorney, I tried to mimic the very best attributes that I learned from my father. I treated my clients with respect. I approached every case, no matter the size, no matter the issue, very seriously. I was sensitive to the fact that my clients entrusted me with some of the most important aspects of their lives—children, homes, futures. I am a planner. I planned on finishing college in three years. I planned on practicing law with my father, who as I stated above, is the greatest teacher and mentor, while I learned to be the kind of lawyer I am and while I raised my children. I planned on practicing law and establishing myself in the community. And, I planned on becoming a judge.In addition to being influenced in my career by my father, I was also influenced by the late Honorable Wyatt T. Saunders. I served as his very first law clerk when he took the bench in Circuit Court. My employment with Judge Saunders

created in me a great respect for the behind-the-scenes in a courthouse. I understand the importance of keeping a docket and being ever mindful of the Court's time and, likewise, the attorneys' and litigants' time. I understand taking matters under advisement and filing the MUA reports. I created a system of keeping up with due dates for orders. I know the organizational pitfalls to avoid.Perhaps the lesson that will serve me best as a judge, though, is that one garners respect when one gives respect. As a judge, I want the litigants and their representatives to leave the courtroom knowing they were treated respectfully and fairly by an ethical and knowledgeable judge. I believe my experience as a researcher, writer, student, advocate, Guardian ad Litem, mediator, and philanthropist lends itself to my being that judge.

(11) Conclusion:

The Commission found Judge Crouch qualified and nominated her for re-election to the Family Court, Eleventh Judicial Circuit, Seat 2.

The Honorable Robert E. Newton
Family Court, Eleventh Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Newton meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Newton was born in 1964. He is 54 years old and a resident of Lexington, South Carolina. Judge Newton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Newton.

Judge Newton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Newton testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Newton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Newton to be intelligent and knowledgeable.

Judge Newton reported that he has taught the following law-related courses:

(a) I have presented at the Orientation School for New Family Court Judges on the topic of DSS Abuse/Neglect cases on June 3, 2015; June 1, 2016; May 3, 2017; and May 16, 2018.

(b) I participated as a presenter at the Lexington County Bar Association Judicial Panel CLE on April 16, 2012 and September 28, 2016.

(c) I have presented at the Lexington County Volunteer Juvenile Arbitrator Training Program in September of 2014, 2015, 2016, and 2017.

(d) Over the past several years, I have regularly presided over numerous ceremonies which included giving a speech and swearing in of new guardian ad litems for the Lexington Guardian ad Litem Program. Thus far, I have administered the oath to over 88 volunteers who have offered to serve as guardian ad litem in DSS abuse/neglect actions.

(e) I served as moderator / presenter as an attorney with a panel of Family Court Judges at the Family Court Bench / Bar CLE in December, 2011, on the topic of "How to settle cases in today's economy".

(f) I served as a panel member for a presentation at the Family Court Bench / Bar CLE in December, 2008, on the topic of "Blended Mediation and Arbitration in Family Court".

Judge Newton reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Newton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Newton did not indicate any evidence of a troubled financial status. Judge Newton has handled his financial affairs responsibly.

The Commission also noted that Judge Newton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Newton reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV.

Judge Newton reported that he has not served in the military.

Judge Newton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Newton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Newton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Newton was admitted to the South Carolina Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

(a) 1988 until 1992 – Coleman, Sawyer, Breibart, & McCauley. I began working as a law clerk during law school for this firm and joined as an associate after graduation. Our firm had offices in Saluda, SC and Lexington, SC. This was a litigation intensive firm where my practice was devoted to approximately 75% domestic / family court matters (including all aspects of divorce, child custody, visitation, child support, alimony, equitable division) 20% civil litigation (including personal injury), and 5% criminal defense (including juvenile matters). This firm dissolved its association when C. David Sawyer was elected to the Family Court bench in 1992.

(b) 1992 until December, 2003 – Breibart & McCauley, P.A. (subsequently Breibart, McCauley & Newton, P.A.). My practice remained essentially as described above divided between domestic / family court (approximately 75%), civil litigation (20%), and criminal defense (5%). I assisted in managing and maintaining the firm trust account related to my files. I left this firm and it was dissolved in December of 2003.

(c) January, 2004 until June, 2012 - The Dooley Law Firm, P.A. This firm was comprised of 3 other attorneys upon my departure. My practice remained devoted to the areas as described above until approximately 2009 when I began to cultivate a practice limited to Family Court Mediation and Arbitration. At the time of my departure to become a Family Court Judge my practice was almost exclusively devoted to Family Court Mediation and Arbitration which I conducted statewide. I managed and maintained my individual trust account as well as assisting in managing the firm operating account as a shareholder.

(d) July, 2012 until the present time - I am currently honored to serve as a Family Court Judge for the Eleventh Judicial Circuit, Seat 3, and have served continuously since my election in 2012.

Judge Newton has reported no other employment while serving as a judge.

Judge Newton further reported the following regarding unsuccessful candidacies:
Yes. In 1992 I ran unsuccessfully for the South Carolina House of Representatives, House District 39 (Saluda and Lexington Counties). I ran unsuccessfully for the Lexington School District One School Board in 2002. In the Fall of 2006 (election February 2007) I ran unsuccessfully for Family Court Judge, Eleventh Judicial Circuit, Seat 2.

(9) Judicial Temperament:
The Commission noted the temperament issues evidenced in the Ballot Box surveys and in the Midlands Citizen Committee report. Judge Newton stated that he took the comments very seriously and intends to genuinely use those to better himself as a judge.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Newton to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, mental stability, and judicial temperament. There were comments that Judge Newton is "rude to lawyers, sometimes raised issues that weren't relevant, and needs to be more pleasant to litigants."

Judge Newton is married to Caroline Steppe Newton. He has one child.

Judge Newton reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) South Carolina Conference of Family Court Judges

(c) National Council of Juvenile and Family Court Judges
(d) South Carolina Family Court Judges Advisory Committee
(e) South Carolina Bar Pro Bono Board
(f) Children's Justice Act Task Force with the Children's Law Center

Judge Newton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Member of the American Motorcyclist Association.
(b) Member of the Harley Owners Group.
(c) Member of the BMW Motorcycle Owners Association

(11) Commission Members' Comments:
The Commission expressed its concerns regarding negative Ballot Box surveys related to Judge Newton's demeanor. The Commission observed that Judge Newton had already taken the comments seriously and commended him on already making a conscious effort to use those negative comments to be a better jurist. The Commission was confident that Judge Newton was highly capable and competent on the bench, but advised Judge Newton to "wear the robe lightly" going forward and to continue improving on the areas of concern.

(12) Conclusion:
The Commission found Judge Newton qualified and nominated him for re-election to the Family Court, Eleventh Judicial Circuit, Seat 3.

The Honorable Timothy H. Pogue
Family Court, Twelfth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Pogue meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Pogue was born in 1951. He is 67 years old and a resident of Marion, South Carolina. His application reveals that he has been a resident of South Carolina for at least the immediate past

five years and has been a licensed attorney in South Carolina since 1977. He was also admitted to the Kentucky Bar since 1976.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pogue.

Judge Pogue demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pogue reported that he has not made any campaign expenditures.

Judge Pogue testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pogue testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Pogue to be intelligent and knowledgeable.

Judge Pogue reported that he has taught the following law-related courses:

(a) A business law class at Francis Marion University many years ago.
(b) A presentation entitled "*Motions for Reconsideration Under Rule 59(e)*" with the Honorable Anne G. Jones at the 2011 Family Court Bench/Bar Conference on December 8, 2011.
(c) A presentation at the 2011 Horry County Family Court CLE on December 15, 2011.

(d) Serving as a mock tyrial judge at the 2011 Middle School Mock Trial Competition in Conway on November 5, 2011.
(e) As a panelist at the National Business Institute Judicial Forum entitled "What Family Court Judges Want You to Know" on May 11, 2012.
(f) A "Hollywood Square" type presentation at the December 7, 2012 Family Court Bench/Bar Seminar with eight (8) other judges and moderated by the late Honorable Tonya Gee.
(g) A "Hollywood (Judicial) Squares" presentation at the South Carolina Bar Annual Convention on January 24, 2014.
(h) As a Discussion Group Leader during a four (4) day course at The National Judicial College in Reno, Nevada entitled Child Custody Challenges: Evidence and Orders. The dates for this course were October 20, 2014 – October 23, 2014.
(i) Teaching Family Court Rules and Judicial Bypasses at the Orientation School for New Family Court Judges in 2014, 2015, 2016, 2017 and 2018.
(j) A panel discussion entitled "Alimony Hypotheticals That We'd Like Answered" with three other Family Court Judges at the 2015 Horry County Family Court Continuing Legal Education Seminar held on February 11, 2015.
(k) Conducting a two hour presentation on Alimony in 2016, 2017, 2018 at the Charleston School of Law. The Honorable Brian Gibbons taught the two week Maymester Class.
(l) Moderating and presenting at the Lexington County Bar Association: Anti-Human Trafficking and Ethics Seminar held on August 4, 2016.
(m) As the Program Moderator for a statewide mandatory meeting of all South Carolina Circuit Court and Family Court Judges on Human Trafficking in the South Carolina Courts. The program was held August 16, 2016.
(n) On February 13, 2017 he participated in another "Judicial Squares" type program at the Horry County Family Court Seminar.
(o) On December 1, 2017, he and Brendan Barth presented: Top 10 List From and For the Bench and Bar. This was a presentation covered the top 10 pet peeves the Bench had with the Family Court Bar, and Brendan presented the top 10 pet peeves the Family Court Bar had with the Family Court Bench.

(p) This same presentation to the Horry County Family Court Seminar on February 16, 2018.

Judge Pogue reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Pogue did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Pogue did not indicate any evidence of a troubled financial status. Judge Pogue has handled his financial affairs responsibly.
The Commission also noted that Judge Pogue was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Pogue reported that his last available rating by a legal rating organization, Martindale-Hubbell, was 4.4 out of 5 and was BV.

Judge Pogue reported that he has not served in the military.

Judge Pogue reported that he has held the following public office(s):
A member of Marion School District #1 Board of Trustees from July 1, 1991 to June 30, 1996, and from July 1, 1997 to June 30, 2003. This Board was appointed by the Marion County Board of Education.

(6) Physical Health:

Judge Pogue appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Pogue appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Pogue was admitted to the South Carolina Bar in 1977.

He gave the following account of his legal experience since graduation from law school:

a) An associate with the Law Office of Derrick and Derrick from August of 1976 until December of 1978. They were in the general practice of law including all areas of practice. He had no administrative or financial management of this entity.

(b) In December of 1978 he became a general partner with the Law Office of Derrick and Pogue and remained so until September of 1985. They continued with the general practice of law and were also part-time public defenders. He was an equal partner and shared in the administrative and financial management of the firm and was a signatory on the office trust account.

(c) On October 1, 1985 he opened the Law Office of Timothy H Pogue. He remained in the general practice of law and was also the contract attorney for Marion County DSS, Marion County Attorney, and attorney for Pee Dee Federal Savings Bank until his election to the bench. While a sole practitioner, he was solely responsible for the administrative and financial management of the firm and the only one authorized to sign its trust account documents.

Judge Pogue provided the following list of his most significant orders or opinions:

(a) Fannie Mason v. Jerry Mason

Unpublished Opinion No. 2001-UP-548 – Filed December 6, 2011.

This case involved equitable division, alimony, and attorney fees. The parties had been married for almost thirty years. I did not divide the plaintiff's retirement on the same percentage of the marital estate for a variety of factors I cited in my final order. The Court of Appeals upheld my decision in an unpublished opinion.

(b) Kevin Medlin v. Crystal White, n/k/a Crystal Stroud

Unpublished Opinion No. 2011-UP-170 – Filed April 19, 2017.

This case involved a modification of child support brought by the father. These parties had previously been involved in a very contentious divorce, custody, visitation, and child support action. After the action the mother remarried and the father alleged that the defendant's new husband made false allegations against him, causing him to lose his good paying job. The father then brought this modification action and I found that his reduction in income was through no fault of his own, but rather through the mother's new husband's conduct. I did not find he should be imputed with the income he was making at the time of the divorce and reduced his child support obligation. I further allowed him to pay the accumulated arrears over a four year period, and denied the mother's request for attorney fees and costs. The South Carolina Court of Appeals affirmed my decision in an unpublished opinion.

(c) Michael L. Hughes v. Cyndie B. Hughes

Unpublished Opinion No. 2017-UP-304 – Filed July 26, 2017

This case involved the husband requesting a downward modification of his alimony payments to his ex-wife. I denied his request and he appealed alleging he was entitled to a trial de novo because there was no evidence introduced at the original trial about his ability to pay support; that I did not find that he had demonstrated a material and substantial change of circumstances warranting modifications of alimony; and finally in my awarding the wife attorney fees and costs. The Court of Appeals affirmed my ruling stating that I could not overrule an unappealed order of another family court judge because it had become the law of the land, and that I did not abuse my discretion in finding the husband was not entitled to a reduction in his alimony, and for awarding the successful wife's attorney fees and costs.

(d) In the Interest of Kenneth Christian O'Neill 2009-JU-26-721, 722 and 723

Heard on February 5, 2010, my decision was filed February 26, 2010

This case involved a juvenile waiver matter. The minor defendant was 14 years 9 months old at the time of the alleged incident. He was charged with kidnapping, armed robbery, and assault and battery with intent to kill. His biological mother and her boyfriend were adult co-defendants. This waiver hearing last 1.5 days with a lot of expert testimony as to his competency and also whether he should be waived to General Sessions Court. After listening to all of the testimony and reviewing the law set out by the United States Supreme Court, I found that he should be waived to General Sessions Court and tried as an adult. He and his co-defendants subsequently plead guilty to some of these charges. This case was not appealed.

(e) Maxie Burgess v. Brook L. Arnold

422 S.C. 154, 810 S.E. 2d 255 (App. 2018)

This case involved an initial custody action between two parents who were not married. I granted joint custody with the father being granted primary custody should the mother relocate to Florida. The mother appealed and the Issues on Appeal were whether I erred in awarding joint custody as being in the son's best interest and whether the award of primary custody to the father in the event the mother relocated to Florida was in the son's best interest. The Court of Appeals concluded that I had correctly characterized the parties' custody arrangement prior to the action being filed; that being one of the joint custody. The Court further stated in its opinion that not only was my finding of joint custody supported by the testimony but also by the report of the guardian ad litem. The minor child (who was eight at the time of the action) also expressed a desire to continue with the joint custody arrangement. However, the Court of Appeals reversed me stating that in their opinion, continuing the prior arrangement was not in the child's best interest. The Court cited Patel v. Patel, 359 S.C. 515, 528, 599 S.E. 2d 114, 121 (2004) and stated that "although the legislature gives family court judges the authority 'to order joint or divided custody [when] the court finds it is in the best interests of the child'… joint or divided custody should only be awarded [when] there are exceptional circumstances." They went on to further

> opine: "While Son's opportunity to spend more time with Mother will undoubtedly come at the expense of less time with Father and his paternal grandparents, Mother's sole custody of Son, regardless of whether she locates to Florida, is in the Son's overall best interest."
> I included this case because it has been discussed in great detail between some of my colleagues and myself as to the status of joint custody versus sole custody in future cases. We felt the legislature and the Court were moving in a direction to favor joint custody. However, I just discovered the Supreme Court of South Carolina denied the petition for writ of certiorari on June 27, 2018.

Judge Pogue reported the following regarding his employment while serving as a judge:

I have not been employed while serving as a judge, part-time or full-time other than being on the Board of Directors for Pee Dee Federal Savings Bank.

Judge Pogue further reported the following regarding unsuccessful candidacies:

Yes, I ran for Marion County Board of Education, Seat #1 on April 6, 2004 and lost by fifty-three (53) votes to Rita C. Hennecy.

(9) Judicial Temperament:

The Commission believes that Judge Pogue's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Pogue to be "Qualified" as to constitutional qualifications, physical health, and mental stability, and "Well Qualified" as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Pogue is married to Deborah Joan Altman Pogue. They have two children.

Judge Pogue reported that he was a member of the following State Bars and professional associations:

(a) Kentucky, 1976;
(b) South Carolina, 1977;
(c) Marion County Bar Association 1977 – President in 1996;
(d) South Carolina Association of Family Court Judges, Secretary-Treasurer – 2013-2014, Vice President 2014 – 2015, and President – 2015 - 2016

Judge Pogue provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) The Marion Chamber of Commerce, Board of Directors from 1987 -1989 and served as President in 1989. He received the Community Service Award in 2003.
(b) Marion Presbyterian Church for forty (40) years, Elder, Deacon, and Sunday School Teacher for thirty-five (35) years.
(c) Historic Marion Revitalization Commission.
(d) Marion County Museum.

Judge Pogue further reported:

I know of nothing that would negatively impact my candidacy. On the positive side, I have worked very hard over the last forty-two (42) years for my family, former clients, church, community, educational system, county, state, judicial system, the people of South Carolina and my God. I feel I have spent my personal, professional, and judicial life giving back to the people, community and state that are so special to me. I believe I have served and helped the people of Marion County and the State of South Carolina as a lawyer, juvenile defender, DSS Attorney, County Attorney, and now as a Family Court Judge. I hope to be fortunate enough to do so until my retirement.

(11) Commission Members' Comments:

The Commission commented that Judge Pogue has an outstanding reputation as a Family Court Judge and now has a wealth of experience in presiding over Family Court matters.

(12) Conclusion:

The Commission found Judge Pogue qualified and nominated him for re-election to the Family Court, Twelfth Judicial Circuit, Seat 1.

The Honorable Fitzlee Howard McEachin
Family Court, Twelfth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to S.C. Code Ann. § 2-19-40, the chairman of the Commission waived the public hearing for Judge McEachin, upon recommendation of the Commission members, since his candidacy for re-election was uncontested, and there was no substantial reason for having a public hearing regarding his candidacy.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McEachin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McEachin was born in 1982. He is 36 years old and a resident of Florence, South Carolina. Judge McEachin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McEachin.

Judge McEachin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McEachin reported that he has not made any campaign expenditures.

Judge McEachin testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McEachin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McEachin to be intelligent and knowledgeable.

Judge McEachin reported that he has taught the following law-related courses:

(a) I taught Business Law at Florence Darlington Technical College from 2009 to 2016.

(b) I taught Constitutional Law at Florence Darlington Technical College in 2015.

(c) I taught Probation, Pardon and Parole Law at Florence Darlington Technical College in 2015.

Judge McEachin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McEachin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McEachin did not indicate any evidence of a troubled financial status. Judge McEachin has handled his financial affairs responsibly.

The Commission also noted that Judge McEachin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McEachin reported that he is not rated by any legal rating organization.

Judge McEachin reported that he has not served in the military.

Judge McEachin reported that he has never held public office; however, he was elected by the General Assembly to Family Court, Twelfth Circuit, Seat 2, on February 7, 2018. He has never been sworn in.

(6) Physical Health:

Judge McEachin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McEachin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McEachin was admitted to the South Carolina Bar in 2007.

He gave the following account of his legal experience since graduation from law school:
(a) Law Clerk, Honorable Michael G. Nettles, South Carolina Circuit Court Judge McEachin (2007-2008)
(b) Twelfth Judicial Circuit Solicitor's Office (2008- present) - switched from full time to part-time in May 2011. As an assistant Solicitor, I have handled a wide range of cases ranging from property crimes and drug crimes, to murders and child-related criminal sexual conduct cases.
(c) McEachin & McEachin, P.A. (2011-present) - My private practice focuses primarily in the areas of domestic relations litigation and civil litigation. I have been involved in the administrative and financial management of out-two man firm since 2015, and I currently maintain and manage the firm's trust account.

Judge McEachin reported that he has held the following judicial office(s):

No. However, I was elected to the South Carolina Family Court by the South Carolina General Assembly on February 7, 2018. I will not be sworn in until January 2019.

(9) Judicial Temperament:

The Commission believes that Judge McEachin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge McEachin to be "Qualified" in the evaluative criteria of constitutional qualification, physical health, mental stability, and experience; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament.

Judge McEachin is married to Erin Olivia Tarte (McEachin). He has one child.

Judge McEachin reported that he was a member of the following Bar and professional associations:

(a) Florence County Bar Association, 2007-present
(b) South Carolina Bar Association, 2007-present
(c) South Carolina Young Lawyers Division, Circuit Representative, 2009-2011

Judge McEachin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Assistant Souct Master, Troop 477, Florence, South Carolina
(b) Florence Family YMCA Board of Directors, Vice President for Human Affairs, Florence, South Carolina
(c) The Pee Dee Area Citadel Club, President, Vice-President,

Judge McEachin further reported:

I was born and raised in Florence, South Carolina. I went to public school from first grade through twelfth grade. I

participated in youth baseball at McLeod Park and youth soccer for the Florence Soccer Association. I received my Eagle Scout from First Presbyterian Church. I attended Palmetto Boys State. I am a fifth generation, life-long member of St. John's Episcopal Church. I went to the Citadel and then to the Charleston School of Law. All of these experiences have helped to mold my temperament. My habit and custom in life has been to treat people with courtesy and respect, and that will not change if I am elected to this position.

(11) Conclusion:

The Commission found Judge McEachin qualified and nominated him for re-election to the Family Court, Twelfth Judicial Circuit, Seat 2.

The Honorable Rochelle Y. Conits
Family Court, Thirteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Conits meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Conits was born in 1965. She is 53 years old and a resident of Greer, South Carolina. Judge Conits provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Conits.

Judge Conits demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Conits reported that she has not made any campaign expenditures.

Judge Conits testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Conits testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Conits to be intelligent and knowledgeable.

Judge Conits reported that she has taught the following law-related courses:

(a) I taught briefly at the South Carolina Court Administration Orientation for Family Court Judges on July 11, 2007.
(b) I participated as a judge at the South Carolina Bar High School Mock Trial Competition on February 23, 2008 in Greenville, SC.
(c) I participated as a judge at the Carol N. Ney National Mock Trial Tournament at Furman University on March 26, 2010.
(d) I participated as a panel speaker at the National Business Institute Judicial Forum on February 18, 2011.
(e) I participated as a speaker at the Greenville High School Law Week on April 5, 2011.
(f) I participated as a speaker at the Children's Law Center Ethical Issues in Abuse and Neglect Cases on November 18, 2011.
(g) I participated as a speaker at the South Carolina Bar Family Court Bench/Bar Seminar on December 2, 2011.

(h) I participated as a speaker at the National Business Institute Judicial Forum on February 16, 2012.

(i) I participated as a judge at the Carol N. Ney National Mock Trial Tournament at Furman University on March 23, 2012.

(j) I have hosted a student intern each summer through the NMRS Center on Professionalism Judicial Observation and Experience Program.

(k) I hosted a student from the Access to Justice Commission to observe court on October 2, 2012.

(l) I participated as a panel member at the South Carolina Family Court Bench/Bar Seminar on December 7, 2012.

(m) I participated as a speaker at the South Carolina's Women Lawyer's Meeting in Greenville on December 13, 2012.

(n) I participated as a speaker at the Greenville County Bar Association Year End CLE on February 15, 2013.

(o) I taught at the South Carolina Bar Bridge the Gap Seminar at the University of South Carolina on March 11, 2013.

(p) I participated as a judge at the Carol N. Ney National Mock Trial Tournament at Furman University on March 15, 2013.

(q) I taught at the South Carolina Bar Bridge the Gap Seminar at the University of South Carolina on August 5, 2013.

(r) I spoke to the Legal Staff Professionals of Greenville on October 16, 2013.

(s) I spoke to the Palmetto Girls State in Clinton, South Carolina on June 12, 2014.

(t) I spoke at the Greenville Bar Luncheon on October 16, 2014.

(u) I completed the SC Supreme Court Pilot Mentoring Program for the newly elected Summary Court Judge on November 11, 2014.

(v) I spoke at the SC Bar Convention Family Court Judge's Meeting in Columbia on January 22, 2015

(w) I participated on the panel presentation of "What do Judges Want from the GAL & Best Practice Tips from the Bench" at the SC Bar Best Interest of the Child:

2015 Guardian ad Litem Training and Update CLE on February 6, 2015.

(x) I spoke at the SC 2015 Annual Judicial Conference on Access to Justice Issues on August 20, 2015.

(y) I spoke at the Wade Hampton High School Career Day on October 1, 2015.

(z) I participated in the South Carolina Summit on Access to Justice for All in Columbia, South Carolina on October 24, 2016.

(aa) I spoke at the SC Bar and SC Equality Post-DOMA Litigation Task Force Modern Family Seminar on March 24, 2017.

(bb) I attended and participated in the 2017 Southern Region CCJ/COSCA Models for Change Juvenile Reform Summit in Nashville, Tennessee on April 19-21, 2017.

(cc) I spoke at the Best Interest of the Child: 2018 Guardian ad Litem Training on January 26, 2018

(dd) I spoke at the Northwood Middle School Career Day on May 4, 2018.

Judge Conits reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Conits did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Conits did not indicate any evidence of a troubled financial status. Judge Conits has handled her financial affairs responsibly.

The Commission also noted that Judge Conits was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Conits reported that her last rating by a legal rating organization, Martindale-Hubbell, is AV.

Judge Conits reported that she has not served in the military.

Judge Conits reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Conits appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Conits appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Conits was admitted to the South Carolina Bar in 1992.

She gave the following account of her legal experience since graduation from law school:

(a) I graduated from law school in May 1992, and my son, Capers was born in October 1992. After law school graduation, I worked part-time as a law clerk/paralegal at Harris & Graves, Columbia, South Carolina and the Law Offices of Betty Gambrell Cobb, Columbia, South Carolina.

(b) In January 1993, I accepted my first practicing position as an Associate Attorney at the Law Offices of King & Vernon, P.A., Columbia, South Carolina. I worked primarily for Kermit S. King, focusing on private family court litigation.

(c) In January 1997, my son and I relocated to Greenville, South Carolina, after the death of my first husband, and I accepted a position at Wilkins & Madden, P.A., where I continued my family court practice.

(d) In March 2000, I was promoted to Partner at Wilkins & Madden, P.A

(e) In February 2006, Wilkins & Madden, P.A. merged with Nelson Mullins Riley & Scarborough, and I was employed as an Attorney of Counsel with NMR&S until I was sworn in to the Family Court bench in May 2006 and stopped

practicing law. I took the bench to fill the unexpired term of Stephen S. Bartlett in September 2006, and started my own term in June 2007.

(f) I have devoted my entire legal career to the area family law. While I was not involved in the financial management of any of these firms, I did supervise my secretarial and paralegal staff. I did not manage or oversee trust accounts; however, I did ensure that my timesheets were accurately reflected on monthly statements to clients.

Judge Conits further reported the following regarding unsuccessful candidacies:

I ran for a seat on the Court of Appeals in 2014; however, I was not selected for the final election although I was found to be well-qualified in all areas.

(9) Judicial Temperament:

The Commission believes that Judge Conits' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Conits to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Conits is married to Spero John Conits. She has two children.

Judge Conits reported that she was a member of the following Bar and professional associations:

SC Bar

Judge Conits provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Co-Chairman Self-Represented Litigants Sub Committee of the SC Supreme Court Access to Justice Commission

(b) Member of the SC Supreme Court Access to Justice Commission
(c) Member of the SC Bar Guardian ad Litem Tax Force Committee
(c) Recording Secretary St. George Greek Orthodox Troupe Adelphia Dance Group
(d) President St. George Greek Orthodox Troupe Adelphia Dance Group
(e) K-3 Sunday School Teacher St. George Greek Orthodox Cathedral
(h) South Carolina Family Court Judge Specialty License Plate Representative for SC Highway Department.

Judge Conits further reported:

There have been several life experiences which have affected the kind of judge I am. I strongly believe that a judge's personal life experiences come into play when exercising the wide discretion afforded a judge in making decisions and rulings.

I grew up in Lexington, South Carolina. I am 1 of 4 children. My father was a concrete finisher, and my mother was a physical therapist. I have two (2) older sisters and one (1) younger brother. My oldest sister, Barbara, died when she was in the 7th grade of cancer. My older sister, Tracy, is a 7th grade school teacher. My younger brother, Hayne, is a concrete finisher. I married the late Thomas H. Williamson, III, who died in November 1996 from cancer. I have one (1) son from this marriage, Capers, who is now 25 years old. He graduated from The Citadel Military College of South Carolina, earning a Bachelor of Arts Degree in Criminal Justice and a Master's Degree in Sports Management. He currently represents the United States as a professional javelin through for Team USA, USA Track & Field. Capers was 4 years old when his father passed away. I remarried in 2007, 11 years after Tom passed away. I was a single mother to Capers during the majority of his childhood. I remarried Spero Conits, and he and I have one daughter together, who is now 8 years old, and a rising 3rd grader at St. Mary's Catholic School.

My father operated his own concrete finishing company, and he worked extremely hard. Although he did not have more than a high school education, his hard work provided us with a

comfortable lifestyle. I learned from my father the value and reward of hard work. My father had an incredibly strong work ethic, and he did not let the fact that he did not attend college hold him back or affect his self-esteem in any manner. I gained self-esteem and confidence from my father.

My mother is a soft-spoken, kind person. She literally sees nothing but the good in every person, even those who were not always nice to her. She treats everyone as if they are wonderful, special, and deserving. I have learned the true value of every person from my mother, and the fact that every person is worthy of fair and decent treatment.

I have learned the hardship of being a single parent from the tragedy of Tom's death. I have a unique perspective of the impact being without a parent can have on a child, as I watched Capers grow up without a father. I have an understanding of the difficulties of single parenthood, and I believe this understanding helps me make good decisions for parents and children leaving Family Court. I also understand how critically important it is for children to have healthy relationships with both parents. I believe I am especially vigilant in promoting and protecting a child's relationship to both parents.

I have the experience of blending children and families from prior marriages. I have three (3) grown step-children from my first marriage, and 3 grown step-children from my current marriage, one of whom primarily resided in my home during the school year. I have a real understanding of the challenges and issues facing families as they blend together and move forward as a new family unit.

As a Family Court judge, I understand the value of every person who comes before me. I try to look at the totality of the circumstances involving litigants and their situations. I believe in the basic goodness of people, and I believe most people generally do the best they can do. I am concerned with the long-term impact of my rulings; and I try to make sure that people leave my courtroom with a sense of being treated fairly and hope for their future. I know how short and unpredictable life can be, having lost a sister and a husband to cancer. These life experiences have afforded me a true appreciation of what is important and what ultimately doesn't' matter at all. I have a special place in my heart for the parent/child relationship, having watched Capers miss Tom and learn to grow up without him.

If re-elected I will continue to do all I can to ensure that children have the opportunity to have a meaningful relationship with both parents, even in situations of divorce. I will strive to offer real solutions of permanency, stability, and safety to our children who are abused or neglected. I will continue to offer guidance and hope to our juvenile offenders as they seek to re-establish themselves and move on to become productive citizens despite poor or unhealthy choices. It has always been my hope to better the lives and situations of the divorce litigants who come before me so that they may leave Family Court with a sense of fairness and justice and the necessary encouragement to lead productive and meaningful lives.

(11) Commission Members' Comments:

The Commission commented that Judge Conits has been a credit to the bench for the last twelve years and appreciates her outstanding service to the State.

(12) Conclusion:

The Commission found Judge Conits qualified and nominated her for re-election to the Family Court, Twelfth Judicial Circuit, Seat 1.

The Honorable W. Marsh Robertson
Family Court, Thirteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Robertson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Robertson was born in 1963. He is 55 years old and a resident of Greenville, South Carolina. Judge Robertson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Robertson.

Judge Robertson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Robertson reported that he has not made any campaign expenditures.

Judge Robertson testified he has not:

d) sought or received the pledge of any legislator prior to screening;
e) sought or been offered a conditional pledge of support by a legislator;
f) asked third persons to contact members of the General Assembly prior to screening.

Judge Robertson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Robertson to be intelligent and knowledgeable.

Judge Robertson reported he has taught the following law-related courses:

(a) While in private practice, I lectured multiple times at the annual family law "Hot Tips" SC Bar seminars, on topics dealing with divorce, alimony, and family court procedure.
(b) In 2011, I presented as a guest lecturer at College of Charleston on issues pertaining to South Carolina adoption law.
(c) In 2012 and again in 2016, I served as a full-day panelist for a National Business Institute CLE titled "What Family Judges Want You to Know."
(d) In 2015, I presented at an orientation/training meeting for attorneys who assist Safe Harbor victim's advocates with hearings for orders of protection from domestic abuse.

(e) In 2017, I participated as a panelist at the SC Bar's Family Court Bench Bar CLE on the topic of visitation.
(f) In 2017, I participated as a full-day panelist in the NBI CLE, "As Judges See It: Top Mistakes Attorneys Make in Family Court."
(g) I annually participate in a court-observation/Q&A session for Furman University's Medical Legal Partnership class on the topic of child support collection and enforcement in South Carolina.

Judge Robertson reported that he has published the following:
(a) Marital Litigation in South Carolina: Substantive Law, 3rd Ed. (SC Bar - CLE Division 2001), Roy T. Stuckey, Editorial Board;
(b) Marriage and Divorce Law in South Carolina: A Layperson's Guide (SC Bar – CLE Division 2001), Roy T. Stuckey, Editorial Board.

(4) Character:

The Commission's investigation of Judge Robertson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Robertson did not indicate any evidence of a troubled financial status. Judge Robertson has handled his financial affairs responsibly.

The Commission also noted that Judge Robertson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Robertson reported that his last available rating by a legal rating organization, Martindale Hubbell, was AV.

Judge Robertson reported that he has not served in the military.

Judge Robertson reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Robertson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Robertson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Robertson was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

a) 1988 through 1990: Lewis, Lide, Bruce, and Potts, Columbia, SC. I was an associate in this law firm and practiced in a wide array of areas but with an emphasis on real estate law. I had no management or trust account responsibilities.
b) 1990 through 1995: Robertson and Robertson, PA, Greenville, SC. – I practiced for this five-year stretch in a two-attorney partnership with my father, W.F. Robertson III. Our firm practiced family law. I assisted in management of the firm's administration and financial responsibilities, including trust accounts.
c) 1996 – June, 2010: After the retirement of my father, I continued practicing exclusively in the area of family law, either in sole practice or in the following partnerships: Robertson & Quattlebaum, LLC; Robertson & Coleman, LLC; Robertson, Hodges, and Coleman, LLC; and finally, Robertson & Hodges, LLC. I had significant involvement in management of these firms' administration and financial responsibilities, including trust accounts
d) July 2010 – Present: Judge, Family Court, Seat 2, 13th Judicial Circuit. I served as Greenville County Family Court's Chief Judge for Administrative Purposes in 2013 and 2017; and as Pickens County's Chief Judge for Administrative Purposes from July 1, 2016 through December 31, 2016.

Judge Robertson reported that he has held the following judicial office(s):
In February 2010, the South Carolina General Assembly elected me to Seat 2, Family Court, Thirteenth Judicial Circuit. I began sitting on or about July 8, 2010. In February, 2013, the same body reelected me to the same seat, where I have continued to serve through the present date.

Judge Robertson provided the following list of his most significant orders or opinions:

(a) Broom v. Jennifer J, 403 S.C. 96, 742 S.E.2d 382 (S. Ct. 2013): The South Carolina Supreme Court affirmed my order terminating the defendants' parental rights and granting an adoption to Plaintiffs, agreeing with my determination that "the statutory grounds for termination were satisfied and termination of Defendant-Mother's parental rights was in Child's best interest." In the opinion, the Supreme Court also addressed a previous family court judge's erroneous denial of Mother's right to counsel, but found that Mother was not prejudiced by that judge's error.

(b) Youngblood v. DSS, 402 S.C. 311, 741 S.E.2d 515 (S. Ct. 2013): This case involved an adoption dispute between a child's previous foster parents (Plaintiffs) and her current foster parents (Defendants). After declining to overrule a previous family court judge's order finding that Plaintiffs had standing to adopt, I held a 5-day trial and granted adoption to Plaintiffs as being in the child's best interest. The Court of Appeals affirmed my decision. In a groundbreaking decision, the Supreme Court reversed, holding that foster parents do not have standing to adopt a child once the Department of Social Services has placed the child for adoption elsewhere. Rather than granting adoption to Defendants, however, the Supreme Court remanded the child to DSS custody and directed DSS to "consider Child's present best interests in placing her for adoption."

(c) Fredrickson v. Schulze, 416 S.C. 141 785 S.E.2d 392 (Ct. App. 2016): In this published opinion, the Court of Appeals affirmed my identification, valuation and apportionment of a relatively complex marital estate in a case that involved considerable transmutation issues. The Court also affirmed my denial of the husband's request for attorney's fees.

(d) Swicegood v. Thompson, 2014-DR-23-1184, Appellate Case Nos. 2014-001109 & 2017-____. (Appeal pending). In 2014, I dismissed for want of subject matter jurisdiction an action brought by a female alleging to have established a common law marriage with another female. While the appeal of my order was pending, the Supreme Court of the United States held "that same-sex couples may exercise the right to marry." Obergefell v. Hodges, 135 S. Ct. 2584, 2599 (2015). Consequently, the Court of Appeals filed an unpublished opinion remanding the case to me "to consider the implications of Obergefell on its subject matter jurisdiction." (2016-UP-013) In my Order on Remand, I reaffirmed my previous dismissal of the case, finding that under the facts of this case, Obergefell cannot retroactively create a common law marriage between the two litigants.

(e) Dalsing v. Hudson, 2016-UP-405 (Ct. App. 2016): In an order consisting of a two-part analysis, I ruled that the father's consent to adoption was not required under applicable statutory law; and that even if the father were a person who must consent to adoption, his parental rights should be terminated to enable the child's foster parents to proceed with adoption. The Court of Appeals affirmed my decision in an unpublished opinion.

Judge Robertson has reported no other employment while serving as a judge:

Judge Robertson further reported the following regarding unsuccessful candidacies:
I was qualified and nominated for Seat 6, Family Court, 13th Judicial Circuit, but withdrew my candidacy prior to the February, 2009 election. I was qualified and nominated for Seat 3, Family Court, 13th Judicial Circuit, but withdrew my candidacy prior to the May, 2008 election.

(9) Judicial Temperament:
The Commission believes that Judge Robertson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee reported Judge Robertson to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Robertson is married to Patricia Teasley Robertson. He has three children.

Judge Robertson reported that he was a member of the following Bar and professional associations:

a) Greenville County Bar Association
b) South Carolina Bar (Family Law Section)
c) South Carolina Family Court Judges Association

Judge Robertson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

a) Greenville Country Club
b) Poinsett Club (resigned March, 2017)

Judge Robertson further reported:

Two weeks ago, I finished a morning docket of juvenile detention and adjudication hearings. As I walked toward the parking lot to go to lunch, a caseworker from the Department of Juvenile Justice stopped me. I had never met this person or spoken to her outside of the courtroom. After saying many immensely kind things about my intellect and my approach to handling juvenile cases, she concluded, "God put you here to do what you are doing. You have a gift and this is your calling." I left the conversation both humbled and inspired. I share this here because I have long believed that serving as a Family Court judge is, in fact, precisely what I am meant to do. I desire no other job.

(11) Commission Members' Comments:

The Commission commented that they appreciated Judge Robertson's service thus far on the bench. The Commission noted the positive comments about him in the Ballot Box survey.

(12) Conclusion:

The Commission found Judge Robertson qualified and nominated him for election to the Family Court, Thirteenth Judicial District, Seat 2.

Kimaka (Kim) Nichols-Graham
Family Court, Thirteenth Judicial Circuit, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Thirteenth Judicial Circuit, Seat 6, four candidates applied for this vacancy. Two candidates withdrew before the commission voted and two candidates were found qualified and nominated. Accordingly, the names and qualifications of the two candidates found qualified and nominated are herby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Nichols-Graham meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Nichols-Graham was born in 1972. She is 46 years old and a resident of Greenville, South Carolina. Ms. Nichols-Graham provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Nichols-Graham.

Ms. Nichols-Graham demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations

important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Nichols-Graham reported that she has not made any campaign expenditures.

Ms. Nichols-Graham testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Nichols-Graham testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Ms. Nichols-Graham to be intelligent and knowledgeable.

Ms. Nichols-Graham reported that she has taught the following law-related courses:

(a) I presented a session on representing low income students and parents in school law to legal services agencies for South Carolina Appleseed Legal Justice Center on October 11, 2001.
(b) I presented a session on representing low income families in school law at the South Eastern Project Directors Association for directors of legal service agencies on July 15, 2002.
(c) I presented a session on monitoring re-segregation and protecting the poor for legal service lawyers at the National Legal Aid and Public Defender Substantive Law Conference on July 25, 2002.
(d) I presented a session on the overview of a school law practice to legal services and pro bono attorneys for South Carolina Appleseed Legal Justice Center on August 12, 2004.
(e) I presented a session on DSS Court Appointments and Defense Pointers to lawyers at the South Carolina Black Lawyers Association Retreat on October 22, 2004.

(f) I presented a session on parent rights in school discipline procedures to legal services and pro bono attorneys for South Carolina Appleseed Legal Justice Center on February 24, 2006.
(g) I presented a session on school discipline and special education discipline to lawyers in the Nelson Mullins Riley & Scarborough Education Pro Bono Project Training on August 10, 2006.
(h) I presented a session on students still having due process rights to school administrators, professors, and attorneys at the Education Law Association's Annual Conference on October 22, 2009.
(i) I have presented several sessions to attorneys and staff on education law at SC Legal Services' Statewide Meetings and in house education task force meetings.
(j) I presented a session on working with students experiencing bullying to attorneys at the South Carolina Appleseed Legal Justice Center's Education Law Training on March 9, 2012.
(k) I presented a session called balancing the scales of justice on representing students in education law cases for the South Carolina Bar on August 8, 2014
(l) I presented a session called expulsion case pointers to provide practice tips for South Carolina Appleseed Legal Justice Center in October of 2014.
(m) I presented a session on school discipline law at the South Carolina Bar Convention on January 24, 2015.
(n) I presented a legal education session on adding school law to your private law practice at the South Carolina Black Lawyers Association Conference on September 18, 2015.
(o) I presented a session on education law updates and developments at the South Carolina Legal Services Conference on November 19, 2015.
(p) I presented a session on the school to prison pipeline at the South Carolina Public Defender Association on November 23, 2015.
(q) I presented a session on forming partnerships to achieve equal educational opportunities for the South Carolina Appleseed Legal Justice Center on January 15, 2016.
(r) I presented at session at the South Carolina Bar Convention on the rights of single fathers in adoption cases on January 23, 2016.
(s) I presented a session on victim's rights in education at the Victim's Rights Conference on April 20, 2016.

(t) I co-presented a session on practical legal issues at the School to Prison Pipeline: Children with Disabilities seminar on June 24, 2016.

(u) I co-presented a continuing legal education session on how legal services can partner with public schools at the SC School Board Association's Summer Conference on August 20, 2017 in Myrtle Beach, South Carolina.

(v) I presented a session on children with special needs in family court at the Greenville Bar Annual CLE in February 2018.

(w) I presented a lecture on special education law and section 504 accommodation plans to school based mental health workers to increase school safety in Sumter on May 11, 2018.

(x) I presented a law related course on family and school law to guidance counselors for the USC School of Law Children's Law Office in Columbia, SC on June 11, 2018.

Ms. Nichols-Graham reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Ms. Nichols-Graham did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Nichols-Graham did not indicate any evidence of a troubled financial status. Ms. Nichols-Graham has handled her financial affairs responsibly.

The Commission also noted that Ms. Nichols-Graham was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Nichols-Graham reported that she is not rated by any legal rating organization.

Ms. Nichols-Graham reported that she has not served in the military.

Ms. Nichols-Graham reported that she has never held public office other than judicial office.

(6) Physical Health:
Ms. Nichols-Graham appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Ms. Nichols-Graham appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Ms. Nichols-Graham was admitted to the South Carolina Bar in 1998.

She gave the following account of her legal experience since graduation from law school:

Legal Services Agency of Western Carolina, Inc. Greenville, South Carolina.
Staff Attorney. Provided general law practice and community education in housing, probate, and family law cases. November 1998 to September 1999.

Children's Law Attorney. Practiced law for low income children by focusing primarily on adoptions, children's social security cases, special education advocacy, and school discipline cases. September 1999 until December 31, 2001.

South Carolina Legal Services. Greenville, South Carolina.
Staff Attorney II. Practices law in cases in Greenville County that includes divorce, custody, school discipline, special education, special needs relative adoptions, bankruptcy, credit card defense, and children social security appeals. Appears in Magistrate's Court, Family Court, the Court of Common Pleas, Court of Appeals, and the U. S. Bankruptcy Court in various cases. January 1, 2002 to present.

Education Unit Head. Leads the education unit, seeks local funding when possible, trains legal service attorneys across the state in representing students in the public education system,

teaches parents how to advocate for children, responds to requests for training from community groups, and operated the Greenville County United Way's Securing Public School Opportunities Program. Education cases include special education, school discipline, 504 accommodation plans, school enrollment, and homeless student education cases throughout South Carolina providing representation before local hearing officers, School Boards, the South Carolina Department of Education, the United States Department of Education, the Court of Common Pleas, and the South Carolina Court of Appeals. March 2003 to present.

Acting Managing Attorney. Supervised six attorneys, two paralegals, and three support staff. Assigned cases, supervised legal work, handled personnel issues, and participated on management team while the Managing Attorney was on extended leave. Included supervising petty cash and trust accounts and monthly account reconciliations. September 24, 2007 through December 31, 2007.

Acting Managing Attorney. Supervised five full time attorneys, three contract attorneys, one volunteer attorney, three support staff employees, and a satellite office. Reviewed emergency intakes, assigned cases, supervised legal work, handled personnel issues, and provided other managerial duties while the Managing Attorney was on extended leave. Included supervising petty cash and trust accounts and monthly account reconciliations. August 26, 2009 through November 24, 2009.

Interim Managing Attorney. Ensures the efficient operation of the Greenville Office and maintains a caseload primarily in family court. The Greenville Office serves Greenville, Anderson, Pickens, and Oconee counties. Reviews, accepts and assigns or denies applicants. Reviews all cases for quality and compliance. Supervises the legal work of attorneys, several support staff, and the financial accounts. Addresses human resource issues. Prepares grant reports. Participates in the statewide management team. Includes supervising petty cash and trust accounts and monthly account reconciliations. April 1, 2013 to present.

Managing Attorney (Greenville). Responsible for the provision of civil legal services in Anderson, Greenville, Pickens, and Oconee counties, the quality of legal services provided, and maintaining connections with the community and private bar. Reviews applications for legal services. Assigns cases and provides case load management. Provides employee evaluations for support staff and attorneys. Provides human resource management and addresses grievances. Provides guidance and training. Manages client trust and petty cash accounts. Assures compliance with grants, policies, and procedures. Maintains a case load in the service area. Participates in grant writing. Includes supervising petty cash and trust accounts and monthly account reconciliations. Permanent Position from June 1, 2013 to present.

As the Managing Attorney (Greenville) I also serve as the Interim Managing Attorney (Low Income Taxpayer Clinic). Supervises and manages the Clinic Director, paralegal, and attorneys that assist with tax cases for South Carolina Legal Services in all counties. Provides case load management, monitors the quality of legal services provided, facilitates assigning cases, denies applicants, provides human resource management, and reviews grant applications and reports. January 2015 to present.

Ms. Nichols-Graham further reported regarding her experience with the Family Court practice area:

I have extensive experience in filing and defending divorce and the equitable division of property. Over the years I have more experience with divorces based on physical cruelty because of the legal services case acceptance policy but I have also filed and defended divorces including the other grounds for divorce. Some victims of domestic violence were married to individuals with higher incomes and signification assets so I have also represented clients with the equitable division of property that had more property than you would expect for a legal services client. I have secured alimony.

I have significant experience in filing and defending custody actions in family court. My experience in custody cases involves disputes between biological parents and also disputes between

biological parents and cases involving non-biological parent or a third party challenging biological parents for custody.

During my first ten years of practicing family law I had more experience with DSS abuse and neglect cases because private attorneys that did not have experience in that area were routinely appointed so legal services would accept some of those cases to ensure the quality of services provided. Since the court appointment system changed to contracts for attorneys with experience in abuse and neglect cases representing parties that cannot afford to pay an attorney we have not used our limited resources to duplicate access to the judicial system.

My experience with filing adoption cases is primarily with relative special needs adoptions but I have also represented biological parents in defending termination of parental rights and adoption cases. One of these cases received national media attention because it successfully secured the return of a newborn from an improper out of state adoption. Nevertheless I have also zealously represented adopting parents in terminating parental rights to adopt children that were abused and neglected.

I do not have significant experience as attorney of record in juvenile justice cases but I believe the vast amount of work that I do for students in school discipline cases has more than prepared me in that area. Many of the students involved in juvenile justice cases in family court are in family court because an incident that happened at school. I have extensive experience representing students in school discipline cases when it is safe for the student to attend school or assisting the family to find other educational options. I have also been asked to train school employees, school based mental health workers, and attorneys involved in the juvenile justice cases on the intersection of school discipline and special education law. As the Education Unit Head I have experience in reviewing juvenile justice cases to determine if there are special education or school discipline issues that require attention.

I have significant experience in representing victims of domestic violence in filing and securing Orders of Protection from Domestic Abuse. I have also represented respondents in Orders of Protection cases when an abusive partner uses the Order of Protection process to assert control a partner.

As a Managing Attorney I have gained experience in quickly reviewing the facts and applicable laws in divorce and equitable

division of property, child custody, adoption, and abuse and neglect applications for legal services to determine whether we will accept or deny the application. If accepted I assess the level of services that we will provide, and assign the file to a staff attorney or private attorney for legal representation. There are many cases that we cannot accept because of limited resources and at that time it would not be in the best interest of the children to secure custody for the party applying for legal services. When possible I explain the family court process, legal standards, and counsel on what they should do to improve their situation or ask another attorney to provide that counsel and advice when we cannot provide legal representation. Also as the Managing Attorney I am constantly involved in providing legal strategy to attorneys that practice family law.

I have been practicing family law for almost 20 years. I appeared more frequently in family court during the first fifteen years of my practice. However I still appear in family court as a Managing Attorney even when my name is not on the docket because we provide backup for pro bono attorneys on the Order of Protection docket in Greenville, I have a small number family court cases across four counties, and I appear on behalf of other attorneys when there is an emergency. For instance, I was in family court two days the week before last and will be in family court at least one day this week.

Ms. Nichols-Graham reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 3%
(b) State: 97%

Ms. Nichols-Graham reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 47%
(b) Criminal: 0%;
(c) Domestic: 53%;
(d) Other: 0%.

Ms. Nichols-Graham reported the percentage of her practice in trial court during the past five years as follows:
(a) Jury: 0%;

(b) Non-jury: 100%.

Ms. Nichols-Graham provided that during the past five year she most often served as sole counsel.

The following is Ms. Nichols-Graham's account of her five most significant litigated matters:

(a) (Sealed File). John Row, et al. vs. John Doe, et al., This case was significant because a single father registered on the responsible father registry before his child was placed with an out of state couple for adoption. We reviewed adoption practices and were able to prevail by using the due process provisions already codified but often overlooked in practice. The litigation strategy was shared at a few legal education trainings. ABC Nightline News also aired a follow up story with the single father regarding the responsible father registry while protecting the identity of the Plaintiffs.

(b) Jane Doe, A High School Student in Richland County School District Two and her Parent, Mary Doe, vs. Richland County School District Two. Case Number: 2006-CP-40-6545. This case was significant to me because I represented a student that was expelled from school and accused of committing sexual offenses without any evidence. The parent unsuccessfully appealed to the board after simply stating persuasive legal grounds but she needed legal services to appeal to the court system. We prevailed in circuit court but the school district appealed the decision to the court of appeals. This case is evidence that things do not always work themselves out and there are times that the indigent need civil legal services to secure basic opportunities. Decided March 25, 2009. 382 S.C. 656; 677 S.E.2d 610.

(c) Martha Sue Payne vs. Mary and Ray Patterson, William Scott McFadden. Case Number 2005-DR-23-3223. This case was significant because I successfully defended a change of custody action among relatives for children that were previously abused and neglected. I also represented the third party in the previous contested abuse and neglect case. The court granted my motion an involuntary dismissal at the conclusion of the Plaintiff's case.

(d) Martha Sue Payne vs. Mary Patterson. Case Number: 2006-DR-23-4112. This case was significant to me because I was unsuccessful in appealing a visitation contempt case. It is important for people to have access to the legal system but the legal system should not be involved in every family dispute.

(e) Darla Yates vs. Eddie Crooks. Case Number: 2005-DR-39-418. This case was significant to me because I represented a client in a visitation Rule to Show Cause. There was an allegation of a history of abuse in a prior case that prevented my client from being able to represent herself.

The following is Ms. Nichols-Graham's account of two civil appeals she has personally handled:

(a) Jane Doe, A High School Student in Richland County School District Two and her Parent, Mary Doe, vs. Richland County School District Two. South Carolina Court of Appeals. Decided March 25, 2009. 382 S.C. 656; 677 S.E.2d 610.

(b) Unpublished Opinion. Martha Sue Payne vs. Mary Patterson. South Carolina Court of Appeals. Decided April 26, 2010.

Ms. Nichols-Graham reported she has not personally handled any criminal appeals.

Ms. Nichols-Graham further reported the following regarding unsuccessful candidacies:

I applied for Family Court Judge, At Large, Seat 4, in Fall 2012. I was found qualified but I did not receive a nomination. I applied for Family Court Judge, Thirteenth Judicial Circuit, Seat 5, in Fall 2013. I was found qualified but I did not receive a nomination. I applied for Family Court Judge, Thirteenth Judicial Circuit, Seat 3 in Spring 2016. I was found qualified but I did not receive a nomination. I applied for Family Court Judge, At Large, Seat 7, in Fall 2016. I was found qualified but I did not receive a nomination.

(9) Judicial Temperament:

The Commission believes that Ms. Nichols-Graham's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizen's Committee on Judicial Qualification found Ms. Nichols-Graham to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Ms. Nichols-Graham is married. She has one child.

Ms. Nichols-Graham reported that she was a member of the following Bar associations and professional associations:

(a) South Carolina Bar, Young Lawyers Division, Executive Council 2002-2003.

(b) South Carolina Bar, Children's Law Committee

(c) South Carolina Supreme Court CLE & Specialization Commissioner, June 2003-July 2009.

(d) Council of Parent Attorneys and Advocates

(e) South Carolina Black Lawyers Association. Assistant Secretary. 2013-2017. Secretary 2018 to present.

(f) Greenville County Bar Association

(g) Donald James Sampson Bar Association.

(h) South Carolina Bar, Education Law Committee, Chair Public Information Sub-Committee, 2014-2015.

(i) South Carolina Children's Justice Act Task Force.

(j) South Carolina Supreme Court Family Court Docket Committee

Ms. Nichols-Graham provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Young Lawyer of the Year Award. South Carolina Bar. 2001-2002.

(b) Center for Educational Equity, Advisory Board of Directors (2001 to present) and Parent Reconnect Program Coordinator (2001 to 2008).

(c) Protection and Advocacy for People with Disabilities, Board of Directors, Grievance Committee (2008-2011), Chair of the Personnel Committee (2011-2013).
(d) United Way of Greenville County. Graduate Greenville Student Enrichment Committee. (2006-2007).
(e) Bethlehem Baptist Church. Summer Bible Institute Instructor. June 2011.
(f) Delta Sigma Theta Sorority Incorporated. Greenville (SC) Alumnae Chapter. Co-Chair of Social Action Committee 2016-2017, 2017-2018.
(g) Springfield Baptist Church. Unsung Heroine Award. March 24, 2013.
(h) Pro Parents of South Carolina. Board of Directors, 2013-2016. Secretary, 2014-2016
(i) The Ellen Hines Smith Legal Services Attorney of the Year 2015.
(j) The Riley Institute Diversity Leadership. Fall 2015. Upstate. Class XX.

Ms. Nichols-Graham further reported:

I have always had an interest and curiosity for family and school law. Family relationships and educational experiences play an important role in everyone's development. My formal education was driven by a curiosity and desire to learn more about these relationships and to help others with these relationships and experiences. Like justice I blindly pursued a legal career to help and to serve the public. Values like sound character, integrity, honesty, fairness, respect, and a dedication to public service are characteristics of many of my family members. As a child, my family attended Nazarene Baptist Church in Mullins, South Carolina and everyone in my family was actively involved in our church. I quickly learned the difference between good and evil and right and wrong. I just happen to be the only lawyer in my family. I am certain that I had the temperament, morals and character that we expect of judges before I went to college.

Ironically, while I was in college I volunteered for the local battered women's shelter on the domestic violence hotline and to helping with Order of Protection packets. This experience gave me insight into part of the pro se process in family court.

At the time I did not know who those experiences would connect with my career.

A family courtroom was the first courtroom I observed and the first court I appeared in as an attorney licensed to practice law. Judge Timothy Pogue allowed me to volunteer in his law firm because I wanted to go to law school but had not met a practicing lawyer. I had a friend in law school whose father went to law school but he was running an agency when we met. Judge Pogue had the juvenile defender contract, he was the Marion County DSS attorney, and he had a private practice so I learned a lot about family court before I went to law school. While in law school I clerked for about six months at the Richland County Guardian ad Litem office so I learned a lot about the role of a Guardian in abuse and neglect and termination of parental rights cases, assisted with guardian ad litem reports, and had the opportunity to observe many hearings and trials. Then I was fortunate to be in Jim Stuckey's family law class at the same time that I was interning for Dale Stuckey at the SC Department of Education. The Martial Litigation manual is the most comprehensive law book for family lawyers in South Carolina and the material for his class was a draft or an outline of that book which he published shortly thereafter. Then I secured a position at Legal Services of Western Carolina. At that time most of our case load was family law and I found myself in family court multiple times a week representing clients on either side of any kind of issue before the court for many years. The first day I walked into a courtroom to represent a client as a member of the Bar, I was in a family court courtroom in a DSS vulnerable adult case before Judge Robert Jenkins.

I have represented many individuals in family court matters. I have also had the privilege of consulting with many legal service attorneys in numerous cases, court appearances, and appellate work. At this point in my career I work primarily with access to justice issues as a Managing Attorney weighing when limited resources can be used and measuring the quality of legal services provided to each client.

I believe my personal and professional experiences will continue to serve the public well if I am a successful candidate for Family Court.

At this time I respectfully request your vote for a nomination to run for Family Court Judge, Thirteenth Judicial

Circuit, Seat 6. I went to law school to help people. I did not go to law school to be a judge. I have helped thousands of people over the span of almost two decades of practicing law and I have always been an active and productive member of the SC Bar. I have also assisted in developing the practice of education law in South Carolina. I believe that I can help many more families if I am allowed to serve as a family court judge.

(11) Commission Members' Comments:

The Commission commented on Ms. Nichols-Graham's poised demeanor and noted her vast experience in the family court.

(12) Conclusion:

The Commission found Ms. Nichols-Graham qualified and nominated her for election to the Family Court, Thirteenth Judicial District, Seat 6.

The Honorable Jessica Ann Salvini
Family Court, Thirteenth Judicial Circuit, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Thirteenth Judicial Circuit, Seat 6, four candidates applied for this vacancy. Two candidates withdrew before the commission voted and two candidates were found qualified and nominated. Accordingly, the names and qualifications of the two candidates found qualified and nominated are herby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Salvini meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Salvini was born in 1975. She is 43 years old and a resident of Greenville, South Carolina. Judge Salvini provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001. She was also admitted to the California Bar in 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Salvini.

Judge Salvini demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Salvini reported that she has spent $5.00 in campaign expenditures for postage.

Judge Salvini testified she has not:

a) sought or received the pledge of any legislator prior to screening;
b) sought or been offered a conditional pledge of support by a legislator;
c) asked third persons to contact members of the General Assembly prior to screening.

Judge Salvini testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Salvini to be intelligent and knowledgeable.

Judge Salvini reported that she has taught the following law-related courses:

a) On October 29, 2009, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical dilemmas encountered by criminal defense attorneys.

b) On or about October 28, 2010, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical issues confronting criminal defense attorneys.
c) On October 24, 2013, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was federal practice in US District Courts in South Carolina.
d) On October 20, 2016, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was the Criminal Justice Act and its potential revision resulting from Chief Justice John G. Robert, Jr.'s appointment of a Committee to review the Criminal Justice Act Program.
e) On February 3, 2017, I was a speaker at the Greenville County Bar's "Year-End CLE". The topic was the Fourth Amendment and providing an overview of search and seizure case law, focusing on the most recent cases decided by the Fourth Circuit Court of Appeals.

Judge Salvini reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Salvini did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Salvini did not indicate any evidence of a troubled financial status. Judge Salvini has handled her financial affairs responsibly.

The Commission also noted that Judge Salvini was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Salvini reported that her last available rating by a legal rating organization, Martindale-Hubbell, was 5.0; by Lawyerratingz.com, it was 3.6; and by Lawyers.com, it was 5.0.

Judge Salvini reported that she has not served in the military.

Judge Salvini reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Salvini appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Salvini appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Salvini was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) December 2000-August 2002: Law Offices of Jessica Salvini. After passing the California Bar exam, I opened my own law firm in San Francisco, CA. My practice consisted of handling civil (including domestic) and criminal state and federal court cases. I handled pretrial and trial matters for contract disputes, simple divorces, consumer protection actions, bank fraud, various drug crimes and other criminal law matters. I handled these matters in my capacity as an independent contractor for Weinberg & Wilder and as a sole practitioner. As this was my own law firm, I managed the law firm, which included managing its finances. I did not have a trust account at that time as I did not accept retainers from clients that required me to do so.

(b) August 2002-Present Date: Salvini & Bennett, Attorneys at Law, LLC. Upon relocating to the State of South Carolina, I continued my practice of law by opening a law firm with J. Bradley Bennett, Esq. Over the course of almost sixteen years, I have acted as the senior partner in our firm, which has a general practice handling a wide variety of legal issues for individuals and businesses. I have represented individuals and businesses in civil, criminal and family law matters. My practice areas include: all pretrial and trial

matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court matters; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. During the course of my practice, I have served as one of Greenville County Probate Court's Commitment Proceedings Attorneys. I have also served and still serve as a Criminal Justice Act Panel Attorney for the US District Court for the District of SC and the US Court of Appeals for the Fourth Circuit. I assist our Criminal Justice Act Panel Representative in the Upstate. My law firm now consists of myself, my law partner and an associate attorney. My law partner and I manage the law firm, including the law firm's trust account.

(c) August 2007 to Present Date: Municipal Court Judge for the City of Mauldin, SC. In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin, South Carolina. In 2009, I sought and was appointed to serve as the Chief Trial Judge for the City of Mauldin and I currently serve in this capacity. As both an Associate Municipal Court Judge and the Chief Municipal Court Trial Judge, I have presided over numerous cases involving: violations and or enforcement of city ordinances, misdemeanor criminal matters, traffic violations, bond hearings and preliminary hearings for felony criminal matters. As the Chief Trial Judge, I hold court for the City of Mauldin every Wednesday (excluding the fifth Wednesday in any given month), presiding over matters involving violations and or enforcement of city ordinances, traffic violations and misdemeanor criminal law matters. The aforementioned proceedings primarily involve motion hearings, guilty pleas and bench trials. Once a month I also preside over preliminary hearings for felony matters arising out of the City of Mauldin. I also now preside over Domestic Violence Court for the City of Mauldin, which occurs once a month. Approximately once a quarter, I preside over jury trials for misdemeanor criminal law matters and city ordinance violations occurring in the City of Mauldin.

Judge Salvini further reported regarding her experience with the Family Court practice area:

For over sixteen years, I have been privileged to have a private practice that includes representing individuals in both criminal and civil matters. Since I began practicing law, I have represented individuals in Family Court in the following areas: divorce and equitable division of property, child custody disputes, termination of parental rights and adoptions, abuse and neglect cases, petitions for name changes and amendments to birth certificates, orders of protection (both defending and bringing the action), contempt proceedings (both defending and bringing the action), modification of child support and or alimony actions, and defending minor children facing criminal charges. I have also served as a guardian ad litem in divorce cases involving child custody disputes. My law practice has consistently comprised of approximately fifty percent domestic litigation cases of all types.

Since I was admitted to the practice of law, I have handled approximately eight hundred or more cases in Family Court. I have represented individuals in contested and uncontested divorces, including those cases alleging fault grounds on the basis of adultery, drug and or alcohol abuse, and physical abuse. As a result of my extensive practice in Family Court, I have had the privilege of representing individuals with large million dollar marital estates and individuals with small marital estates. In each case, I have attempted to resolve the equitable division of the marital estate amicably. However, there have been instances in which an agreement between the litigants could not be reached. Thus, I have successfully tried several divorce cases in Family Court.

I have also represented various litigants in child custody disputes and I have served as a guardian ad litem in child custody matters. My experience in child custody matters not only includes parents litigating their rights and obligations to their minor children, but also includes bringing and defending against child custody cases in which third parties seek custody of a minor child or children such as extended family, parties asserting they are the psychological parent of the child or children and grandparents seeking contact and or custody of their grandchild or grandchildren. I have litigated almost every type of child custody matter possible. In some of the child

custody matters I have handled, I have brought an action on behalf of a step-parent and or a third party seeking to terminate the parental rights and adopt the child and or children who are the subject of the action. Many of those matters could not be resolved by agreement and resulted in complicated contested trials. I can recall several cases in which I successfully defended against termination of parental rights and or was granted the right to adopt the minor child and or children at the conclusion of the proceedings.

While I have never represented the South Carolina Department of Social Services in any abuse or neglect cases, I have represented numerous individuals in matters in which the South Carolina Department of Social Services was involved and or filed an action against my client seeking the removal of my client's child and or children. I have handled various matters defending parents in cases brought by the South Carolina Department of Social Services including: abuse and neglect cases resulting from allegations of sexual abuse, drug and or alcohol abuse, and or emotional or mental health abuse/issues. I have tried these types of cases from the time the case was indicated and filed by the South Carolina Department of Social Services through the completion of a contested hearing and or trial.

I have represented individuals seeking orders of protection and defended against petitions seeking them. Many of those types of matters have resulted in contested hearings in which I represented my client throughout the proceeding to the conclusion of a contested hearing.

I have represented parents and children in juvenile justice cases. However, I do not regularly appear in these matters. In those instances in which I represented a parent or child I was able to successfully negotiate a resolution that was beneficial for the parents and their child without the need for a contested hearing.

I am confident that I have represented litigants in almost every type of domestic case possible. Focusing on the past five years of my practice, I have appeared in Family Court approximately 3 times per week, if not more. Further, I have litigated numerous contested matters and tried several cases to completion (including but not limited to divorce, termination of parental rights and adoption cases).

My experience as a Municipal Court Judge has also prepared me to preside over domestic matters. I have presided over hundreds of criminal matters, and in most instances those matters involved pro se litigants. I have had the rare opportunity to navigate those proceedings in a way that provided the litigants with a forum to be heard while still maintaining the integrity of the process. On a consistent basis, I am in a courtroom litigating and or presiding over contested criminal matters. As a result, I daily employ and apply the South Carolina Rules of Evidence, Rules of Civil Procedure and Rules of Criminal Procedure in a manner that offers me what I believe to be unique qualifications for a candidate for the Family Court bench.

Judge Salvini reported the frequency of her court appearances in the past five years as follows:
(a) Federal: Approximately 3-5 times per month
(b) State: Approximately 7-12 times per month.

Judge Salvini reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) civil: 10%
(b) criminal: 30%
(c) domestic: 50%
(d) other: 10%

Judge Salvini reported the percentage of her practice in trial court during the past five years on the bench as follows:
(a) jury: 30%
(b) non-jury: 70%

Judge Salvini provided that during the past five years she most often served as sole counsel.

The following is Judge Salvini's account of her five most significant litigated matters:
(a) Justice vs. Justice. This was a matter litigated in the Thirteenth Judicial Circuit Greenville County Family Court. The primary issue was whether a divorced parent could relocate to another state with the parties' minor children. The matter was tried for two days and the outcome not only

affected the parties' three minor children, but the children's step-siblings and half-brother. It was a difficult and heart-wrenching case and the outcome impacted not only the parents, but the lives of their children. It was also a unique case as both parents were very involved in the lives of their children and neither wanted to change the custody order in the event the parent's request to move was denied. It required an examination of the law applicable to cases in which a parent seeks to relocate to another state with the parties' minor children. I represented the parent opposing the move and I was successful in obtaining an order that restrained and enjoined the relocation of the parties' minor children. After the litigation, I kept in touch with my client and his family. I have personally observed the affect the court's decision had on this family.

(b) United States vs. Minaya-Mena. This was a criminal matter litigated in the United States District Court for the District of SC. My client was charged in a conspiracy to possess, with the intent to distribute, marijuana. The case involved the possession of more than 100 marijuana plants, some of which were taller than me, found in several "grow houses" in the Upstate. The matter proceeded to a jury trial and my client was found not guilty. The matter is significant to me, not only because of the not guilty verdict, but because I litigated it against an excellent Assistant United States Attorney whose trial skills are exceptional. The matter required extensive preparation and an examination of the law to ensure that any issues to be appealed were properly in the court's record. I also mentored two of my colleagues during the trial. Being able to secure a not guilty verdict, while imparting knowledge to my colleagues, was phenomenal.

(c) United States vs. Twitty. This was a criminal matter litigated in the United States District Court for the District of SC. My client was charged with being a felon in possession of a firearm, as well as possessing with intent to distribute a quantity of crack cocaine and heroin. I was able to successfully apply recent search and seizure law to the facts of the case. After an evidentiary hearing, my motion to suppress the search of my client and his vehicle was granted resulting in a dismissal of all charges against him.

(d) Nicholas vs. Pate. This was a civil matter in the United States District Court for the District of SC. Parties in civil actions in District Court are not usually entitled to appointed counsel. However, the court asked if I would be willing to be appointed to represent the Plaintiff pro bono and I agreed. The Plaintiff had filed a civil action in the United States District Court for the District of SC alleging violations of his Federal Constitutional Rights under 42 U.S.C. Section 1983, that is, that he had been subjected to cruel and unusual punishment while serving a state imposed sentence. The matter is significant to me as it required me to assess and try a case that was well into litigation by a pro se defendant. After examining the pro se filings to ensure my client was not in any danger of having his action dismissed, the matter proceeded to a jury trial. Although I lost after a jury trial, my client's gratitude was a reward. Handling the matter also reminded me to always examine the statutes and rules of law governing an action in light of the facts and circumstances one is presented before proceeding forward with litigation. This is a rule my mentor, a former Assistant United States Attorney and war crimes prosecutor, ingrained in me and is crucial to abide by in handling every legal matter.

(e) Collins vs. Murphy. This is a civil matter litigated in Probate Court and Circuit Court. A colleague and I have been litigating this matter throughout the court process from its inception in Probate Court, motions in Circuit Court, appeals to the Circuit Court and we are currently litigating it in the South Carolina Court of Appeals. The matter involves a question of the interpretation and application of a statute in a matter involving the rights of unmarried parents to the receipt of wrongful death proceeds of their deceased infant. The extreme differences in the rulings resulting from the Probate Court and Circuit Court make this case unique in that the South Carolina Court of Appeals will be addressing the interpretation and application of the relevant statute in situations in which unwed parents have a child who dies at birth. Thus, making a determination as to who is entitled to the award of wrongful death proceeds.

The following is Judge Salvini's account of four civil appeals she has personally handled:

(a) Moore vs. Benson, 390 S.C. 153, 700 S.E.2d 273 (Ct. App. 2010) (South Carolina Court of Appeals, 9/22/2010).
(b) Nestberg vs. Nestberg, 394 S.C. 618, 716 S.E.2d 310 (Ct. App. 2011) (South Carolina Court of Appeals, 8/31/2011)
(c) South Carolina Department of Social Services vs. McCrary, Unpublished Opinion. (South Carolina Court of Appeals, 4/28/2009).
(d) Collins vs. Murphy, Currently pending before South Carolina Court of Appeals. Representing Respondent along with co-counsel.

The following is Judge Salvini's account of five criminal appeals she has personally handled:
(a) United States vs. Nicholson, 676 F.3d 376 (4th Cir. 2012). (Fourth Circuit Court of Appeals 4/18/2012).
(b) United States vs. Shippy, Unpublished Opinion. (Fourth Circuit Court of Appeals, 5/4/010).
(c) United States vs. Wilkins, Unpublished. (Fourth Circuit Court of Appeals, 12/4/2009).
(d) State vs. Rivera, Unpublished Opinion. (South Carolina Court of Appeals, 2/10/2006).
(e) United States vs. Cruz, Unpublished Opinion. (Fourth Circuit Court of Appeals, 2/15/2006)

Judge Salvini reported she has not personally handled any civil or criminal appeals.

Judge Salvini reported that she has held the following judicial office(s):
In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin in Greenville County, South Carolina. I served in this capacity until 2009 when I was appointed to serve as the Chief Municipal Court Trial Judge for the City of Mauldin in Greenville County, South Carolina. I continue to serve as the Chief Municipal Court Trial Judge for the City of Mauldin in Greenville County, South Carolina.

The Mauldin Municipal court adjudicates criminal, traffic and city ordinance violations that occur within the city limits of Mauldin. As a limited jurisdiction court, it can only hear cases subject to a fine and sentence not exceeding $500.00 or

imprisonment of not more than thirty days. The Mauldin Municipal court may also hear cases that are remanded back from Greenville County General Sessions if the fine and sentence do not exceed $5,500.00 or one-year imprisonment.

Judge Salvini provided the following list of her most significant orders or opinions:

(a) City of Mauldin vs. Paouris, unreported, no appellate review. This matter involved a question of whether a City of Mauldin Police Officer's Scribner's error on a uniform traffic citation warranted a dismissal of the violation and or whether the defendant's conviction should be vacated for improper notice to the defendant of his trial date/time resulting in his being tried in his absence. A contested hearing was held in which the Court was required to address the ramifications of a clerical error on uniform traffic citations, as well as whether the defendant received proper notice of his trial date/time and conviction. The Court also addressed whether the defendant took timely action to challenge his conviction and or sentence upon learning of his conviction in absentia. The defendant's motion to vacate his conviction and sentence was denied.

(b) City of Mauldin vs. U.S. Security Holdings, Inc., unreported, no appellate review. This matter involved an examination of Mauldin Municipal Code Section 10-40 and the defendant's payment of annual licensing fees. The matter required the Court to consider numerous exhibits and each party's position regarding the requirements set forth in the Mauldin Municipal Code and its application. The Court denied the defendant's motion to dismiss in part.

(c) City of Mauldin vs. Walker, unreported, no appellate review. This matter involved an instance of domestic violence in which the defendant was convicted at a bench trial. The facts and circumstances of the case however, warranted further inquiry and a sentence that enabled the victim to assist her husband in ensuring his compliance with necessary mental health treatment. The Court's sentence was structured to, not only punish the defendant, but to provide for his future mental health treatment and compliance with necessary medications to prevent future instances of violence between the married couple.

(d) City of Mauldin vs. Baker, unreported, no appellate review. The defendant has had several matters before the court as a result of living in a mental health residential facility located in Mauldin, South Carolina. The primary order of significance focused on a Municipal Court's authority to assess the defendant's competency to proceed to a trial and whether a Municipal Court has the authority to issue an order for the defendant to undergo a psychiatric evaluation. The Court ordered the defendant to undergo an evaluation to ensure his competency to stand trial.

(e) City of Mauldin vs. McKinney, unreported, no appellate review. This matter involved an examination of whether the defendant violated the Mauldin Municipal Code when she made repairs to her residence and or created a living space within her attic. The primary issue before the Court was balancing Mauldin Municipal Code's requirement(s) and an adequate remedy as the alleged violation was at the defendant's residence and the construction had been completed. The Court granted the City of Mauldin's motion requiring the defendant's actions to ensure the safety of her residence.

Judge Salvini reported the following regarding her employment while serving as a judge:

> 2007-Present Date. Self-employed as the Senior Partner at Salvini & Bennett, Attorneys at Law, LLC. I, along with my law partner, own and manage the aforementioned law firm. I handle a wide variety of legal issues for individuals and businesses. I represent individuals and businesses in civil, criminal and family law matters at all stages of the litigation process. My practice areas include: all pretrial and trial matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court matters; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. I, along with my law partner, handle the administrative duties associated with operating a law firm, to include the management of our law firm's trust account

Judge Salvini further reported the following regarding unsuccessful candidacies:

(a) On or around 2009, I applied for a U.S. Magistrate position in the United States District Court for the District of South Carolina. The selection process for Federal Magistrate Judges requires screening of candidates by a panel. The panel selects five finalists from the applicants. From there, the U.S. District Court Judges decide who will fill the vacancy.

(b) In 2017, I applied for the Circuit Court, Thirteenth Judicial Circuit, Seat 4. I was found to be qualified and nominated. However, I withdrew from the race prior to the vote on the candidates for this position.

(9) Judicial Temperament:

The Commission believes that Judge Salvini's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee reported Judge Salvini to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Salvini is not married. She does not have any children.

Judge Salvini reported that she was a member of the following Bar and professional associations:

a) California Bar
b) South Carolina Bar
c) Greenville County Bar Association
d) Greenville County Association of Criminal Defense Lawyers
e) South Carolina Association for Justice
f) United Housing Connections, Vice Chairperson, 2017-Current date.

Judge Salvini provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

a) United Housing Connections, Vice Chairperson.

Judge Salvini further reported:

I grew up the oldest of four daughters in a very loving and religious home. My mother was a nurse and my father worked for the railroad. As a child, I can't recall ever wanting for anything, but we lived an extremely modest lifestyle. Our home was pocket-sized, the family room having been converted into a bedroom for me and my youngest sister. My parents worked hard to provide us with a comfortable life; but there wasn't money to spend on frivolous things. School shoes had to last the entire year. School lunches consisted of pink Kool Aid and leftovers – spaghetti sandwiches often made it into the lunch pail. Most family vacations were spent driving to Oklahoma to see relatives - my sisters and I would be packed in the back of an old Nova with faulty air conditioning. It was important to my parents for us to receive a good education, and they worked hard to put us through Catholic school in our tender years. With both parents working, I became primary caregiver to my younger siblings at age eleven. Both of my parents encouraged us to rise above our circumstances and set our goals high, to focus on our education, so that we could be independent young women.

My childhood experiences were distinctly middle class, and reflecting upon it now, those experiences have served me well in my professional life in my ability to relate to a broader spectrum of people, to be able to better demonstrate empathy, to recognize the value of hard work and the strength of family values.

Beginning in childhood, I have always had a hunger for knowledge and new experiences, as well as a desire to help others. My desire to learn and help others has served me well in the practice of law and as a Municipal Court judge and I believe it will continue to serve me well no matter what direction my life takes. If given the opportunity, I will be a Family Court judge that fairly resolves disputes in a way that gives the litigants, the public, the Bar and my fellow judges' confidence in the integrity of the judiciary and the judicial process.

(11) Commission Members' Comments:

The Commission commented that they appreciated Judge Salvini's service as a Municipal judge and noted that she is very

energetic, knowledgeable, and passionate about serving on the family court bench. The Commission was also appreciative of the numerous positive comments about her in the Ballot Box survey.

(12) Conclusion:

The Commission found Judge Salvini qualified and nominated her for election to the Family Court, Thirteenth Judicial Circuit, Seat 6.

The Honorable Gerald C. Smoak Jr.
Family Court, Fourteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Smoak meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Smoak was born in 1959. He is 59 years old and a resident of Walterboro, South Carolina. Judge Smoak provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Smoak.

Judge Smoak demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Smoak reported that he has not made any campaign expenditures.

Judge Smoak testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Smoak testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Smoak to be intelligent and knowledgeable.

Judge Smoak reported that he has taught the following law-related courses:

(a) Yes, I taught the following paralegal courses for Technical College of the Lowcountry: Estates, Family Law, Legal Bibliography, Litigation, Torts
(b) I was on the panel for discussion at South Carolina Family Court Bench/Bar Conference, December 3, 1999.
(c) I have lectured at the local high school.
(d) Appeared at career day at the local high school.
(e) I spoke at the Child Abuse Prevention Rally in Colleton County.

Judge Smoak reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Smoak did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Smoak did not indicate any evidence of a troubled financial status. Judge Smoak has handled his financial affairs responsibly.

The Commission also noted that Judge Smoak was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Smoak reported that he is not rated by any legal rating organization.

Judge Smoak reported that he has not served in the military.

Judge Smoak reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Smoak appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Smoak appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Smoak was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

(a) 1983 - Law Clerk for Honorable William T. Howell

(b) 1984 to 1995 - General practice with majority of work in Family Court

(c) 1984 to 1993 and 1995 - Prosecutor for child abuse and neglect cases for the Department of Social Services.

(d) 1984 to1995 - Public Defender for City of Walterboro

(e) 1993 to 1995 - Conflict Attorney for Colleton County Public Defender, including Juveniles

(f) 1995 to present - Family Court Judge, Fourteenth Judicial Circuit, Seat #1

Judge Smoak reported that he has held the following judicial office(s):

Family Court Judge, 1995 to present, Fourteenth Judicial Circuit, Seat #1. This Court was created by statute.

Judge Smoak has reported no other employment while serving as a judge.

Judge Smoak further reported the following regarding unsuccessful candidacies:
1994 candidate for Fourteenth Judicial Circuit Family Court Seat #2.

(9) Judicial Temperament:
The Commission believes that Judge Smoak's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Smoak to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health and mental stability.

Judge Smoak is married to Elizabeth Thompson Smoak. He has two children.

Judge Smoak reported that he was a member of the following Bar and professional associations:
(a) SC Bar
(b) Colleton County Bar
(c) SC Family Court Judges Association

Judge Smoak provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Former Member Jaycees
(b) Former Sertoma Member
(c) Assistant Baseball Coach, Colleton County Recreation Commission, 1992-2002
(d) Member of the Colleton Preparatory Academy School Board, 1998-2006
(e) Member of the Bethel United Methodist Church
(f) Former Member of the Governor's Youth Council
(g) Judge for the National High School Mock Trial Championship
(h) Lectured to the guardian ad litem program for the 14th Judicial Circuit
(i) Drug Court Judge for Fourteenth Judicial Circuit

(j) Lectured at high school

Judge Smoak further reported:

I have lived in the small town of Walterboro all my life. I have been married for 33 years. My pride and joy are my 31 year old son who is a Mechanical Engineer and my 24 year old daughter who is in school. I practiced law in Walterboro with my father for twelve years before going on the bench. I learned early that you treat people the same way you would want to be treated. I am the product of divorced parents whom I love very much. I feel the small town I live in has given me small town values. I believe my background helps me when dealing with family law matters. I enjoy my job and my family. I believe I have been and continue to be a fair and patient Judge who understands that family law matters may be the most important matters of all.

(11) Commission Members' Comments:

The Commission was highly impressed with Judge Smoak and gave him exemplary remarks. The Commission commented that Judge Smoak has an outstanding reputation as a jurist and noted that he exhibits great humility and patience on the bench.

(12) Conclusion

The Commission found Judge Smoak qualified and nominated him for re-election to the Family Court, Fourteenth Judicial Circuit, Seat 1.

The Honorable Deborah Ann Malphrus
Family Court, Fourteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Malphrus meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Malphrus was born in 1964. She is 54 years old and a resident of Ridgeland, South Carolina. Judge Malphrus provided in her application that she has been a resident of South Carolina

for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Malphrus.

Judge Malphrus demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Malphrus reported that she has not made any campaign expenditures.

Judge Malphrus testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Malphrus testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Malphrus to be intelligent and knowledgeable.

Judge Malphrus reported that she has taught the following law-related courses:

(a) Presenter at the Association of Legal Nurse Consultants in 2000
(b) Served as Summary Court Judges Pilot Mentoring Program
(c) Presenter at Probate Court CLE on Common Law Marriage
(d) Presenter at Guardian ad Litem CLE on Best Interest of Child
(e) Presenter at South Carolina Association for Justice Conference on the Indian Child Welfare Act.

(f) Presenter at South Carolina Family Court Judges Association meeting on Private Infant Adoptions.
(g) Presenter for the Mediation and Meeting Center of Charleston on issues related to Family Court Mediation
(h) I have participated in Judicial Observation Program mentoring law students during the summer months for the past five years

Judge Malphrus reported that she has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Malphrus did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Malphrus did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Malphrus was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Malphrus reported that she is not rated by any legal rating organization.

Judge Malphrus reported that she has not served in the military.

Judge Malphrus reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Malphrus appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Malphrus appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Malphrus was admitted to the South Carolina Bar in 1990.

She gave the following account of her legal experience since graduation from law school:
(a) August 1990-August 1991: Law Clerk to the Honorable Carol Connor;
(b) January 1992-December 1994: Assistant Solicitor Fourteenth Judicial Circuit;
(c) January 1995-March 1998: Private practice of Law in the Malphrus Law Offices. General practice of law, with emphasis on trial work;
(d) April 1998-December 2008: Private practice of law, in the law firm of Moss, Kuhn & Fleming, PA. Again, this was a general practice, including family law, criminal law, personal injury, medical malpractice, real-estate, probate, and business law. I was the managing member of the Ridgeland office. I was responsible for managing the law firm's Ridgeland office business bank accounts as well as the Ridgeland office escrow and trust accounts;
(e) January 2009-July 2011: Private practice of Law Deborah A. Malphrus as a sole practitioner. I had a general practice, including family law, criminal law, personal injury, real estate, and general business law. I was responsible for managing my business and trust bank accounts.

Judge Malphrus reported that she has held the following judicial office(s):
Yes. I was elected to the Family Court Fourteenth Judicial Circuit, Seat 3, by the South Carolina General Assembly on May 5, 2011. This is a non-jury court. Family Court Judges preside over matters related to child abuse and neglect, elder abuse, juvenile justice matters, divorces, child custody disputes, separate support and maintenance actions, equitable division of marital estates, alimony and spousal support issues, protection from domestic abuse matters and child support matters.

Judge Malphrus provided the following list of her most significant orders or opinions:
(a) Case involving, among other things, the rights of an unwed biological father in a private adoption, the legal

definition of a parent, conflict of laws questions related to South Carolina law, Oklahoma law, and the laws of the Cherokee Nation, a federally recognized Native American tribe, the Interstate Compact on the Placement of Children, and the Indian Child Welfare Act. My ruling was upheld by the South Carolina Supreme Court. That decision was reversed by the United States Supreme Court. Adoptive Couple v. Baby Girl, 389 S.C. 625, 731 S.E.2d 550 (2012), Adoptive Couple v. Baby Girl, 133 S. Ct. 2552, 186 L.Ed.2d 729 (2013).

(b) State v. Unnamed minor: This was a juvenile waiver hearing involving a 16 year old who was approximately sixteen years and ten months old when he was charged with the crime of murder. The primary issue was whether or not the Family Court should retain jurisdiction over the minor or relinquish jurisdiction and waive the minor up to the adult court of General Sessions.

(c) SCDSS v. Unnamed mother and father. SCDSS v. Rudemyer and Renaud, 2016-UP-438. (S.C. Ct. App. 2016) This was a DSS abuse and neglect case. DSS removed custody of a child from mother and placed the child with Father. After more than a year, during which time Mother had relapses in maintaining sobriety, DSS believed Mother had substantially complied with the treatment plan and recommended the child be returned to Mother based upon successful completion of the plan. However, the Guardian ad Litem believed it was in the child's best interests that she remain in Father's custody, as the child was in a more stable home environment and had blossomed in Father's custody, where she felt safe. I awarded custody of the child to Father, finding the court had the authority to alter the permanent plan for the child, and finding that custody with Father was in the child's best interests. Mother appealed. In the unpublished opinion cited above, my decision was affirmed.

(d) Stone v. Stone, 2017-UP-289 (S.C. Ct. App. 2017), (rehearing denied). This was an action involving contempt of court for failing to comply with a court order and the award of attorney's fees associated with

the action. Wife appealed. In the unpublished opinion cited above, my decision was affirmed.

(e) Williamson v. Williamson This was a case involving interesting issues of transmutation and/or special equity, marital property, and alimony issues.

Judge Malphrus further reported the following regarding unsuccessful candidacies:
I was an unsuccessful candidate for Family Court Judge Fourteenth Judicial Circuit, Seat 2 in the Fall 2007.

(9) Judicial Temperament:

The Commission's investigation did not reveal disqualifying evidence regarding Judge Malphrus's temperament, however, the Ballot Box survey indicated a number of concerns with Judge Malphrus' judicial temperament and demeanor. After extensive questioning, Judge Malphrus acknowledged her reputation as a "no nonsense" judge and gave credence to these concerns. Expressing that she immediately took the Ballot Box surveys to heart upon reviewing them, Judge Malphrus assured the Commission that she has already taken specific steps to improve these issues and will continue to do so. Judge Malphrus noted that she has completed a self-evaluation and has made changes to her schedule to improve any temperament concerns.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Malphrus to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, experience, and judicial temperament. The Committee also commented that Judge Malphrus is "Very Experienced."

Judge Malphrus is not married. She has three children.

Judge Malphrus reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) South Carolina Association of Family Court Judges

Judge Malphrus further reported:

It has been my honor to serve as a Family Court Judge. I know that I have to make hard decisions that impact children and families, and I try to do so to the best of my ability. I try my best to leave my job at the courthouse or my office when I leave it, however I try to take kindness and compassion with me to court every day. I believe I had learned so much, not just about family law, but also about human nature and the importance of families since I was elected in 2011.

(11) Commission Members' Comments:

The Commission noted concerns over Judge Malphrus's negative Ballot Box comments related to her temperament, while also acknowledging the Lowcountry Citizen's Committee finding her "Well Qualified" in the criteria of judicial temperament. The Commission noted that Judge Malphrus has begun to take the appropriate steps to correct any temperament concerns and cautioned her to continue to do so.

(12) Conclusion:

The Commission found Judge Malphrus qualified and nominated her for re-election to the Family Court, Fourteenth Judicial Circuit, Seat 3.

The Honorable Jan B. Bromell Holmes
Family Court, Fifteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Bromell Holmes meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Bromell Holmes was born in 1970. She is 48 years old and a resident of Georgetown, South Carolina. Judge Bromell Holmes provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Bromell Holmes.

Judge Bromell Holmes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Bromell Holmes reported that she has not made any campaign expenditures.

Judge Bromell Holmes testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Bromell Holmes testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Bromell Holmes to be intelligent and knowledgeable.

Judge Bromell Holmes reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Bromell Holmes reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Bromell Holmes did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Bromell Holmes did not indicate any evidence of a troubled financial status. Judge Bromell Holmes has handled her financial affairs responsibly.

The Commission also noted that Judge Bromell Holmes was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Bromell Holmes reported that she is not rated by any legal rating organization.

Judge Bromell Holmes reported that she has not served in the military.

Judge reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Bromell Holmes appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Bromell Holmes appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Bromell Holmes was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) Since my graduation from law school on May 13, 1995, I worked for Morant and Morant Law Firm located at 1022 Prince Street in Georgetown, SC from September

1995 to July 1997. I performed title searches, closed real estate loans, handled social security disability cases, personal injury cases, prepared wills, prepared deeds and handled family court cases.

(b) From July 1997 to June 2007, I ventured out and opened my own law firm, Jan B. Bromell, P.A. Seventy five (75%) of my practice consisted of domestic matters. I prosecuted and defended child support and child custody cases, divorce, alimony, separate maintenance and support, adoption and termination of parental rights, appointed and retained on juvenile cases, appointed and retained on abuse and neglect matters, name change, annulment, equitable distribution, and orders of protection. Twenty-four percent (24%) of my practice consists of civil matters. I handled real estate transactions, performed title searches, handle social security disability cases, personal injury cases, prepared power of attorney, contracts, wills and deeds. One percent (1%) of my practice consisted of criminal cases.

(c) Elected as Family Court Judge Seat 1, Fifteenth Judicial Circuit on February 7, 2007. Began work July 2, 2007 and working continuously since.

Judge Bromell Holmes reported that she has held the following judicial office(s): "Elected as Family Court Judge Seat 1, Fifteenth Judicial Circuit on February 7, 2007. Began work July 2, 2007 and working continuously since."

Judge Bromell Holmes provided the following list of her most significant orders or opinions:

(a) High v. High, S.C. Court of Appeals Opinion # 4717

This was a divorce action with an agreement on equitable distribution of marital property and debt. The contested issues were child custody and attorney fees. The matter was appealed. The Father appealed my order granting Mother sole custody of the couple's two children, arguing the family court erred in: (1) refusing to qualify Teressa Harrington, LPC as an expert witness; (2) prohibiting the introduction of statements made by the couple's minor daughter to Harrington; (3) refusing to admit Harrington's records into evidence; (4) making certain findings of fact

relevant to the issue of custody which were not supported by the record; (5) failing to consider important factors contained in the record in its award of primary custody to Mother; (6) awarding Mother sole custody based on the fact that Mother was historically the caregiver of the minor children; and (7) granting Mother custody based on the primary caretaker factor. The Mother cross-appealed arguing that the family court erred in (1) hearing Father's untimely motion to alter or amend, and (2) failing to award her attorney's fees and costs. The Court of Appeals affirmed my ruling.

(b) In the Interest of Spencer R., S.C. Court of Appeals #4668

This was a juvenile delinquency matter in which Spencer R. was charged with pointing and presenting a firearm. This case was my first juvenile trial as a family court judge. What was difficult about this case is that the State charged the juvenile in one petition for pointing and presenting a firearm at three different people. I didn't understand why the State didn't file three petitions, one for each person. It was clear to me that the juvenile intended to point and present a firearm at one of the individuals, but not the other two. However, because of how the petition was filed, I thought that I had to find the juvenile delinquent on the petition. The juvenile appealed his conviction for presenting a firearm, alleging the family court erred in finding sufficient evidence to support his conviction. The Court of Appeals affirmed the conviction of one of the individuals and reversed the conviction of the other two individuals. I am particularly proud of this case because prior to my ruling, there was no case law in the State of SC which defined presenting a firearm.

(c) Simmons vs. Simmons, Supreme Court Opinion #26970.

This was a difficult case for me. The parties divorced in 1990 and entered into a family court-approved settlement agreement that was determined to be void in part. A central part of the parties' agreement required Husband to give Wife one-third of his Social Security benefits if he began receiving them at age 62 or one-half of those benefits if he began receiving them at age 65. The Social Security benefits were to "be construed only as a property settlement, and shall not in any way be considered or

construed as alimony." Husband attained the age of 62 in 1994 and 65 in 1997, but he failed to pay Wife any portion of his Social Security benefits. In December 2003, Wife filed a petition for a rule to show cause, seeking to compel compliance with the agreement. Husband responded by filing a Rule 60(b)(4), SCRCP,[2] motion, asserting that the family court lacked subject matter jurisdiction to order division of his Social Security benefits. The family court dismissed Husband's subject matter jurisdiction challenge, and Husband appealed. The court of appeals reversed. Simmons v. Simmons, 370 S.C. 109, 634 S.E.2d 1 (Ct. App. 2006). The court found that the Social Security Act, specifically 42 U.S.C. § 407(a) (2010), preempted and expressly precluded the parties' agreement to divide Husband's Social Security benefits. As a result, the court voided that portion the agreement. The appeal presented the question of whether the family court may revisit, in whole or in part, the now partially voided agreement. I ruled in 2008 that I lacked subject matter jurisdiction to reconsider the 1990 court- approved agreement. The Supreme Court reversed and remanded for reconsideration of the court-approved agreement.

(d) Erma L.J. and Joe J., Jr. vs. Linda D.W. 2010–UP-506

The facts of this case were difficult. A mother was serving time in prison for the murder of one of her children. The paternal grandparents sought to terminate her parental rights and adopt the remaining two children. Mother was not able to personally appear because she was incarcerated in the State of NC. However, she was allowed to testify by teleconference in my chambers because the courtroom did not have a telephone line. She objected to her rights being terminated. The Father consented to his parents adopting the children and thereby signed a consent and relinquishment terminating his parental rights and consenting to the adoption. I terminated the Mother's rights on two grounds: based on the severity of abuse the home cannot be made safe within twelve months and the physical abuse of a child by a parent resulted in the death of the child and the parent was convicted of murder. I further found that TPR was in the minor children's best interest. The Court of Appeals affirmed my ruling.

(e) In the Interest of Justin B., a Juvenile Under the Age of Seventeen, Opinion No. 27306 (S.C. Sup. Ct. filed August 28, 2013)

This case was also significant to me in that it involved sexual abuse committed between siblings. On May 3, 2009, Justin B's adoptive mother witnessed him sexually molest his adoptive sister and notified the police. In August 2009, he was indicted for CSC-First in violation of section 16-3-655(A)(1) of the South Carolina Code. S.C. Code Ann. § 16-3-655(A) (Supp. 2012). Pursuant to negotiated plea deal in which the juvenile agreed to plead guilty if allowed to do so in family court, the juvenile was brought before me on a juvenile petition in November 2009. He admitted guilt and was subsequently adjudicated delinquent. I committed the juvenile for an indeterminate period to the Department of Juvenile Justice, not to exceed his twenty-first birthday, and required him to undergo counseling. He was also ordered to register as a sex offender as required by section 23-3-460 of the South Carolina Code, and to comply with section 23-3-540's electronic monitoring requirements. Id. §§ 23-3-460, -540. The Juvenile appealed challenging the active electronic monitoring requirements of section 23-3-540 of the South Carolina Code Section 23-3-540 that individuals convicted of certain sex-related offenses, including criminal sexual conduct with a minor in the first degree (CSC-First), submit to electronic monitoring for the duration of the time the individual is required to remain on the sex offender registry. S.C. Code Ann. § 23-3-540(A)-(H) (Supp.2012). An individual found guilty of CSC-First is required to register as a sex offender bi-annually for life. Id. §§ 23-3-430, -460 (Supp. 2012). Section 23-3-540 also provides that ten years from the date electronic monitoring begins, an individual may petition the chief administrative judge of the general sessions court for the county in which the offender resides for an order of release from the monitoring requirements. Id. § 23-3-540(H). However, those persons convicted of CSC-First may not petition for this review. Id. Thus, these sex offenders must submit to monitoring for the duration of their lives.

Justin B argued that, because he is a juvenile, this imposition constitutes cruel and unusual punishment in violation of the federal and state constitutions. The Supreme Court found that electronic monitoring is not a punishment, and rejected Justin B's claim. However, the Supreme Court allowed the juvenile to have periodic judicial review to determine the necessity of continued electronic monitoring. My decision was affirmed as modified.

Judge Bromell Holmes reported the following regarding her employment while serving as a judge:

Holmes and Holmes Trucking, Inc. March 2005-2009. I was co-owner along with my husband. This business was a logging business in which my husband operated an 18-wheeler truck on a part-time basis. I really had no duties with respect to the business.

(9) Judicial Temperament:

The Commission believes that Judge Bromell Holmes' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizen's Committee on Judicial Qualification found Judge Bromell Holmes to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Bromell Holmes is married to Cleveland Bernard Holmes. She has two children.

Judge Bromell Holmes reported that she was a member of the following Bar associations and professional associations:

(a) South Carolina Bar Association
(b) Georgetown County Bar Association
(c) Coastal Women Lawyers
(d) South Carolina Bar Pro Bono Board

(e) Coastal Inn of Court

Judge Bromell Holmes provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Alpha Kappa Alpha Sorority, Inc. (Parliamentarian 2016-Present) Member of the Year for 2009
(b) St. Paul AME Church, Steward (2005-Present), Finance Committee(2005-Present) Christian Education Department (2004-Present), Women's Missionary Society (1995-Present)

Judge Bromell Holmes further reported:

I have come into contact with thousands of people over the past eleven years as a Family Court Judge. I have treated all individuals with the utmost respect. These individuals come from many walks of life. I have been patient, dignified, open-minded and diligent in disposing of their cases. I have handled the pressure of a rigorous schedule and look forward to the opportunity to continue to serve the public as a Judge of Family Court.

(11) Commission Members' Comments:

The Commission commented that at the public hearing, Judge Bromell Holmes showed tremendous humility and respect, which was gratefully received. The Commission appreciates Judge Bromell Holmes' respected service on the family court bench.

(12) Conclusion:

The Commission found Judge Bromell Holmes qualified and nominated her for re-election to the Family Court, Fifteenth Judicial Circuit, Seat 1.

The Honorable David G. Guyton
Family Court, Sixteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Guyton meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Guyton was born in 1961. He is 57 years old and a resident of Rock Hill, South Carolina. Judge Guyton provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Guyton.

Judge Guyton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Guyton reported that he has spent $16.00 in campaign expenditures for a flash drive to use in order to download the application package to a flash drive when the original one provided by the JMSC was bent and would not fit into a computer.

Judge Guyton testified he has not:

a) sought or received the pledge of any legislator prior to screening;
b) sought or been offered a conditional pledge of support by a legislator;
c) asked third persons to contact members of the General Assembly prior to screening.

Judge Guyton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Guyton to be intelligent and knowledgeable.

Judge Guyton reported that he has taught the following law-related courses:

a) I drafted materials and presented them at a session of the December 2011 Family Court Bench/Bar focusing on military issues relating to Family Court practice.
b) I was a judicial panel member at the 2012 CLE What Family Court Judges want you to know.
c) I presented materials and lectured on The Military Parents Equal Protection Act and other topics at the August 2011 SC JAG Conference.
d) I was a panel member for the 2012 Color of Justice presentation in Rock Hill, SC
e) I have taught local clerk of court office personnel courtroom procedure and evidence.
f) I meet with and teach a local guardian ad litem group at least twice per year to update case law and answer their questions.
g) I have organized military justice training to SCNG Judge Advocates and Administrative Officers on several occasions through the years.
h) I organized and conducted Military Support to Civilian Authorities training; presented my materials by lecture and provided each attendee a tool kit CD for reference and practical application.
i) I made a presentation to the Municipal Court Administration Association as a City Court Judge on diffusing hostility.
j) I presented legal tips for unemployed Veterans at an HR Boot Camp.
k) I wrote a paper on the judicial perspective of Family Court Judges at Order of Protection hearings and lectured on that topic to Victim Advocates to train them on how to better prepare domestic violence victims for their hearing. I also prepared a sample script for victims use in preparing for the hearing. I gave permission for it to be disseminated statewide among victim advocate groups and legal services.
l) I spoke to the Judge Advocates at Ft. Jackson, South Carolina, concerning Family Court and military related issues.

m) I lectured at a statewide Department of Juvenile Justice education conference on the judicial perspective on issues in juvenile court
n) I have been a panel member and a guest lecturer at the annual Public Defender's conference.
o) I have made presentations at the state School Resource Officers conference on juvenile and education issues in Family Court.
p) I have made presentations almost annually to Rock Hill School District personnel and York County school resource officers.
q) I was a panel member on the CLE Top Ten Mistakes Attorneys Make in Family Court.
r) I made a presentation and sat as a judicial panel member at the York County Bar Association CLE in January 2018.
s) I presided over private school moot court competition at the Moss Justice Center in York and provided evaluation and feedback.
t) I have made two presentations to Judge Advocates and Military Judges of Colombia, South America, once in Colombia, and once in South Carolina, as part of the State Partnership Program in the National Guard.
u) I made presentations to the Family Court Judges at our annual conferences on the Interstate Compact for Juveniles and the Status Offender Task Force.

Judge Guyton reported that he has published the following:
a) The Military Parent Equal Protection Act South Carolina Lawyer Magazine March 2012, co-authored with COL (Ret) Barry Bernstein.

(4) Character:

The Commission's investigation of Judge Guyton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Guyton did not indicate any evidence of a troubled financial status. Judge Guyton has handled his financial affairs responsibly.

The Commission also noted that Judge Guyton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Guyton reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV 4.4.

Judge Guyton reported the following military service:

a) Commissioned as a 2LT in the United States Marine Corps in August of 1985.
b) Served active duty in the United States Marine Corps October 01, 1988 to October 01, 1991.
c) Discharged with an Honorable Discharge as a Captain and Gulf War Veteran upon completion of term.
d) Served in the South Carolina Army National Guard from March 1992 until retiring in August 2017, with an Honorary Discharge, at the rank of Colonel, with an honorary promotion to Brigadier General
e) Previously served in the positions of State Staff Judge Advocate for the SC Army National Guard, Military Judge, Trial counsel, Defense counsel, and SJA for the 262 AAMDC, the 228 Signal Brigade, and Joint Force Headquarters.

Judge Guyton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Guyton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Guyton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Guyton was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

a) Oct 1, 1988 to Oct 1, 1991, United Stated Marine Corps. I served as a Trial Counsel prosecuting military Courts-Martial and as a Deputy Staff Judge Advocate at Camp Pendleton, CA, and while deployed to Saudi Arabia during Desert Shield/Desert Storm.
b) Oct 1991 to March 2009 private law practice. I joined Harrelson and Hayes law firm in Oct 1991, as an associate. I became a partner in 1996, and the firm became Harrelson, Hayes, and Guyton. My primary area of practice was Family Court including Divorce, legal separations, child custody, child support, alimony, equitable division, simple adoptions, guardian ad litem work, termination of parental rights, juvenile defense, SCDSS defense, Foster Care Review Boards, domestic violence, name changes, annulments, common law marriage, and almost anything associated with Family Court. I also handled real estate closings, simple estate planning and probate, criminal defense, landlord-tenant, personal injury, and contract law. Family Court was probably 75% of my practice and all other areas totaled 25%. I was a trial lawyer, often going to court several times a week, including Family Court, General Sessions, Probate, Master-in-Equity, and city and county magistrate courts. My secretary and I handled the trust funds for my clients as part of the firm's trust account, but I considered Hugh Harrelson as the primary financial management partner. I do not recall ever having any trust account issues.
c) 1991 to 2009 Associate City Court Judge for the City of Rock Hill. I presided over bench trials, jury trials, and set bonds. This was part time, usually only a few hours each month to help the City handle its docket, and primarily in evening hours. One evening, another Judge and I handled over 200 cases on the docket. I was paid per hour as an independent contractor, not as a city employee. It certainly helped prepare me for a Family Court Judge position. I was not responsible for handling funds and never did so.
d) Oct 1992 to August 2017 Judge Advocate in the SC Army National Guard. I served as Trial counsel and as Defense Counsel for military courts-martial and administrative separation proceedings, Staff Judge Advocate for several

units and for the entire state. I also served as a South Carolina Military Judge under the SC Code of Military Justice, which carries the same authority as a state circuit judge by statute. I had a lot of administrative duties but they did not include financial responsibilities.

Judge Guyton reported that he has held the following judicial office(s):

a) Associate City Court Judge for the City of Rock Hill 1999 to 2009. This was part time for several hours per month, primarily for night court. The jurisdiction was for city criminal and traffic offenses for up to 30 days in jail or $500 fine, and as otherwise allowed by statute, such as DUI third which allowed 90 days incarceration. City Court did not involve civil matters. I was appointed by Municipal Court Judge Jane P. Modla, confirmed by City Council, and reaffirmed by City Council until I assumed my Family Court Judicial position.

b) Military Judge for the State of South Carolina Military Department, May 2007 through Dec 2010. This was an appointed duty by The Adjutant General of the State of South Carolina, MG Stanhope Spears at the time. The position carries the authority of a SC Circuit Court Judge by statute. I was compensated by my normal National Guard drill pay and did not receive extra compensation for holding that position. I presided over Special Courts-Martial for the National Guard under the SC Code of Military Justice, and could impose incarceration, fines, reduction in rank, and a Bad Conduct Discharge. It was a state court, not a federal court.

c) Family Court Judge for the Sixteenth Judicial Circuit, Seat 2 (York County). I was elected February 3, 2010, to serve the unexpired term of retiring Judge Henry T. Woods. I was sworn in April 16, 2010. I was re-elected to the same position on January 30, 2013. I handle Divorces, separations, child custody and visitation, alimony, equitable distribution of marital property and marital debt, child support, adoptions, termination of parental rights, name changes, SC Department of Social Services child abuse and neglect cases, SCDSS vulnerable adult cases, Juvenile Court for minors who commit crimes and status offenses, Truancy Court, Protection From Domestic Abuse Act hearings,

bench warrants for failure to pay child support, Rules to Show Cause hearings for private actions, Clerk's rules, and SCDSS child support enforcement division, annulments, common law marriages, and paternity actions. I also preside over a Juvenile Drug Court held weekly for juvenile offenders upon which successful completion results in expungement of their charges. The jurisdiction of Family Court is by statutory authority primarily set forth in Titles 20 and 63 of the South Carolina Code of Laws.

Judge Guyton provided the following list of his most significant orders or opinions:

a) Every December on the last day of court I hold an adoption day, and we schedule 10 to 15 uncontested adoptions, so that families can walk away with an Adoption Decree before the end of the calendar year, and a very special Christmas. It is one of those rare days in Family Court where everyone leaves the courtroom smiling and happy. In 2018 we actually had to schedule two days to hear all the requested adoptions. Each case has its own special story. My most significant adoption this year was for a 13 year old named Tony, who had been an abused child in DSS care and custody for years. He had significant behavioral problems and special needs, such that he had been in eighteen different foster care homes before he was placed with a family who finally refused to give up on him, even when he challenged them over and over again to test their commitment to him. After almost 3 years with this family, Tony knew they loved him so much they would never give up on him, and they adopted him into their permanent home. If desired you can find this and other adoption stories from that day in the December 21, 2018, edition of The Herald, our local Rock Hill newspaper, online at Heraldonline.com.

b) I had a 4 day trial in which the primary issue was custody of a 6 year old autistic child who may also be on the lower end of the autism spectrum. I was a visiting Judge in that jurisdiction. The case was 3 years old when we started the final hearing set for 2 days. After starting the trial it was obvious it would take more than 2 days. Instead of continuing the case and re-scheduling for trial at a later date, I informed the litigants we would try the case and find a way

to get it completed. Although counsel for both parents were competent and courteous, it was an extremely contentious trial. After two days we used a Friday afternoon in which we normally do not schedule hearings, and then traveled to my courtroom the following Monday during a chambers week and held court until the case was finished. I am not describing this case to brag on the extra effort to get it completed, but to show how important it is to move cases along in a timely manner, especially with children involved. This child was three years old when the case began. He was now six and needed permanency and stability in his life. I awarded custody to the father, who in a subsequent year sent me letters and pictures of his son who thrived physically, emotionally, and educationally, after placement with his father in another state. It was one of those cases when as a Judge, I felt vindicated by my decision.

c) I hold juvenile drug court on Tuesday afternoons when my docket is in Rock Hill. This is a program for juveniles who plead guilty to substance abuse or other crimes an opportunity to move through several phases and numerous requirements with their families and, if successful, have the charge(s) expunged. They are tested for drugs weekly, do community service hours, have weekly homework assignments, and attend counseling sessions for issues such as conflict resolution. I do not get paid any extra for this time, and the court is held after the scheduled docket. I estimate a little more than 50% graduation rate, and the program takes about a year or longer to complete. I get to speak at their graduation, and hear from the juvenile and his or her parents or guardians. Parents often thank me and our program staff for saving the life of their child and giving them their family back. The tearful gratitude is deeply satisfying, and it is with great pride that I get to sign their expungement orders and leave them with a new start and the tools to be successful. The fact that the program is successful, that we are changing the lives of these kids and their families, and that we are saving taxpayer money in doing so, is very significant to me as a Family Court Judge.

d) Conits v Conits, 417 S.C. 127, 789 S.E.2d 51 (Ct. App. 2016) I was upheld on equitable distribution concerning approximately 48 parcels or real property, businesses, and

other significant assets worth several million dollars. This was a two day trial, and fortunately the attorneys did an excellent job stipulating many of the exhibits and presenting only relevant testimony, as it could have easily been a weeklong trial. The case resulted in several boxes of material for review. Recently the case was appealed again concerning a large parcel of property overseas, reversed and remanded, and then reversed again to keep the original decision in place. This case taught me the importance of proper marking of exhibits, admission as evidence, the value of good trial attorneys, and a clear record for possible review by appellate courts.

e) Some of the simple cases, compared to a multi-million dollar division of property, are the most significant. Last week I heard a case in which an elderly black man, represented by South Carolina Legal Services, was seeking a birth certificate to change his name. He had always been known by a particular name, and had all his records in that name, but when he got a copy of his birth certificate, it had no first name listed. He needed a birth certificate with his full name to prove he was who he said he was when trying to get benefits. When he testified, it was obvious by his dress and speech that he had little education, and was a simple man of few means. However, his quiet and humble testimony proved to me he was credible, and really wasn't seeking the birth certificate for monetary reasons, but so that he could have an official document that proved who he was, and that he had a name. He could never have gotten through the process pro se, and he did not have the ability to hire an attorney, so Legal Services representation was essential to getting a correct birth certificate and name. When I announced the finding on the record that his known name was official and legal, and that he would get a new birth certificate, his wide grin through some missing teeth, and his constant thank you to me and his counsel, was incredibly gratifying. What was a short and simple hearing on my docket that day, was the most significant event in his life in a long time.

Judge Guyton reported the following regarding his employment while serving as a judge:

I have been a Judge Advocate for the South Carolina Army National Guard since March 1992 when I joined as a Captain through my retirement in August 2017 as a Colonel. My supervisor was State Judge Advocate Barry Bernstein until he retired and I replaced him in that position on M-Day (drill) status. My supervisor then became MG Robert Livingston, The Adjutant General of the SC National Guard. My former supervisors have included Justice James Lockemy (retired COL) and Vic Rawl (retired LTC). My duties included Trial Counsel, Defense Counsel, Military Judge, legal assistance, and Command SJA for 263 AAMDC, 228th Signal Brigade, and Joint Force Headquarters.

(9) Judicial Temperament:

The Commission believes that Judge Guyton's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee reported Judge Guyton to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee included the following summary statement, "The Committee was particularly impressed by Judge Guyton's diligence and commitment to service, especially his willingness to make himself available whenever necessary to meet litigants [*sic*] needs."

Judge Guyton is married to Crystal Rene Fickling Guyton. They have two children.

Judge Guyton reported that he was a member of the following Bar and professional associations:

a) South Carolina Bar Association since 1988. Member of Military Law Section and Family Law Section. Pro Bono program volunteer and legal assistance to military personnel volunteer prior to becoming a Judge.
b) York County Bar Association since 1992. Past Secretary, Treasurer, and President (1996).

c) American Bar Association since 1988
d) SC Summary Court Judges Association from 1999 until elected to Family Court in 2010.
e) Commission on Lawyer Conduct for over 10 years until elected Family Court Judge in 2010.
f) Commission on Judicial Conduct from 2010 through the current date.
g) Appointed to the Family Court Judges Advisory Committee by Chief Justice Donald W. Beatty on December 11, 2017.

Judge Guyton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

a) Charter member of the Marine Corps League Olde English Leathernecks Detachment since 2002. Served as Judge Advocate for the Det. ten years. Received several Outstanding Marine Awards and The Four Chaplains Award
b) Life Member of VFW Post 2889 since early 1990s. Life member. Served as Judge Advocate 15 years or more.
c) Member American Legion Frank Roach Post 34 in Rock Hill since 1992.
d) Member of the York County Veterans Advisory Council since 1993. I have served as the Master of Ceremonies for our annual York County Memorial Day Ceremony for 25 years.
e) Former member and Treasurer Rock Hill School District Education Foundation member
f) Kiwanis Club of Rock Hill over 20 years. Past President. Terrific Kids program, past coordinator and current volunteer.
g) Charter member Rolling in Rock Hill program and 15 year volunteer, painting the homes of poor and disabled.
h) Churches include Northside Baptist, Oakland Baptist, North Rock Hill Church, Elevation, Newspring, and currently attending LifePointe in Ft. Mill, SC.
i) Former Auxillary Probation Officer through the SC Department of Juvenile Justice.
j) Former Weblos Scout Den Leader

Judge Guyton further reported:

I feel that I am a good Judge because of my prior extensive community service activities, many of which revolved

around the best interests of children. I was born and raised in the community I have served all my life either personally or professionally. I am embedded and invested in the families of my county and this state. I believe my current physical fitness regimen of 5 to 6 days per week helps me keep my life in balance, and reduces the heavy stress of the Family Court caseload and subject matter. I have always had, and still have, a strong family support network based upon high moral values, to remind me of the importance of keeping families together when possible, and if not, to provide a way to move forward with the least harm. My thirty two years of military experience has instilled in me a work ethic and discipline which I have found invaluable as a Judge. Finally, because of my family values, I have attended church my entire life. The locations and types of worship have changed, but my spiritual faith has been the foundation for the rest of my life, and the forgiveness I receive from God is a constant reminder that no one is perfect, and that I need to remember that every day I am on the bench.

(11) Commission Members' Comments

The Commission commented that they appreciated Judge Guyton's service on the Family Court bench and his service to the State thus far. Further, the Commission noted the positive comments about him in the Ballot Box survey.

(12) Conclusion:

The Commission found Judge Guyton qualified and nominated him for election to the Family Court, Sixteenth Judicial Circuit, Seat 2.

The Honorable Tony M. Jones
Family Court, At-Large, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jones was born in 1958. He is 60 years old and a resident of Rock Hill, South Carolina. Judge Jones provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jones reported that he has not made any campaign expenditures.

Judge Jones testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jones testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jones to be intelligent and knowledgeable.

Judge Jones reported that he has taught the following law-related courses:

(a) 2017 Horry County Family Court Continuing Legal Education Seminar
February 13, 2017
I spoke on the issue of relocation.

(b) 2018 Horry County Family Court Continuing Legal Education Seminar
February 16, 2018
I spoke on psychological de facto parent issues.

Judge Jones reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Jones did not indicate any evidence of a troubled financial status. Judge Jones has handled his financial affairs responsibly.

The Commission also noted that Judge Jones was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Jones reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Jones reported that he has not served in the military.

Judge Jones reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Jones appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Jones appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Jones was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:
(a) When I graduated from law school in 1983, I went to work with a sole-practitioner, Luther C. Elrod, III. 1983-1987
(b) Elrod and Jones from 1987 through 1989.
(c) Elrod, Jones and Leader 1989-1991
(d) Elrod, Jones, Leader and Benson 1991-2005
(e) Tony M. Jones, P.A. 2005-2013
At first, I handled a variety of cases including domestic, social security disability, criminal, and personal injury. After about five years, my practice began concentrating on domestic relations and social security. After ten years, I practiced exclusively in the area of domestic relations and continued to do so until my election to the Bench in 2013.

I left my firm in 2005 and practiced as a sole practitioner.

When with the firm, we had independent auditors for our trust account. I became managing partner in the mid 90s and each lawyer had their own trust accounts. We were independently audited by an outside firm annually. Our trust accounts were reconciled daily.

Judge Jones further reported the following regarding unsuccessful candidacies:
I ran for Family Court Judge in 2011. I was unsuccessful. I withdrew at the recommendation of my delegation. David Guyton went on to win the seat.

(9) Judicial Temperament:
The Commission is concerned with the negative Ballot Box surveys received concerning Judge Jones' judicial temperament, focusing on his demeanor and treatment of attorneys in his courtroom. Judge Jones acknowledges that he has a "no nonsense" reputation, and states that his decisiveness could be misinterpreted as being disrespectful. The Commission acknowledges Judge Jones' passion about his job, but encourages him to continue to work on this evaluative criterion.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification

found Judge Jones to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

The Committee commented that "Judge Jones' direct, no-nonsense manner confirms his impartiality and conscientiousness. The Committee was also moved by his compassion and commitment to the children and families whom he serves in the Family Court."

Judge Jones is not married. He does not have any children.

Judge Jones reported that he was a member of the following Bar and professional associations:
(a) York County Bar Association, President 1987
(b) SC Bar
(c) SC Conference of Family Court Judges

Judge Jones provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Jones further reported:
As a lawyer and judge I have seen how Family Court can have a significant impact on the lives of the litigants and their children. As a lawyer, I dealt with numerous clients who were going through the emotional upheaval and turmoil of a separation, divorce, or custody proceeding. I know how the children can be affected. I served on the Board of Directors for the Children's Attention Home prior my election to the bench for almost ten years. This facility was designed to house children who had been either removed or taken into protective custody pending foster placement. One did not have to spend much time at the Children's Attention Home to see how the family domestic matters were impacting their lives. I also served as a foster parent for two young men, (who had incidentally had been placed at the Children's Attention Home). I helped raise them over a period of years. Having these experiences has helped me as a judge to not lose sight of the responsibilities we have in meeting the needs of these families and children. I always try to be kind and

patient to the litigants and to court personnel. I listen carefully and try to make my decisions in a timely manner. While handling these domestic cases on a day to day basis, it is easy for our job to become routine. But as a judge but I must be mindful that each individual case is the most important thing that will happen in the lives of these families. And with that in mind, I try to be courteous and respectful to all of those who come before me. My grandfather, in my mind, said it best "you judge the greatness of a man not by what he has nor what he has accomplished, but in the manner in which he treats the least among him."

(11) Commission Members' Comments:

The Commission commented that Judge Jones was an experienced family court lawyer that has become a good family court judge. The Commission also applauds his wisdom, experience, judgment, and dedication to improve of the welfare of children in our state.

(12) Conclusion:

The Commission found Judge Jones qualified and nominated him for re-election to the Family Court, At-Large, Seat 2.

The Honorable James G. McGee III
Family Court, At Large, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McGee meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McGee was born in 1959. He is 59 years old and a resident of Florence, South Carolina. Judge McGee provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McGee.

Judge McGee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McGee reported that he has not made any campaign expenditures.

Judge McGee testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McGee testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McGee to be intelligent and knowledgeable.

Judge McGee reported that he has taught the following law-related courses:
(a) 2008-2012 Adjunct Professor, Francis Marion University teach Political Science 101. This was an entry level political science taught mostly to freshmen covering US and State government;
(b) 2006-2012 *Pro se* divorce seminar for Centers for Equal Justice. I taught this seminar periodically for self-represented indigent litigants seeking a divorce on one year separation;
(c) 2004-2012 Training seminars for volunteer GALs. As attorney for the 12th Guardian ad litem program I taught new volunteers in courtroom procedure and effective witnessing in abuse and neglect matters before Family Court.

Judge McGee reported that he has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge McGee did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Judge McGee did not indicate any evidence of a troubled financial status. Judge McGee has handled his financial affairs responsibly.

The Commission also noted that Judge McGee was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McGee reported that he is not rated by any legal rating organization.

Judge McGee reported that he has held the following public office:

I served as a member of the South Carolina House of Representatives from 1997-2006.

(6) Physical Health:

Judge McGee appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McGee appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McGee was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

After being admitted to the bar in 1995, I began work at Dusenbury and Snow, P.A. in Florence, SC, which later became

Dusenbury, Snow & McGee, P.A. I was employed by the firm until my election to the bench in 2013. I practiced in Family Court primarily, comprising an estimated 95% of all my cases. In addition to my law practice, I became part-time General Counsel to Francis Marion University in 2008 and held that position until my election to the bench in 2013. I was not responsible for the administrative or financial management for either entity nor was I responsible for the management of the trust account at Dusenbury, Snow & McGee, P.A.

Judge McGee reported that he has held the following judicial office(s):
I currently hold the position of South Carolina Family Court Judge, At Large, Seat 3. 2013-Present.

Judge McGee provided the following list of his most significant orders or opinions:
(a) Davis v. Davis (Spartanburg County) 2015-DR-42-2940. This was a matter involving equitable division of a small business.
(b) Williams v. Williams (Georgetown County) 2015-DR-22-233. This was a weeklong trial involving legal custody of minor children.
(c) Durden v. Watford (Florence County) 2001-DR-21-36. This was a contempt action involving a minor child.
(d) SCDSS v. Davis and Miller (Greenville County) (Unpublished: APC-2016-002260). This was a termination of parental rights action.
(e) SCDSS v. Jenkins (Dorchester County) (Unpublished: APC-2015-002632) This was a weeklong termination of parental rights action involving an adopted child.

Judge McGee has reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge McGee's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizen's Committee on Judicial Qualification found Judge McGee to be "Well-Qualified" as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" as to constitutional qualifications, physical health, and mental stability.

Judge McGee is married to Kathy Shirley McGee. He has has one child.

Judge McGee reported that he was a member of the following Bar associations and professional associations:
South Carolina Bar Association (held no offices)

Judge McGee provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Inns of Court (held no offices)

Judge McGee further reported:

When elected to the bench in 2013, I said I would treat litigants and attorneys respectfully and cordially, listen patiently and rule fairly. I have given each case that has come before me my full attention, knowing that my ruling would personally affect those appearing before me. Even though I have heard hundreds of cases since my appointment, it is not lost on me that for the litigants who appear before me, their case is the most important case I will hear. I treat their case that way. I have not deviated from these principles over the five plus years I have served this State as Family Court Judge. My experience has allowed me to hone these skills. My goal every day on the bench is to be the type of judge that I would want to appear before if I were a litigant or attorney.

(11) Commission Members' Comments:

The Commission commends Judge McGee on his joint possession of a calm judicial temperament and appropriate sense of humor. The Commission appreciates his continued service on the family court bench and his continued efforts to improve the status of the family court docket.

(12) Conclusion:

The Commission found Judge McGee qualified and nominated him for re-election to the Family Court, At-Large, Seat 3.

The Honorable Monet S. Pincus
Family Court, At-Large, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Pincus meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Pincus was born in 1965. She is 53 years old and a resident of Columbia, South Carolina. Judge Pincus provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993. She was also admitted to the Florida Bar in 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pincus.

Judge Pincus demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pincus reported that she has not made any campaign expenditures.

Judge Pincus testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pincus testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission had concerns regarding this criteria, as it appeared at the public hearing that Judge Pincus ordered a costly therapy in a distant location with a questionable therapy technique. However, both parties to the litigation at issue did not consent to the opening of the case file records, and there was no evidence presented of a pattern of orders requiring costly, unsound therapy at high rates, which generates excessive fees. Accordingly, the Commission found her qualified in this criteria.

Judge Pincus reported that she has taught the following law-related courses:

"What Family Court Judges Want you to Know." This was a panel seminar that covered topics including custody, child support, children, domestic violence, ethics, equitable division, and trial practice.

"As Family Court Judges See It." This seminar covered topics including temporary hearings, courtroom procedure, custody factors, determination of child support and alimony, divided assets and debts, ethics, communicating with the Court, domestic abuse, contempt, and presenting a case at trial.

"Family Law Essentials: Advice from the Bench." This topic covered courtroom decorum, ins and outs of temporary hearings, trial objections, and oral arguments.

"Hot Tips: Thoughts/Reflections from a New Judge." This topic covered order drafting, order timing, objections, ex parte communication, and dealing with pro se litigants.

"Family Court Bench Bar: Reflection from the Newbies." This session was question/answer.

"In the Best Interest of the Child, Annual Guardian ad Litem Training Program." This session covered the guardian's written report, verbal recommendations, handling witnesses during trial, and bias.

"Fifth Circuit Tips from the Bench." This session covered the 365 day rule in family court and other administrative motions and rules.

"Orientation School for New Family Court Judges." This session covered my experience as a first year judge.

"Family Court Bench Bar: Ethics." This session focused on judicial and lawyer ethics.

Judge Pincus reported that she has not published any books or articles since her last screening.

(4) Character:

Two affidavits of complaint were filed against Judge Pincus by Mr. Matthew Younginer and by Mr. Nathan Ginter. The Commission addressed both complaints in the candidate's public hearing.

The Commission's investigation of Judge Pincus did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Pincus did not indicate any evidence of a troubled financial status. Judge Pincus has handled her financial affairs responsibly.

The Commission also noted that Judge Pincus was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Pincus reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Pincus reported that she has not served in the military.

Judge Pincus reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Pincus appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Pincus appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Pincus was admitted to the South Carolina Bar in 1993.

She gave the following account of her legal experience since graduation from law school:

(a) Berry, Quackenbush & Stuart, 1993-1997: I was an associate in the litigation section of the law firm; I participated in all aspects of civil litigation from client intake to trial. I was not involved in administrative or financial management.

(b) Hampton Monge Shupe & Curlin, 1997-2001: I was a member of this law firm with family law as my primary practice area (my former name was Monet S. Curlin). This firm eventually became Curlin Law Firm when the other partners left and was dissolved on 9/26/02.

(c) Pincus Law Firm, LLC, 2001-2002. I was a sole practitioner practicing family law exclusively. I handled all administrative and financial management.

(d) Palmetto Law Group, LLC: 2002- 2003. I merged my practice with two other attorneys and continued my focus in family law. I was involved with limited administrative duties such as hiring, firing and marketing. I was not involved in financial management.

(e) Monet S. Pincus, LLC: 2003-2007. I returned to my own practice as a sole practitioner with a focus in family law. I handled all administrative and financial management.

(f) Pincus & Loomis, LLC: 2007-2010. I took on a partner in June 2007. I continued my family law practice during this time. My partner eventually accepted another employment position. We shared administrative and financial management.

(g) Monet S. Pincus, LLC: 2010-2013. I reverted to this company when my partnership dissolved in June 2007. I did business as Pincus Family Law. I handled all administrative and financial management.

(h) Department of Health and Human Services 2007: I was a contracted hearing officer in conjunction with my

private practice. I heard the first level of appeals of certain types of claims. I was not involved in administrative or financial management.

(i) Family Court Judge June 2013 through present.

Judge Pincus reported that she has held the following judicial office(s):

July 1, 2013 to present. Family Court. Elected. The Family Court's jurisdiction is limited per statute.

Judge Pincus provided the following list of her most significant orders or opinions:

(a) Jobst v. Jobst, Martin and S.C. Dept. of Social Services, Appellate Case No. 2016 002439, Filed June 6, 2018.

(b) S.C. Department of Social Services v. Veronica D. Chandler, 2018 UP 003, S.C. Ct. App.

(c) S.C. Department of Social Services v. Lola J. Brake, et al, 2017 UP 350, S.C. Ct. App.

(d) S.C. Department of Social Services v. Shikira Dunbar, 2016 UP 208, S.C. Ct. App.

(e) Daryl Hales v. Lee Hales, 16-DR-40-2357

Judge Pincus has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Pincus' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Pincus to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, character, professional and academic ability, reputation, experience, and judicial temperament. The Committee provided the additional commentary, "Pleasant, but somewhat 'hard' at times." The Committee ultimately concluded in its summary statement: "Well Qualified."

Judge Pincus is married to Daniel Wade Allman. She has three step-children.

Judge Pincus reported that she was a member of the following Bar and professional associations:
South Carolina Bar Association
Judge Pincus provided that she was not a member of any civic, charitable, educational, social, or fraternal organizations.

(11) Commission Members' Comments:
The Commission had concerns regarding the Professional and Academic ability evaluative criteria [see, above: (3)]; however, there was not evidence that rose to the level of a disqualifying nature. Therefore, the Commission believes this candidate is qualified in all nine of the evaluative criteria.

(12) Conclusion:
The Commission found Judge Pincus qualified and nominated her for re-election to the Family Court, At-Large, Seat 4.

The Honorable Randall E. McGee
Family Court, At-Large, Seat 5

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge McGee meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McGee was born in 1965. He is 53 years old and a resident of St. Matthews, South Carolina. Judge McGee provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge McGee.

Judge McGee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McGee reported that he has not made any campaign expenditures.

Judge McGee testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McGee testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McGee to be intelligent and knowledgeable.

Judge McGee reported that he has taught the following law-related courses:

(a) 2003 – I lectured and presented my written article, "How to Win a Temporary Hearing", at the SC Bar Seminar, Cool Tips from the Hottest Domestic Law Practitioners.

(b) 2004 – I lectured and presented my written article, "Custody and Visitation Factors" at the 2004 Guardian ad Litem Training Seminar.

(c) 2008 – I lectured and presented my written article, "The Dangers of Filing False Affidavits at a Temporary Hearing," at the SC Bar Seminar, Hot Tips from the Coolest Domestic Law Practitioners.

(d) December 2013 – I participated in a panel discussion at the Family Court Bench Bar seminar for the SC Bar. The panel was comprised of all recently elected, eight (8) Family Court judges.

(e) June 2014 – I presented orally, with written materials also, at orientation School for New Family Court Judges on impressions of a recently elected judge.

(f) January 2018 – I participated in a panel discussion with other Family Court judges at the Annual Guardian ad Litem Training and Update Seminar for the SC Bar.

Judge McGee reported that he has published the following:

(a) "How to Win a Temporary Hearing," 2003. Cool Tips From the Hottest Domestic Law Practitioners, (SC Bar CLE 2003).

(b) "Custody and Visitation Factors," 2004. Guardian ad Litem Training Seminar (SC Bar CLE 2004).

(c) "The Dangers of Filing False Affidavits at a Temporary Hearing," 2008. Hot Tips From the Coolest Domestic Law Practitioners, (SC Bar 2008).

(4) Character:

The Commission's investigation of Judge McGee did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McGee did not indicate any evidence of a troubled financial status. Judge McGee has handled his financial affairs responsibly.

The Commission also noted that Judge McGee was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McGee reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV Distinguished, High Ethical Standing.

Judge McGee reported that he has not served in the military.

Judge McGee reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McGee appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McGee appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McGee was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:
(a) 1991 – 1992, Associate – Felder & Prickett, St. Matthews, SC (utilized trust account for client funds). General Practice.
(b) 1992 – 1995, Associate – Felder, Prickett & Mizzell, St. Matthews, SC (utilized trust account for client funds). General Practice.
(c) 1995 - 2002, Partner, Felder, Prickett & McGee, LLP, St. Matthews, SC (utilized trust account for client funds, active in all business decision in partnership as a 1/3 interest holder). General Practice with emphasis on Family Law.
(d) 2003 – 2013, Partner, Felder & McGee, LLP, St. Matthews, SC (utilized trust account for client funds, active in all business decisions as a partner with 1/3 or ½ interest in law firm). Served as managing partner also during this time. General Practice with emphasis on Family Law.
(e) 1993 – 2013, title insurance agent to Lawyers Title and First American Title Insurance Co.
(f) 2003 – 2013, School Attorney, Calhoun Academy, St. Matthews, SC.

Judge McGee reported that he has held the following judicial office(s):
Family Court, At-Large, Seat Five (2013 to present), Elected. Jurisdiciton is set by S.C. Code Ann. § 63-3-510 and 63-3-530.

Judge McGee provided the following list of his most significant orders or opinions:

(a) Holland v. Holland, 2011-DR-02-1685, visitation case from Aiken County, tried October 29, 2013. In this case, one of my first long contested cases as a judge, I had to decide whether it was in the best interests of two (2) minor children to suspend, indefinitely, their father's visitation with them. The father had failed to comply with a 2006 order in regard to conditions for reunification with his children. While termination or suspension of visitation long term is an extreme remedy, the facts in this case supported a long term suspension. Because of the severity of the visitation suspension, the father was also ordered to comply with a specific plan of treatment, and if completed, he could seek visitation through a future modification action, one (1) year from the date of the final order.

(b) Sobel v. Sobel, 2011-DR-40-2947, divorce case from Richland County, tried December 9, 10, and 12, 2013. This case involved a disputed adultery claim, a disputed condonation/reconciliation claim, child custody and visitation, relocation, child support exceeding the Guidelines cap of joint income ($20,000.00), private school tuition, complicated equitable division and separate property (trusts) claims, and alimony. The issue involving condonation/reconciliation was crucial due to its impact on the wife's alimony request. The issue of whether certain trust properties of the husband were marital was also crucial to the equitable division award in this case. While I expected a cross appeal on my decision, both attorneys informed me that their clients decided against appeal because of the fairness of my decision.

(c) Menefee v. Menefee, 2011-DR-02-1685, an Aiken case, upheld and affirmed by the South Carolina Court of Appeals in Terry Menefee v. Delinda Menefee, 2017-UP-301 (Ct. App. 2017). This was a multi-day trial from July and September 2014. The Court of Appeals affirmed my decision as to nine (9) different issues raised on appeal by the appellant-husband. This case involved divorce, custody, visitation, child support, equitable division, alimony, contempt of court, and attorney's fees.

(d) SC DSS v. Bryant-Martinez, et al, 2013-DR-02-887, this was a DSS permanency planning hearing wherein I decided

the minor child should remain in the care of her foster parents and not be reunited with her mother or placed in relative placement with the minor child's maternal grandmother. The case was very contested, but the best interest of the minor child required that the child remain with the foster parents. While reunification with the parents is the goal in abuse and neglect cases and family members have statutory preference as to placement, the child's welfare demanded placement where the child would be most stable, that is, with the foster parents in this case.

(e) In the Interest of E.B. 2014-JU-18-47,-48, and -49

This case was one of my most important juvenile matters to date. The juvenile was only 10 years old when charged with carrying a weapon (a loaded handgun) on a school bus and pointing it at another student while riding on the bus. I presided over the adjudicatory hearing where the juvenile pleaded guilty to a negotiated guilty plea and the dispositional hearing(s) and review hearing in this case. Because of the minor's age at the time of offense, environmental, medical and psychological factors, a comprehensive treatment plan was devised under my direction to ensure proper punishment to the juvenile along with treatment. In this case, I had to consider many factors when devising an appropriate sentence to effectively address punishment, treatment, rehabilitation, public safety, victim protections and re-entry of the juvenile into a school setting.

Judge McGee has reported no other employment while serving as a judge.

Judge McGee further reported the following regarding unsuccessful candidacies:

I was unsuccessful in my application for Family Court, First Judicial Circuit, Seat One in 2000.

(9) Judicial Temperament:

The Commission believes that Judge McGee's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge McGee to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. Additional comment provided by the Lowcountry Citizens Committee included: "A+"

Judge McGee is married to Judy Hicks McGee. He has three children.

Judge McGee reported that he was a member of the following Bar and professional associations:
(a) SC Bar Association - 1991- present.
(b) Orangeburg Bar Association - 2000 to present.
(c) SC Association of Justice - Member until 2013 when elected judge.
(d) Calhoun County Bar since 1991.
(e) Family Law Council - SC Bar - past member.
(f) First Circuit Public Defender Selection Committee - past member.
(g) Calhoun County Public Defender Board - past member.

Judge McGee provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Former member and stockholder, Calhoun Country Club
(b) Former member, Calhoun Academy Board of Directors
(c) Member, Coterie Club (Social) St. Mattherws, SC
(d) Member, SC Bar Pro Bono Board, Judicial Subcommittee, First Circuit

Judge McGee further reported:
When elected to the bench in 2013, I said I would treat litigants and attorneys respectfully and cordially, listen patiently and rule fairly. I have given each case that has come before me my full attention, knowing that my ruling would personally affect those appearing before me. Even though I have heard hundreds of cases since my appointment, it is not lost on me that for the litigants who appear before me, their case is the most important

case I will hear. I treat their case that way. I have not deviated from these principles over the five plus years I have served this State as Family Court Judge. My experience has allowed me to hone these skills. My goal every day on the bench is to be the type of judge that I would want to appear before if I were a litigant or attorney.

(11) Commission Members' Comments:

The Commission commented that Judge McGee has an outstanding reputation as a jurist. They noted that he has a calm and controlled approach to managing his courtroom and the litigants that appear before him. His dedication to preparation and courteous nature is commendable. Judge McGee has demonstrated that he is compassionate, fair, well-reasoned, and has superb judicial temperament.

(12) Conclusion:

The Commission found Judge McGee qualified and nominated him for re-election to the Family Court, At-Large, Seat 5.

The Honorable David Earl Phillips
Family Court, At-Large, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Phillips meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Phillips was born in 1970. He is 48 years old and a resident of Easley, South Carolina. Judge Phillips provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Phillips.

Judge Phillips demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Phillips reported that he has not made any campaign expenditures.

Judge Phillips testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Phillips testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Phillips to be intelligent and knowledgeable.

Judge Phillips reported that he has taught the following law-related courses:
(a) Prior to serving as a Family Court Judge, I was a guest lecturer at a Clemson University Sociology class regarding juvenile justice issues;
(b) Prior to serving as a Family Court Judge, I lectured juvenile arbitration program volunteers in Anderson, South Carolina;
(c) I served (along with other newly elected Family Court Judges) as a panelist for a portion of a CLE at the 2013 South Carolina Bench Bar CLE in Columbia, South Carolina;
(d) I spoke at "10th Circuit Tips from the Bench: What Your Judges Want You to Know," a CLE for the members of the Tenth Circuit Bar about issues related to practice before the Family Court. I also served as a panelist for the Family Court portion of the program.

Judge Phillips reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Phillips did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Phillips did not indicate any evidence of a troubled financial status. Judge Phillips has handled his financial affairs responsibly.

The Commission also noted that Judge Phillips was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Phillips reported that he is not rated by any legal rating organization.

Judge Phillips reported that he has not served in the military.

Judge Phillips reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Phillips appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Phillips appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Phillips was admitted to the South Carolina Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

(a) Chapman, Byrholdt & Yon, LLP, August 1997 to August 31, 2004: I began my law practice with this law firm in

August 1997, shortly after having taken the bar exam. Upon being admitted to the bar, I was very fortunate to work for three excellent attorneys on a wide variety of cases including family law, workers' compensation, personal injury, and criminal defense. I was lead counsel in 90% of the cases I handled at this firm. I worked for this firm until August 31, 2004. I was not involved in the administrative, financial management or trust account matters at this law firm.

(b) David E. Phillips, Attorney at Law, LLC, September 1, 2004 to May 23, 2011: I opened my own law practice September 1, 2004. I continued to practice in the same areas in which I had gained experience at Chapman, Byrholdt & Yon. In August 2006, I was asked to be the juvenile prosecutor for the Anderson County Solicitor's Office on a part-time basis. Despite the "part-time" nomenclature, this contractual employment was significant in terms of the time it demanded from my private practice; however, it was also rewarding, as I helped a number of young people improve the direction of their lives. I was a sole practitioner at this firm and was solely responsible for administrative and financial management matters, including management of the firm's trust account.

(c) Tenth Circuit Solicitor's Office, May 23, 2011 to May 21, 2013:May 23, 2011, I began serving full-time as an assistant solicitor. I prosecuted all of the juvenile delinquency cases in Anderson County. Additionally, I prosecuted all of the civil forfeiture cases for Anderson County and Oconee County. I also prosecuted all of the Transfer Court cases, bond estreatments and preliminary hearings for Anderson County. I was not involved with any administrative or financial management matters at the Solicitor's Office.

(d) Family Court Judge, At-Large, Seat 6, July 1, 2013 to present: July 1, 2013, I began serving as a Family Court Judge. This has been a tremendously rewarding experience for me. I love serving the people of this state in this office, and I look forward to continuing to serve in this capacity in the years to come. This job does not require me to manage any trust or financial accounts

related to the office. I directly supervise one Judicial Department employee, Jeanette Wright, my administrative assistant.

Judge Phillips reported that he has held the following judicial office(s):
Yes. I have only held the office I currently hold—Judge of the Family Court, At-Large, Seat 6. I have served in this office continuously since July 1, 2013. I was elected to this office by a joint public vote of the South Carolina General Assembly. The Family Court is a court with statutorily prescribed jurisdiction over many types of cases including, but not limited to, actions for divorce, separate support and maintenance, child custody, visitation, child support, protection from domestic abuse, restraining orders, juvenile justice matters, child abuse and neglect matters, vulnerable adult cases, alimony/spousal support, and adoptions.

Judge Phillips provided the following list of his most significant orders or opinions:
(a) Sweeney v. Sweeney: I heard this case over the course of five days. It was one of the first trials over which I presided as Family Court Judge. The case required me to consider and decide a large number of contested issues. Among the issues before me was the equitable apportionment of a large marital estate, whether to award alimony to one of the spouses, the amount of alimony to award and whether to make findings of contempt. Both parties were represented by excellent, very experienced family law attorneys. The case was appealed by both sides. The Court of Appeals affirmed my decision on all but two out of more than a dozen issues. Among the issues the Court of Appeals affirmed were the overall division of the marital estate, the award and amount of alimony, the findings of contempt, and the award of attorneys fees. In this case, I drafted lengthy, detailed instructions and findings to be incorporated into the final order. The Court of Appeals noted in its decision that I had made extensive findings in my order. The Court of Appeals' published opinion is found at 420 S.C. 69, 800 S.E.2d 148 (Ct.App. 2017).

(b) Clark v. Clark: I heard this case over the course of three days. The central issues at trial involved custody and placement of the parties' daughter. The case was very fact-specific. In it, I found exceptional circumstances existed to warrant joint custody with essentially equal placement of the parties' minor child with each parent. I made detailed findings in my order describing specifically the exceptional circumstances of this case that caused me to conclude that joint custody with equal placement of the minor child is in the best interest of this child. Excellent attorneys were involved in the trial and appeal of this case. The case was appealed, and the Court of Appeals affirmed my decision. The opinion is found at Clark v. Clark, Op. No. 5558 (S.C. Ct. App. filed May 2, 2018).

(c) SCDSS v. Tucker, et al: This is a case in which I was faced with a difficult decision about whether to terminate the parents' parental rights. The child's foster parents had intervened in the termination of parental rights action. I found that the parents' parental rights should be terminated and that termination of the parents' parental rights was in the child's best interests. Excellent attorneys were involved in the trial and appeal of this case. The Court of Appeals affirmed my decision in this case after reviewing the record and finding there were no meritorious issues that warranted further briefing. The Court of Appeals unpublished opinion is found at SCDSS v. Tucker, Op. No. 17-UP-191 (S.C. Ct. App. filed May 3, 2017).

(d) SCDSS v. Culpepper: This was a DSS merits hearing I heard over the course of four days. The case is significant to me because of the nature of the credibility determinations I was called upon to make. In the case, I found the Department had not met its burden of proving the abuse alleged by a preponderance of the evidence. I am not aware of any appeal associated with this case. Excellent attorneys were involved in the trial of this case, as well.

(e) McAbee v. McAbee: This was a divorce case which was tried over the course of one day. The primary issues were whether to award a fault-based divorce to one of

the parties and how to value and divide the marital estate. The case is significant to me because it required me to decide whether assets that would otherwise have been non-marital had been transmuted into marital property. Both sides were represented by excellent attorneys. The Court of Appeals issued an unpublished opinion affirming my decision. (The record on appeal incorrectly reflects the case was tried before the late Honorable Harry L. "Don" Phillips. I did not become aware of this until I happened to see the opinion.) The Court of Appeals' opinion is found at McAbee v. McAbee, Op. No. 16-UP-186 (S.C. Ct. App. filed April 27, 2016).

Judge Phillips further reported the following regarding unsuccessful candidacies:
Yes. I was a candidate for Family Court Judge, 10th Judicial Circuit, Seat 1. I was qualified and nominated by the Judicial Merit Selection Commission in that race; however, I withdrew just prior to the election in February 2009.

(9) Judicial Temperament:
The Commission believes that Judge Phillips's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee found the Judge Phillips to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Phillips is married to Maryanne Evington Phillips. He has two children.

Judge Phillips reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Anderson County Bar
(c) South Carolina Conference of Family Court Judges

Judge Phillips provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) South Carolina Conference of Family Court Judges

(b) I am a member of Mount Pisgah Baptist Church. My family and I are very active in our church. In the past five years, I have served as a deacon, Sunday School teacher, pastor search committee member, youth worker, choir member, and praise band member.

Judge Phillips further reported:

God blessed me with parents who taught me so many things by example, not the least of which is a strong work ethic. My father worked full-time with IBM for thirty years including literally hundreds of hours of overtime each year and earned numerous awards for service. During this time, he also served as part-time minister of music and senior adults. He is now retired, but I believe he still works as many hours as he did prior to his retirement. Likewise, I have observed my mother work hard throughout my life. She was a stay-at-home mother to my brother and me when we were very young. She later returned to school and earned her college degree. In fact, she did so well, she was asked to return and teach, which she did for many years at Greenville Technical College. She is now retired but manages to work as hard now as she did when she was "employed." I have brought this work ethic with me to the bench. I continue to take pride in being reliable and diligent in my work. As a judge, the citizens of this state can count on me to continue working diligently to serve them as Family Court Judge.

I also had a broad, diverse background as a lawyer. For seven years, I practiced with a law firm in Anderson, South Carolina. For nearly seven years thereafter, I had my own office as a sole practitioner. I served as an assistant solicitor for the last two years prior to my election to the office of Family Court Judge. Throughout my career, I have dealt with people of various backgrounds and personalities. The people skills I have developed during my life and my career have served me well as a Family Court Judge. I have gained an enormous amount of experience during my first term as a Family Court Judge. I have presided over the trial of a large number of cases. Many of these cases were lengthy and difficult to decide. Through these trials,

I have grown even more knowledgeable in the area of family law. I look forward to using my skills, experience, and knowledge as I continue to serve the people of this state as a Family Court Judge.

(11) Commission Members' Comments:

The Commission gave Judge Phillips exemplary remarks regarding both his reputation with the Bar and his demeanor on the bench. The Commission further praised Judge Phillips's excellent service to the State and was highly impressed that nobody could find a negative thing to say about him in the Ballot Box comments.

(12) Conclusion:

The Commission found Judge Phillips qualified and nominated him for re-election to the Family Court, At-Large, Seat 6.

ADMINISTRATIVE LAW COURT
QUALIFIED AND NOMINATED

The Honorable Ralph King (Tripp) Anderson III
Administrative Law Court, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Anderson meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Judge Anderson was born in 1959. He is 59 years old and a resident of Columbia, South Carolina. Judge Anderson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Anderson.

Judge Anderson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Anderson reported that he has not made any campaign expenditures.

Judge Anderson testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Anderson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Anderson to be intelligent and knowledgeable.

Judge Anderson reported that he has taught the following law-related courses:

(a) A class at the University of South Carolina School of Law (Law Practice Workshop) on February 26, 2018.
(b) A SCAAO Conference on October 6, 2017 concerning tax law cases and statutory construction;
(c) A class at the University of South Carolina School of Law (Law Practice Workshop) on April 3, 2017.
(d) A seminar sponsored by DHEC October 28, 2016 entitled, What is Effective Regulation?;
(e) Fifth Circuit's Spring Courthouse Keys event on April 1, 2016;
(f) A class at the University of South Carolina School of Law (Law Practice Workshop) on February 8, 2016.
(g) A seminar at the SC Bar Convention for the Regulatory and Administrative Law Section on January 22, 2016;

(h) A seminar for SC Bar CLE "Fifth Circuit Tips from the Bench" on January 8, 2016;
(i) A class at the University of South Carolina School of Law (Law Practice Workshop) on February 9, 2015;
(j) A seminar for SC HHS Hearing Officers on 4/13/2015;
(k) An Administrative Law & Practice in S.C. Seminar on 1/31/2014;
(l) A class at the University of South Carolina School of Law (Law Practice Workshop) on March 3, 2014
(m) A panel discussion at the SC Bar Convention on January 25, 2013;
(n) A seminar at a Public Service Commission. CLE on March 20, 2013;
(o) Two separate CLEs on Administrative Law on February 21 & 22, 2013;
(p) A SC Bar CLE involving Hot Topics in Administrative Law on October 30, 2009;
(q) A panel discussion in a Judicial Merit Selection Commission CLE on July 31, 2009.

Judge Anderson reported that he has published the following:
(a) "A Survey on Attributes Considered Important for Presidential Candidates," Carolina Undergraduate Sociology Symposium, April 17, 1980.
(b) "An Overview of Practice and Procedure Before the Administrative Law Judge Division," South Carolina Trial Lawyer, Summer 1996.

(4) Character:

The Commission's investigation of Judge Anderson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Anderson did not indicate any evidence of a troubled financial status. Judge Anderson has handled his financial affairs responsibly.

The Commission also noted that Judge Anderson was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Anderson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Anderson reported that he has not served in the military.

Judge Anderson reported that he has held the following public office:
Appointed and served as an Assistant Attorney General 1985 to January 1995. I was not required to file with the State Ethics Commission during in that capacity.

(6) Physical Health:

Judge Anderson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Anderson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Anderson was admitted to the South Carolina Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

I began my legal career at the South Carolina Attorney General's Office in September 1984. During my career at the AG's office I prosecuted numerous criminal cases of all types and handled a wide variety of civil litigation. My duties included:

(a) Statewide criminal prosecutor
(b) Assisted in the implementation of the Statewide Grand Jury
(c) Extradition hearing officer on behalf of the Governor of South Carolina
(d) Counsel to the State Ethics Commission
(e) Represented the State in a variety of civil litigation matters

(f) Represented the State in post-conviction relief matters
(g) Committee Attorney for the State Employee Grievance Committee
(h) Prosecutor for the Engineering and Land Surveyor's Board

I also prosecuted Medical Board cases, wrote Attorney General Opinions and handled Criminal Appeals.

On May 25, 1994, I was elected to Administrative Law Judge Seat No. 6 and re-elected to that position in 1996, 2001 and 2006. Administrative Law Judges hear appellate, injunctive and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

On May 13, 2009, I was elected Chief Administrative Law Judge and re-elected to this position February 5, 2014.

As an Assistant Attorney General, I did not have any significant administrative and financial management. As an Administrative Law Judge, I did not have any legal obligation regarding administrative and financial management but was occasionally assigned those duties by the Chief Judge. As Chief Administrative Law Judge, I am responsible for the administration of the court, including budgetary matters, assignment of cases, and the administrative duties and responsibilities of the support staff. See S.C. Code Ann. § 1-23-570. Also, section 1-23-660 of the South Carolina Code (Supp. 2017) provides "The chief judge is solely responsible for the administration of the [Office of Motor Vehicle Hearings], the assignment of cases, and the administrative duties and responsibilities of the hearing officers and staff."

Judge Anderson reported he has not personally handled any civil or criminal appeals.

Judge Anderson reported that he has held the following judicial office(s):

I was elected by the General Assembly to serve as an Administrative Law Judge beginning February 1, 1995 and have been serving continuously since that date.

Administrative Law Judges hear appellate, injunctive, and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

The Administrative Law Court's appellate jurisdiction includes appeals involving Medicaid; driver's license revocations and suspensions; licensing decisions from boards/commissions under the Department of Labor, Licensing and Regulation; Budget and Control Board's Employee Insurance Program; AFDC benefits; operation of day care facilities and foster home licensing; food stamps; and revocations or suspensions of teachers' certificates. The Administrative Law Court also hears appeals from final decisions of the Department of Employment and Workforce; the Department of Corrections in 'non-collateral' matters; and appeals from final decisions of the South Carolina Department of Probation, Parole and Pardon Services permanently denying parole eligibility.

The contested case litigation includes hearings involving environmental and health permitting; Certificates of Need; State Retirement Systems' disability determinations; Disadvantaged Business Enterprises; state and county tax matters; alcoholic beverage issues; and wage disputes.

Judge Anderson provided the following list of his most significant orders or opinions:

a) McNeil v. S.C. Dep't of Corrs., 00-ALJ-04-00336-AP (September 5, 2001) (en banc). Holding reviewed in Sullivan v. S. Carolina Dep't of Corr., 355 S.C. 437, 586 S.E.2d 124 (2003).
b) Providence Hosp. v. S.C. Dep't of Health and Envtl. Control and Palmetto Richland Memorial Hosp., Docket No. 02-ALJ-07-0155-CC
c) Travelscape, LLC v. S.C. Dep't of Revenue, Docket No. 08-ALJ-17-0076-CC. Holding affirmed in Travelscape, LLC v. S. C. Dept. of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011)
d) Duke Energy Corp. v. S. C. Dep't of Revenue, Docket No. 10-ALJ-17-0270-CC. Holding affirmed in Duke Energy Corp. v. S.C. Dep't of Revenue 410 S.C. 415, 417, 764 S.E.2d 712, 713 (Ct. App. 2014), reh'g denied (Nov. 21, 2014), cert. granted (Apr. 9, 2015) and further affirmed

by the Supreme Court in Duke Energy Corp. v. S. C. Dep't of Revenue, 415 S.C. 351, 782 S.E. 2d 590 (2016).

e) Kiawah Dev. Partners, II v. S.C. Dep't of Health and Envtl. Control, Docket No. 09-ALJ-07-0029-CC and S.C. Coastal Conservation League v. S.C. Dept. of Health and Envtl. Control, Docket No. 09-ALJ-07-0039-CC (February 26, 2010) (consolidated cases). Holding originally reversed by the Supreme Court, then affirmed and then reversed 3-2 in Kiawah Dev. Partners, II v. S.C. Dep't of Health & Envtl. Control, 411 S.C. 16, 766 S.E.2d 707 (2014).

Judge Anderson has reported no other employment while serving as a judge.

Judge Anderson further reported the following regarding unsuccessful candidacies:

Administrative Law Judge, Seat 3 (February 23, 1994)

Fifth Judicial Circuit Court, Seat 3 (May 24, 2000) - Found qualified and nominated but withdrew prior to election.

Circuit Court, At-Large Seat 9 (January 16, 2003) - Found qualified but not nominated.

Court of Appeals, Seat 9 (March 10, 2008) - Found qualified but not nominated.

Supreme Court, Seat 2 (January 14, 2016) - Found qualified and nominated but withdrew prior to election.

Supreme Court, Seat 5 - Found qualified and nominated on November 15, 2016) but later found qualified and not nominated on December 5, 2016.

(9) Judicial Temperament:

The Commission believes that Judge Anderson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Anderson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character,

reputation, experience, and judicial temperament. The Committee commented that Judge Anderson is "well liked and well respected."

Judge Anderson is married to Linda Corley Anderson. He does not have any children.

Judge Anderson reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Administration and Regulatory Law Committee of the SC Bar
(c) South Carolina Administrative and Regulatory Law Association; President since 2009.

Judge Anderson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations: Shandon Baptist Church. I am a member of the church but have not held any office with Shandon.

(11) Commission Members' Comments:
The Commission commented that Judge Anderson has an outstanding reputation as a jurist. They noted that he is extremely well qualified, has a strong comprehension of complex areas of law, and has served capably as the Chief Judge of the Administration Law Court.

(12) Conclusion:
The Commission found Judge Anderson qualified and nominated him for re-election to the Administrative Law Court, Seat 1.

Thomas Rosamond Smith
Administrative Law Court, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Smith meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Mr. Smith was born in 1957. He is 61 years old and a resident of Columbia, South Carolina. Mr. Smith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001. Mr. Smith was also admitted to the SSA Administrative Hearings Court in 2003 and the Federal District Court of South Carolina in 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Smith.

Mr. Smith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Smith reported that he has not made any campaign expenditures.

Mr. Smith testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Smith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Smith to be intelligent and knowledgeable.

Mr. Smith reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Smith reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Smith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Smith did not indicate any evidence of a troubled financial status. Mr. Smith has handled his financial affairs responsibly.

The Commission also noted that Mr. Smith was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Smith reported that he is not rated by any legal rating organization.

Mr. Smith reported that he has not served in the military.

Mr. Smith reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Smith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Smith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Smith was admitted to the South Carolina Bar in 2001.

Mr. Smith gave the following account of his legal experience since graduation from law school:

-The Honorable John Breeden, Jr. - At Large Circuit Court Judge – Law Clerk (2002)

-Law Office of Thomas Smith – Attorney. General practice. (2002-2004)
-Vaux & Marsher – Attorney. Estate planning, probate, & small file litigation. (2004-2006)
-Community Title Insurance Services – Attorney/Consultant for real estate. (2006-2008)
-Atlantic Coast Disability Advocates – Attorney. Disability & Admin Law. (2009-2013)
-SC Dept of Health & Human Services – Hearing Officer for Medicaid & nursing home cases. (2013 to present.)

Mr. Smith further reported regarding his experience with the Administrative Law Court practice area:

For the past five years, I have been a Hearing Officer for the SC Department of Health & Human Services Examples of the administrative law cases we hear are: Medicaid eligibility, appeals by hospitals and doctors for reimbursement, appeals for proper medication and treatment, appeals filed on behalf of disabled children and adults, appeals by providers for overpayment claims, nursing home transfer or discharge cases, endangerment to others or self and appeals of audits. There are a multitude of other types of cases. This is a list of the most common.

We follow the guidelines of the S.C. Administrative Procedures Act, S.C. Code of Laws, Medicaid regulations, Code of Federal Regulations for disability, and Code of Federal Regulations for nursing homes.

Over the past five years, I have handled well over 500 appeals of which approximately 10% go to hearing. Most of the litigants who appear before me are Pro Se. The percentages float over time, but a rough estimate is 60 to 70% of the cases I hear involve a Pro Se litigant.

After the hearing, I issue a Final Administrative Decision. That decision is subject to appeal to a higher court (Admin. Law Court). All of my decisions are available for review.

Mr. Smith reported the frequency of his court appearances five years prior to his service on the bench as follows:

(a) Federal: 90%
(b) State: 10%
(c) Other: 0%

Mr. Smith reported the percentage of his practice involving civil, criminal, and domestic matters five years prior to his service on the bench as follows:

(a) Civil: 9%
(b) Criminal: 0%
(c) Domestic: 1%
(d) Other: 90%

Mr. Smith reported the percentage of his practice in trial court five years prior to his service on the bench as follows:

(a) Jury: 0%
(b) Non-jury: 100%

Mr. Smith provided that during the five years prior to his service on the bench he most often served as sole counsel.

The following is Mr. Smith's account of his five most significant litigated matters:

(a) B.N. v. Commissioner of SSA – Not reported. First attorney for client was not diligent and failed to file proper paperwork and failed to research the applicable law. Client lost first case. Client's husband tried to handle the case himself. He was outmaneuvered by large law firm. I was asked to help. I researched and reviewed the lengthy case. Found some flaws. We went to hearing. The Judge awarded my client everything we asked for. In addition, after a motion for reconsideration of the first case, the Judge awarded my client the benefits she should have received except for the incompetence of her first attorney, despite the first case being closed. Later, my Client informed me that she was able to smile for the first time in many years as she did not have to worry about providing for her children. (For the record, my client's first attorney was later disbarred.)

(b) M.P. v. Commissioner of SSA – Not reported. Client applied for disability and hired an attorney. The attorney lost the case. Client re-applied for disability and hired someone to represent her. This person lost the case. Later, Client found out the second person was not an attorney. Both previous representatives told her she was a "bad witness"

and that is why they lost the case. I was asked to help. I researched and reviewed the case. I found the Client to be a credible witness and worked with her on her presentation and confidence. We went to hearing and received an immediate Bench Decision, Fully Favorable with retroactive benefits. After many years of suffering and hearing negative comments about herself, my Client was overcome with emotion.

(c) A.S. v. Commissioner of SSA – Not reported. Mentally disabled individual with an extremely low I.Q. Received a technical denial for disability because his school records were unavailable. Client had attended school during the "separate but equal" era. Petitioned higher court and won remand. On remand, Client was award benefits going forward. Family members who had taken care of this individual all these years were very grateful.

(d) In Re: A.A. (a minor child) – Not reported. SCDSS case out of Horry County, S.C. In this case, I was appointed the guardian ad litem for a child who had suffered from sexual abuse from one of her mother's boyfriends. The child had been placed with her grandmother. SCDSS made a motion to reunite this girl with her mother despite the fact that the mother's boyfriend (the alleged offender) was still in the picture, the mother did not have a steady job, and did not have a telephone in case of emergencies. Unbelievably, SCDSS had not done any investigation or background on this case. I confirmed the medical diagnosis of sexual abuse, conferred with school teacher who stated the child's grades had soared after she was place with the grandmother, and I made a home visit with the child and her grandmother. During the visit, the child expressed her desire to continue to stay with her grandmother. I wrote a detailed report and submitted it to the Judge. When SCDSS protested and insisted on the reunification of the child and mother, I appeared in court to testify to my findings. The Judge allowed the child to remain in custody of the grandmother.

(e) In the Matter of L.B. - Not reported. Unusual probate case out of Beaufort County, S.C.. Client married to two women and engaged to a third. At his wake, the three women realized what was going on. Fireworks ensued. All three

women refused to bury client. I represented the estate and worked in conjunction with another firm to obtain some Federal funds for his work under the old Public Works Administration Act. Ensured the estate, and his heirs, were properly taken care of. (Interestingly, after the news of the Federal award, all three women expressed their love for the man and wanted to claim the body.)

Mr. Smith reported he has not personally handled any civil or criminal appeals.
Mr. Smith reported that he has held the following judicial office(s):

Hearing Officer for SCDHHS. From 2013 to present. I was hired by the Agency.
This is a Court of original jurisdiction for an Administrative Law hearing.

Examples of the administrative law cases we hear are: Medicaid eligibility, appeals by hospitals and doctors for reimbursement, appeals for proper medication and treatment, appeals filed on behalf of disabled children and adults, appeals by providers for overpayment claims, nursing home transfer or discharge cases, endangerment to others or self and appeals of audits. There are a multitude of other types of cases. This is a list of the most common.

We follow the guidelines of the S.C. Administrative Procedures Act, S.C. Code of Laws, Medicaid regulations, Code of Federal Regulations for disability, and Code of Federal Regulations for nursing homes.

After the hearing, I issue a Final Administrative Decision. That decision is subject to appeal to a higher court. (The Administrative Law Court).

Mr. Smith provided the following list of his most significant orders or opinions:

(a) M.J. v. SCDHHS, 17-ALJ-08-0108-AP – TEFRA Disability case. Affirmed by ALC. Petitioner wanted aqua therapy in addition to tradition physical therapy. After a hearing

on the merits, I decided in favor of Agency that the child did not meet the Federal definition of disability to qualify for TEFRA. Petitioner appealed to ALC claiming that I failed to analyze all of the physicians' reports, and everything to make an accurate decision. The ALJ affirmed my decision citing my well thought out reasoning and references to the record.

Quoting a portion of the ALJ's decision regarding my analysis, "This is evidenced by the very pointed questions he asked of Appellant's parents and therapist, in particular, questions about conflicting medical records, and records that differed from testimony. Also, the Hearing Officer's decision contained specific references to information contained in these materials."

(b) Pee Dee Health Care v. SCDHHS, 16-ALJ-08-0047-AP – Program integrity case. Affirmed by ALC. After a hearing on the merits, the Respondent (Agency) withdrew its claim of an overpayment. My decision to dismiss the appeal, denying the Petitioner's request for a supplemental hearing, denying the request to hold the dismissal in abeyance pending outcomes in other jurisdictions, and my assertion the Petitioner did not understand or misinterpreted the meaning of "De Novo" was upheld.

(c) J.C. v. SCDHHS, 14-0942 – Medically complex and fragile child case. This case involved a child who could not function at any level and was receiving a multitude of services. Respondent (Agency) greatly reduced those services when the child reached age 18. I ruled against the Agency for failing to adequately take into consideration the early and periodic, screening, diagnostic, and testing (EPSDT) regulations. I also admonished the Agency for its poorly structured notice to the parents. Not appealed by agency.

(d) Jamison Consultants v. SCDHHS, 12-PA-014 – Complex program integrity case. This case was pending for over three years. I was asked to take over. Put parties on notice and under a scheduling order. Settlement was reached within five months.

(e) Center for Women's Health v. SCDHHS, 11-PA-065 – Program integrity case. In this case, a physician failed to repay monies owed under a repayment agreement. Case

was pending for over three and one half years. I was asked to take over. Put parties on notice and scheduled a hearing. The case was resolved in less than two months without going to hearing.

Mr. Smith reported the following regarding his employment while serving as a judge:

- SCDHHS Hearing Officer – Fulltime. (2013 to present).
- SSA Practice - Wind down. (2013-2017).

(9) Judicial Temperament:

The Commission believes that Mr. Smith's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee reported Mr. Smith to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Mr. Smith is not married. He does not have any children.

Mr. Smith reported that he was a member of the following Bar associations and professional associations:
SC Bar – Member.
NAHO (National Association of Hearing Officers) – Member

Mr. Smith reported that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Mr. Smith further reported:

I come from humble beginnings. Any success I may have achieved started with a family who was supportive and believed in me. Probably, long before I believed in myself. A part of that belief system was that honesty, integrity, and loyalty were characteristics to admire. Another important belief was that hard work and perseverance would bring success.

Success was measured in terms other than pecuniary gain. In my home, a successful person is one who is loved and cherished by their family, admired or respected by their peers, welcomed by

their neighbors, adored by their friends, makes strangers feel at ease, sets a higher standard for themselves, provides a role model for younger people, and helps pave the way for those who may follow.

One of the ways I have continued to grow in the judicial profession is by taking courses from the National Judicial College (NJC) at the University of Nevada at Reno. The NJC is the premier organization in the United States to train and develop Judges. I am taking courses in the Master's in Judicial Studies program. My goal is to obtain a Master's degree or Professional Certificate in Judicial Studies. The courses are outstanding and the instructors are a who's who in the legal field. Here is a list of the courses I have completed:

(a) Admin Law – Fair Hearing – Intense two week course on administrative law. Premier course on administrative law in the country. In many Federal agencies, this is a required course for any new Administrative Law Judge. (Completed in 2014).

(b) Decision Making – One week course on making and writing better judicial decisions. Encouraged logical decisions based on, and referenced to, the record. Discouraged the use of legalese. (Completed in 2015).

(c) Enhancing Judicial Bench Skills – One week course on the skills and characteristics needed to be a successful judge. (Completed in 2016).

(d) Conducting the Trial – One week course on successfully conducting a legal proceeding. Included advice on handling difficult litigants or attorneys. (Completed in 2017).

(e) Judicial Ethics – Multiple week online course on judicial ethics and reform. Looked into the ABA model as a guide. (Completed in 2017).

(f) Evidence in a Courtroom Setting – One week course focusing on the rules of evidence including relevance, hearsay, lay and expert witnesses, admissibility, and exceptions. (Completed in 2018).

(11) Commission Members' Comments:

The Commission commented that Mr. Smith has a reputation for thoughtful and well-reasoned decisions and an excellent work ethic while in his current position as a hearing officer.

(12) Conclusion:

The Commission found Mr. Smith qualified and nominated him for election to the Administrative Law Court, Seat 1.

QUALIFIED, BUT NOT NOMINATED

The Honorable Michael S. Holt
Court of Appeals, Seat 1

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Holt meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Holt was born in 1970. He is 48 years old and a resident of Hartsville, South Carolina. Judge Holt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Holt.

Judge Holt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Holt reported that he has not made any campaign expenditures.

Judge Holt testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Holt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Holt to be intelligent and knowledgeable.

Judge Holt reported that he has taught the following law-related courses:

Business Law at Coker College as an Adjunct Professor

Judge Holt reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Holt did not reveal evidence of any founded grievances or criminal allegations made against him. One complaint was levied against Judge Holt, but the complainant did not attend Judge Holt's hearing before the Commission. The Commission reviewed the complaint and Judge Holt addressed the complaint at the public hearing.

The Commission's investigation of Judge Holt did not indicate any evidence of a troubled financial status. Judge Holt has handled his financial affairs responsibly.

The Commission also noted that Judge Holt was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Holt reported that he is not rated by any legal rating organization.

Judge Holt reported that he has not served in the military.

Judge Holt reported that he has held the following public office(s):

I was elected as Mayor of the City of Hartsville, South Carolina from 2005-2009. I filed all reports; however, there were late reports which resulted in fines, all of which were promptly paid.

(6) Physical Health:
Judge Holt appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Holt appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Holt was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

From 1996 to 2006, my practice experience would best be described as general practice. My areas of focus were primarily in domestic litigation, criminal defense, Social Security disability and real estate, though I handled other matters, as well.

Beginning in 2006 until 2009 when I was elected to the Family Court bench, I operated his own law firm as a sole practitioner. My areas of primary practice did not change. In managing my own firm, I was responsible for handling all financial matters.

Judge Holt reported the frequency of his court appearances during the five years prior to his service on the bench as follows:
(a) Federal: 0%
(b) State: 100%
(c) Other: 0%.

Judge Holt reported the percentage of his practice involving civil, criminal, and domestic matters five years prior to his service on the bench as follows:
(a) Civil: 10%;
(b) Criminal: 20%;
(c) Domestic: 30%;
(d) Other: 20% real estate;

20% disability.

Judge Holt reported the percentage of his practice in trial court five years prior to his service on the bench as follows:
(a) Jury: 20%;
(b) Non-jury: 80%.

Judge Holt provided that five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Holt's account of his five most significant litigated matters:

(a) State of South Carolina vs. Robert Hermanades: This case was the first trial I handled on my own in General Sessions. The case was tried in Darlington County and caused me significant pressure because it was being reported in the local media. I represented a somewhat unsavory individual who was not a very sympathetic character. However, after three days, he was found not guilty, which I felt was the right verdict for the jury. This trial gave me confidence in my trial skills, but also gave me some notoriety in the community because of its being reported in the media.

(b) State of South Carolina vs. Wayne Futrell: This case was tried in General Sessions Court in Chesterfield County, where I was not known, and it was difficult drawing a jury. The case was a combination of Criminal Domestic Violence and Assault and Battery of a High and Aggravated Nature. This case holds some significance because the Defendant had also been my client in a divorce, and it was our position the wife/victim had made false allegations against my client which led to his arrest. The wife/victim made many allegations against the Solicitor's Office, which caused the case to be referred to the State Attorney General's Office. After several days of trial, my client was found not guilty.

(c) Mills vs. Mills: This was a domestic case that I tried as a young lawyer. I was up against a much more seasoned and experienced lawyer who had a reputation for not negotiating cases and taking a case to trial. My client had been in a marriage for over twenty years, and the

Defendant husband had been physical with Plaintiff wife and had attempted to hide assets from us. After a lengthy trial, my client was awarded half the marital estate and significant attorney fees. We survived a motion to reconsider following the order of the Court.

(d) State of South Carolina vs. Brandon Ray: This case was tried in Marlboro County, which was the prosecutor's home county. I felt at a disadvantage trying the case because of the Solicitor's familiarity with the jury pool. My client argued self-defense and, in my mind, we had done a good job in proving our case. However, the jury found my client guilty of the lesser included offense of voluntary manslaughter. Despite my client being found guilty, I felt a sense of pride because my client was not found guilty of the charge the State had brought against him.

(e) Pamela C. Blackmon and Stephen W. Blackmon vs. Peggy Ann Harrington, Stephen Lee and John Doe: This case was held in Florence County and involved an infant, Mary Ann Harrington, who was born with a heart defect. The Plaintiff wife, Pamela Blackmon, worked with my wife which is how I knew her. Mary Ann's heart had not developed properly, which likely was caused by Defendant mother's drug use. The Plaintiffs had a family and did not have the resources to pay a lawyer to assist them with petitioning the Court for custody. Time was of the essence due to the infant's heart defect, and there was no time to waste. The doctors at MUSC would not put the child on a transplant list unless someone other than her mother had custody of the child. It was perceived by the doctors that it would be a waste to give Mary Ann a heart when it was unlikely her mother would be responsible in her care of this child. The case involved a tremendous amount of work and time, which I did at no cost to the family.

Judge Holt reported he has not personally handled any civil or criminal appeals.

Judge Holt reported that he has held the following judicial office(s):

Judge Holt was elected in 2009 to Seat 3, Family Court of the Fourth Judicial Circuit.

Judge Holt provided the following list of his most significant orders or opinions:

(a) DJJ vs. John Henry Bridges: This case involved a juvenile who was charged with murdering an elderly lady. The matter before the Court was a "waiver" hearing and it was the first one I had handled on the bench. I ultimately determined the juvenile should be waived up to General Sessions after a contested hearing.

(b) Shirley Johnson vs. Angela Lampley: This case was a custody battle between maternal grandparents who lived out of state and a relative in South Carolina. The biological mother was deceased and the biological father was in prison. I awarded custody to the relative in South Carolina. This matter was appealed but the Court affirmed the trial court's ruling.

(c) Saurabh Jain vs. Anima Dixit: This case involved a family from India and the only issue tried before the Court was custody. The father had come to the United States to practice medicine and left his wife and child in India. The mother came to the United States to visit and the father brought an action for custody. I awarded custody to mother after a lengthy trial.

(d) Mary Diane R. Corbett vs. Christopher A. Corbett: This case was an equitable division case wherein the wife sought to exclude the husband from significant assets from the marriage. I went through the factors for equitable division and awarded husband half the marital estate.

(e) DSS vs. Tina Roberts, Travis Hayes, Richard Herring, Gene Lashley, Barbara Roberts, Johnny and Cammie Corbett and Catherine Hayes: This was a DSS Abuse and Neglect case wherein the department had asked the Court to remove the children from the parents due to domestic violence among other things. The parents did not work the treatment plan and the Department chose to move before the Court to have the children placed with the paternal grandmother who had not been involved in the children's lives. The Court gave custody to the parties who had the interim custody of the

children. This case was significant due to the number of parties involved, it was a lengthy trial and that the children were placed with non-relatives who the Court felt offered the best home to the minor children.

Judge Holt reported the following regarding his employment while serving as a judge:
I have served as an adjunct professor at Coker College in Hartsville, South Carolina, in its evening programs. I began teaching in 2014 and have taught in the areas of business law, political science and business administration.

Judge Holt further reported the following regarding unsuccessful candidacies:
I was unsuccessful in the South Carolina Senate primary race in 1996.

(9) Judicial Temperament:
The Commission believes that Judge Holt's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Holt to be "Qualified" in the areas of constitutional qualifications, physical health, and mental stability. The Committee found Judge Holt to be "Well Qualified" in the areas of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Holt is married to Sherry Burton Holt. He has two children.

Judge Holt reported that he was a member of the following Bar and professional associations:
(a) SC Bar
(b) Darlington County Bar
(c) Pee Dee Inns of Court
Judge Holt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Pee Dee Inns of Court
(b) Kappa Alpha Order – Court of Honor

(c) St. David's Society
(d) Darlington County Historical Society

Judge Holt further reported:

My experiences as a leader in my community allowed me to transition to the Family Court bench with humility, patience, and understanding. I believe my time on the Family Court bench as a trial judge has prepared me for the Court of Appeals.

(11) Commission Members' Comments:

The Commission noted that Judge Holt has a reputation of a jurist with a very even and thoughtful temperament, and commends his ability to make litigants comfortable in the courtroom environment. The Commission also appreciates his strong work ethic and his exemplary service on the Family Court bench.

(12) Conclusion:

The Commission found Judge Holt qualified, but did not nominate him for election to the Court of Appeals, Seat 1.

The Honorable Michèle Patrão Forsythe
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Forsythe meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Forsythe was born in 1973. She is 45 years old and a resident of Charleston, South Carolina. Judge Forsythe provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Forsythe.

Judge Forsythe demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Forsythe reported that she has not made any campaign expenditures.

Judge Forsythe testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Forsythe testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Forsythe to be intelligent and knowledgeable.

Judge Forsythe reported that she has taught the following law-related courses:
(a) I have lectured at the Charleston School of Law on the representation Spanish speaking clients, and the impact of the language barrier on representation. I also discussed the collateral consequences of criminal charges on immigration status.
(b) I have lectured at the Charleston School of Law on the representation of clients in criminal matters.
(c) On August 14, 2015 I lectured on Alternate Dispute Resolution Issues in Family Court at the Charleston County Bar Association Family Law Seminar on.
(d) On October 24, 2016 I spoke at the Access to Justice Summit on Language Access on language access challenges.
(e) On November 12, 2016 I along with other judges spoke to a group of students at the Charleston School of Law on the Color of Justice.

(f) On January 21, 2017 I along with other Family Court Judges participated in "Hollywood Squares" a Family Court presentation for the South Carolina Bar.

(g) On February 13, 2017 I participated in the Annual Horry County Family Court CLE.

(h) On May 5, 2017 I led a panel of speakers as the moderator on the topic of Assisted Reproductive Technology at the American Bar Association Family Law Spring CLE Conference in Savannah, Georgia.

(i) On March 2, 2018, I spoke to the South Carolina Task Force on Human Trafficking.

(j) On April 24, 2018, I, along with two other Family Court judges led a training of Myrtle Beach Police Officers, Horry County Law Enforcement Officers, Department of Juvenile Justice stakeholders, Department of Social Services stakeholder, Assistant Solicitors and other system stakeholders on the issue of domestic child sex trafficking which we titled "Stay or Go."

(k) On May 2, 2018 I spoke to the South Carolina Department of Social Services Region 3 on Domestic Child Sex Trafficking.

(l) On July 20, 2018, I am scheduled to speak in collaboration with other partners on the issue of Human Trafficking the South Carolina Department of Juvenile Justice on Domestic Child Sex Trafficking.

(m) On August 17, 2018, I am scheduled to speak at the 2017 Family Law Essentials regarding Contempt Hearings and Advice from the Bench.

(n) In October of 2018, I am scheduled to speak on the issue of Domestic Child Sex Trafficking in Greenville, South Carolina.

Judge Forsythe reported that she has published the following:

Michèle Patrão Forsythe, Lady Luck Smiles on Environmentalists in Mississippi, 9 S.C. Envt'l. L.J. 231 (Spring 2002)

(4) Character:

The Commission's investigation of Judge Forsythe did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Forsythe did not indicate any evidence of a troubled financial status. Judge Forsythe has handled her financial affairs responsibly.

The Commission also noted that Judge Forsythe was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Prior to becoming a member of the judiciary, Judge Forsythe's last known rankings were the following

(a) Super Lawyer Rising Star, 2013
(b) AVVO Rating 9.3/10 prior to my election in 2016.

Judge Forsythe reported that she has not served in the military.

Judge Forsythe reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Forsythe appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Forsythe appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Forsythe was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

(a) In 2002, I was a law clerk pending bar results at Nexsen Pruet, LLC. I worked on various matters in legal malpractice defense, and personal injury defense.
(b) From late 2003 into 2004 I practiced as a contract attorney for Rosen Law Firm, LLC. I worked on various matters in family law, and business litigation.

(c) From 2004 to 2005 I practiced as an associate attorney with Hulsey Litigation Group, LLC. My responsibilities involved legal research and writing regarding personal injury claims, business disputes, class action claims, including but not limited to mass tort cases. The majority of those matters were in federal district court.

(d) In 2005, I practiced as a contract attorney with Grimball & Cabaniss, LLC. I handled all DSS appointments for abuse and neglect cases for the law firm's offices in Charleston, South Carolina and Kingstree, South Carolina. I also handled all minor settlement hearings in probate and circuit court, and worked on personal injury defense matters.

(e) In 2005 to 2006 I also practiced as a contract attorney with Savage & Savage, P.A. I divided my time between Grimball & Cabaniss, LLC and Savage & Savage, P.A. While working for Savage & Savage, I worked on personal injury cases, securities litigation, and criminal defense matters. My responsibilities including legal research and writing on civil and criminal defense issues.

(f) In 2006 I became as an associate with the law firm Query Sautter Gliserman & Price, LLC. My practice was extremely diverse. Immediately, I began representing clients in Family Court, in matters regarding child custody, divorce, and equitable distribution. During the course of my practice, I represented criminal defense clients in Magistrate Court, the Court of General Sessions, and United States Federal District Court. I also represented clients in business litigation disputes, serving as chief counsel in the trial of those cases. I also represented clients in personal injury and wrongful death cases, serving as second chair during several trials. As an associate and subsequently as a partner, I also appeared before the United States Court of Appeals for the Fourth Circuit, in brief writing and oral argument. In 2008, I was certified as a Family Court Mediator and began mediating cases regarding abuse and neglect, divorce, equitable distribution, spousal support, child custody, and child support. During the time, I was also appointed as a Guardian ad Litem by the Family Court in contested custody cases.

(g) In late 2011, I was offered partnership in the law practice, which ultimately became known as Query Sautter Forsythe,

LLC. As my practice continued to evolve, I represented clients in more complex litigation. I was frequently asked to serve as co-counsel with other attorneys outside my law firm on complex litigation, which required additional legal research or intense litigation and court room presentation. As a result of my work in my firm, I also took on more leadership responsibility when it came to managing the daily details of the law firm, including managing employees, reviewing accounts payable and receivable. At that point in my career I became a lead attorney for the Southern States Police Benevolent Association in the Charleston area. I routinely represented law enforcement officers in all matters associated with possible police misconduct, and was frequently called to scenes involving officer involved shootings.

(h) In February 2016, I was elected to the Family Court bench. For over two years, I have handled a variety of matters on the Family Court. I have also remained active in extra judicial duties, working on programs that will provide alternatives to incarceration of juveniles, working on language access matters in South Carolina, and most recently working on the issue of human trafficking. During this time, I was selected as Chairman of the Language Access Task Force for the Supreme Court's Commission on Access to Justice. During my tenure we produced recommendations regarding language access in South Carolina. Recently, I was selected as a member of the Family Court Bench Bar. I have been working on a sub-committee for the Family Court Bench Bar which is examining the most efficient use of court time in abuse and neglect cases.

Judge Forsythe further reported regarding her experience with the Circuit Court practice area:

My private practice included Family Court and Circuit Court experience. I was fortunate to spend the first few years of my private practice learning from attorneys possessed with an unparalleled depth of experience and a mastery of the law. They taught me to take on all of the challenges of practice and represent clients with the most rigorous depth possible. Our

small law firm serves such a range of clients, that there is little I have not been able to experience in the Circuit Court.

Criminal Matters. My experience has included criminal defense matters, ranging from magistrate's court charges, such as traffic offenses and driving under the influence, to criminal offenses in the Court of General Sessions, including sexual assault, burglary, armed robbery, and murder. During the course of my time in private practice, I also represented clients in Federal District Court in criminal charges, ranging from forgery to money laundering, and drug possession. I also represented clients in probation violations, and parole hearings. Some examples of my criminal defense experience are as follows:

(a) State v. Jason Michael Maxwell, 2008-GS-08-776 Murder, 2008-GS-08-1444 Burglary First Degree. I joined the team on this case weeks before the commencement of the trial. In preparation for the trial, I reviewed extensive discovery and interviewed dozens of potential witnesses. Defendant was charged with Murder and Burglary 1st . Defendant's cell phone was allegedly found at the scene. The decedent was shot at close range by a shotgun. The Trial took place in 2010. I filed several motions in limine and was successful in all my motions, but one. I attempted to keep out the autopsy photographs, but was not able to keep them all from the jury. We commenced the case and I delivered the opening statement. I cross examined several witnesses during the presentation of the State's case. Ultimately the Defendant chose to plead guilty during the course of the trial. He was sentenced to 60 years on the Murder charge and 25 years on the Burglary 1st charge. Initially, he was order to serve those sentences consecutively. Ultimately, on a Motion to Reconsider Defendant was ordered to serve the sentences concurrently.

(b) State v. Gustavo Duarte, 2009-GS-10-001423. This was a case where the Defendant was charged in General Sessions with Lewd Act on a Minor. Ultimately, after careful investigation and extensive work with the Solicitor's Office I was able to convince the prosecution that the facts and circumstances did not rise to the charged offense. This case also prompted an

investigation by the Department of Social Services, and the opening of a case. I was able represent my client in both matters. Ultimately, the Defendant pled guilty in Transfer Court to Cruelty to a Child.

(c) State v. Robert Mitchell, 2013-GS-10-2838 and 2013A1010200537. This was a case where the Defendant was indicted for Murder. Defendant was alleged to have participated in a robbery-murder. The Defendant had a previous criminal history in Florida, such that his pending charges could have subjected him to a life sentence under South Carolina's third strike rule. I was Defendant's Fifth Attorney. After review of Discovery in this matter, my client decided to cooperate with the Ninth Circuit Solicitor's Office and testify against his Co-Defendant. The Solicitor was able to obtain a conviction against my client's Co-Defendant on the charge of Murder. Months later, my client entered a plea of guilty to Accessory After the Fact. He was given five years, but released upon the service of three years. He was ordered to serve the remaining term on probation. My client had been ineligible for bond, despite numerous attempts to obtain a bond. As a result, he was released five days after he entered his guilty plea.

Plaintiffs and Defendants. Private practice afforded me the opportunity to work on a variety of matters, which could be as simple as an automobile collision; or as complicated as a failed business transaction, medical malpractice injury, or a wrongful death case. Because our law firm represented people from all walks of life, we often represented those who were injured and those who owned small and medium sized businesses. My first experiences started by serving as associate counsel in a variety of litigation matters. I was often tasked with a majority of the research and writing responsibilities. Ultimately, however, I grew comfortable in the court room and appeared in all of the courts in South Carolina. My Circuit Court experience ranged from non-jury trials where I served as lead trial attorney for Plaintiffs and Defendants, to criminal trials in the Court of General Sessions. The following are a small example of matters, which I believe constitute significant experience in the Circuit Court.

Civil Non Jury Matters.

(a) Tim McGinnis v. Philip Pinckney, 2003-CP-10-3356, 2007-CP-10-1797. This was a an action where I represented the Plaintiff in a Quantum Meruit case. Plaintiff was the owner of Just for Fun Playgrounds and sold the play ground business to the Defendant under the guise of a franchise contract. Defendant was to pay Plaintiff $2,500.00 per month and 5% of the monthly gross proceeds of the business. Defendant initially commenced paying Plaintiff on a monthly basis. Over time he stopped making payments. After conducting detailed discovery and surviving various motions to dismiss including a statute of limitations defense, I proceeded to a Non-Jury Trial in 2010. I obtained a verdict in the amount of $137,695.95. The Defendant filed in appeal, while on appeal the parties negotiated a settlement in favor my client, the Plaintiff.

(b) Mincey v. Mincey and MLM, Inc., 2005-CP-10-3899. This matter was a 2008 bench trial in the Court of Common Pleas regarding language in a Family Court Order. I represented the Defendant. The parties were divorced but continued working together in a construction partnership. A dispute arose during the winding up of the partnership. Plaintiff demanded additional money in distributions. Defendant denied that Plaintiff was entitled to any additional money. After a one day trial with various witnesses, the Court took the matter under advisement. The Court found in favor of the Defendant. This matter was significant because the language of the Final Order and Decree of Divorce was critical in the outcome of the Common Pleas case. Plaintiff chose not to appeal the Court's ruling.

Civil Jury Matters.

(a) Murphy v. Wachovia, 2006-CP-10-1155. This was a case where Plaintiff's Mother (deceased) purchased Certificates of Deposit from Wachovia Bank, formerly South Coast Bank. When her son attempted to redeem the Certificate of Deposit, the Bank refused to honor the CD and denied the existence of the account. The action was filed by a former law partner in the firm. Upon his

retirement, I inherited all of the cases, including Mr. Murphy's case. This case was litigated, and ultimately resolved through mediation. Ultimately, the bank paid a confidential settlement to the Plaintiff, prior to the jury trial.

(b) Angelic Brown and Trojan Bell, Individually and as Personal Representatives of the Estate of Travone L. Bell, Decedent v. The City of North Charleston Police Department and Charleston County Sheriff's Office, 2006-CP-10-2996. This was a wrongful death survival action where a minor died in the custody of the Charleston County Sheriff's Office after he was arrested by the North Charleston Police Department. The minor had ingested cocaine during his arrest. Police pulled a bag of crack cocaine from the minor's mouth. Despite the ingestion, North Charleston Police Department failed to obtain medical attention for the minor. On the night he was booked at the Charleston County Detention Center the minor suffered a cardiac infarction. He never regained consciousness and died weeks later. The Federal District Court bifurcated the federal causes of action and the state causes of action. The Federal case went up on appeal to the United States Court of Appeals Fourth Circuit (see below). The state cause of action were tried in November 2009 in the Ninth Circuit Court of Common Pleas. After a week-long trial, the jury did not find gross negligence, as required under the South Carolina Tort Claims Act. The Jury found for the Defendants. The case was important however, because the City of North Charleston changed its policies regarding the ingestion of narcotics and appropriate law enforcement response.

(c) Glenn Faircloth and Tonya Faircloth, individually and as parents and natural guardians of John Doe #1, a minor v. Berkeley County School District, and Carl Halstead and Linda Halstead, Individually and as Parents and Natural Guardians of John Doe #2, 2007-CP-08-93. I filed this action on behalf of the parents of a minor child. The child, was sexually abused by an older child. John Doe #1 disclosed that he was sexually involved with John Doe #2 to an employee of the Berkeley County

School District. John Doe #1 was considered disabled. The parents of the John Doe #2 settled the claim. After years of litigation, the claims was also settled with the Berkeley County School District.

(d) Suncoast Properties of South Carolina v. Charleston on the Beach, LLC and Horace Rooke and Horace Rooke and Charleston on the Beach, LLC v. Eric Davisdon and Davidson, Bennett and Wigger, 2005-CP-10-726; Beachside Real Estate, Inc and Vickie Hollingsworth v. Suncoast Properties of South Carolina, LLC, Charleston on the Beach, LLC and Horace Rooke, 2007-CP-10-1543. This series of lawsuits originated with a failed real estate transaction. Our client, Horace Rooke entered into a real estate sales contract wherein he would sell a hotel located on Folly Beach to Suncoast Properties, LLC. As a result of a clause in his loan documentation, our client could not enter into the contract. The purchaser filed and action against our client. We filed

(e) John Koon, as the Personal Representative of the Estate of Chavis Berley v. Ruby Deaton, 2011-CP-36-549 and also South Carolina Farm Bureau Mutual Insurance Company v. Ruby Deaton, and John Koon, as the Personal Representative of the Estate of Chavis Berley, 2011-CP-36-91. This was a wrongful death and survival action, which was successfully settled after litigation in a declaratory judgment action. The action was filed on behalf of the estate of minor who had died as a result of strangulation on playground equipment. The declaratory judgment action was filed on the grounds that the minor child was a resident relative of the Defendant, Ruby Deaton and therefore fell under an exclusion in the homeowner's policy. Many family court documents were utilized as evidence in this case. The issue of grandparent custody played a prominent role in the litigation. After oral argument at a Motion Hearing, the Circuit Court determined that the minor child was not a resident relative and therefore, Farm Bureau's Declaratory Judgment action was denied. We were subsequently able to settle the wrongful death survival action in favor of the Estate.

Judge Forsythe reported the frequency of her court appearances five years prior to her service on the bench as follows:

(a) Federal: Prior to taking the bench, I appeared in federal court on many occasions in reference to civil and criminal matters. I appeared in Federal Court representing criminal defendants on charges of possession of drugs, firearms, and fraudulent documents. I also worked on matters regarding asset forfeiture, successfully resolving a forfeiture return to my clients after two years of litigation. I handled two civil appellate level matters before the United States Court of Appeal in the Fourth Circuit.

(b) State: Prior to taking the bench, I appeared regularly in summary, magistrate, family, and circuit court. Because of the level of litigation in Family Court, I would appear weekly to bi-weekly in Family Court. In Circuit Court, I routinely handled, no- jury matters, and motions, but those were not weekly occurrences. Our law firm policy required jury trial matters to have more than one attorney involved in the event of scheduling conflicts. Even when I was not the lead attorney on the case, I participated in discovery preparation, depositions, trial preparation, jury evaluation and jury selection jury evaluation.

Judge Forsythe reported the percentage of her practice involving civil, criminal, and domestic matters five years prior to her service on the bench as follows:

(a) Civil: 25%
(b) Criminal: 20%
(c) Domestic: 50%
(d) Other: Mediation and Guardian ad Litem work 5%

Judge Forsythe reported the percentage of her practice in trial court five years prior to her service on the bench as follows:

(a) Jury: 10% includes those matters that were settled prior to trial or during trial.
(b) Non-jury: 75%
(c) Other legal representation: 15%

Judge Forsythe provided that five years prior to her service on the bench she most often served as lead counsel.

The following is Judge Forsythe's account of her five most significant litigated matters:

(a) Angelic Brown and Trojan Bell, Individually and as Personal Representatives of the Estate of Travone L. Bell, Decedent v. The City of North Charleston Police Department and Charleston County Sheriff's Office, 2006-CP-10-2996. This was a wrongful death survival action where a minor died in the custody of the Charleston County Sheriff's Office after he was arrested by the North Charleston Police Department. The minor had ingested cocaine during his arrest. Police pulled a bag of crack cocaine from the minor's mouth. Despite the ingestion, North Charleston Police Department failed to obtain medical attention for the minor. On the night he was booked at the Charleston County Detention Center the minor suffered a cardiac infarction. He never regained consciousness and died weeks later. The case went to trial in 2009, but the jury did not find gross negligence as required under the South Carolina Tort Claims Act. The case was important however, because the City of North Charleston changed its policies regarding the ingestion of narcotics and appropriate law enforcement response.

(b) Historic Charleston Properties, LLC v. Bennett Baker Strahan, 2011-CP-10-897. This is a case where my client, the Plaintiff entered into a Listing Agreement as the agent to sell a property of substantial value in downtown Charleston for the Defendant. In the event the Plaintiff secured a purchaser the Plaintiff would receive 3% of the purchase price. The Plaintiff secured a purchaser. The Defendant had failed to disclose that a lis pendens was placed on the property by the Executor of an Estate. The Plaintiff demanded that the lis pendens be removed. The Executor agreed to remove the lis pendens on the condition that the net proceeds of the sale would be held in escrow. The Defendant refused to agree to those conditions. During the course of negotiation, Defendant sold the property and the

proceeds were held in escrow in a matter between Defendant and the Executor. As a result I filed a Summons and Complaint, as well as a Complaint for a Temporary Restraining Order, and a Motion and Attachment for Injunction to protect the interests of the Plaintiff in those proceeds. The Circuit Court granted the Temporary Restraining Order and enjoined the Title Company, the Defendant and counsel from disposing of $200,000.00 worth of funds in escrow, on the condition that Plaintiff post a bond. Within days the parties were able to enter into a settlement agreement.

(c) John Koon, as the Personal Representative of the Estate of Chavis Berley v. Ruby Deaton, 2011-CP-36-549. South Carolina Farm Bureau Mutual Insurance Company v. Ruby Deaton, and John Koon, as the Personal Representative of the Estate of Chavis Berley, 2011-CP-36-91. This was a wrongful death and survival action, which was resolved after successful litigation in a declaratory judgment action. The action was filed on behalf of the estate of minor who had died as a result of strangulation on playground equipment. The declaratory judgment action was filed on the grounds that the minor child was a resident relative of the Defendant, Ruby Deaton and therefore fell under an exclusion in the homeowner's policy. The issue of grandparent custody played a prominent role in the litigation. After a hearing on the matter, the Circuit Court determined that the minor child was not a resident relative and therefore, Farm Bureau's Declaratory Judgment action was denied. Subsequently, the parties were able to settle the wrongful death survival action in favor of the Estate.

(d) United States of America v. James Robinson Bonding Company, No. 2011-6957, (4th Cir. May 24, 2012). This case began in the Federal District Court upon the United State's Motion to Estreat and Forfeit Bond. A defendant, HJS was arrested in South Carolina after allegedly attempting to export a boat to Lebanon in which he had hidden firearms and ammunition. HJS entered a plea of not guilty, and was granted bond. HJS was the father of a gravely ill infant in Michigan. The United States asked for detention, but the motion was denied. Our client the

Surety (and Defendant captioned above) posted the bond on HJS's behalf in the amount of $150,000.00. An indictment was filed in July 2010, and HJS appeared at his arraignment. He remained on the same bond. Days later, a Superseding Indictment was filed, adding two more counts. HJS did not appear for his arraignment but filed a waiver of appearance and entered a plea of not guilty, by way of his counsel. Our client was never notified of the Superseding Indictment. The Clerk of Court admitted that he failed to provide appropriate notice in contravention of the federal court rules. HJS fled the country to Lebanon. The United States move to Estreat the Bond. While the District Court found that the Surety had failed to receive notice, the Court did not discharge the Surety as required by law and estreated $30,000.00 of the Bond to the United States. My brief challenged the District Court's decision. Because the government had violated the terms of the bond contract, the District Court should have set aside the forfeiture based upon Reese v. United States, 76 U.S. (9 Wall.) 13 (1869). The case was submitted to the United States Court of Appeals, Fourth Circuit. The Fourth Circuit ordered mediation. At the mediation conference the United States settled the case and returned 90% of the estreated proceeds. This was a particularly important case for forfeiture law at the time. We were able to remind the United States it must still follow the principles of contract law when dealing with Sureties.

(e) Michael Ackerman v. Charleston County Sheriff's Office, 2014061957. This was a case which initially commenced with the fatal shooting of Charleston County Sheriff's Deputy Joseph Matuskovic. Deputy Michael Ackerman was on scene with Deputy Matuskovic when a suspect opened fire upon a group of Charleston County Sheriff's Deputies from within his apartment. Deputy Joseph Matuskovic was killed instantly. Deputy Ackerman was shot in the leg, but was able to return fire and ultimately killed the suspect. Aside from his physical condition, Deputy Ackerman began exhibiting signs of Post Traumatic Stress Disorder. My initial involvement in this case

commenced with the shooting incident itself. I was called to the Medical University of South Carolina by a law enforcement officer at the request of Deputy Ackerman. I had previously represented Deputy Ackerman as a witness in an investigation from the Department of Justice regarding an incident of misconduct within the Sheriff's Office. I responded to the hospital and assisted the South Carolina Law Enforcement Division in obtaining critical information regarding the suspect. At the time, it was not known that the suspect was deceased. Various SWAT team agents were waiting information regarding the scene before making entry into the apartment. Although my client was also under SLED investigation at this point, it was critical to cooperate as much as possible and provide as much information as possible to further protect officers about to make entry.

Subsequently it became clear that in addition to his physical wounds which were significant, Deputy Ackerman was suffering from Post-Traumatic Stress Disorder. Initially Deputy Ackerman was not inclined to file a Worker's Compensation Claim. However, when the Department denied payment of treatment for post traumatic stress disorder, my law firm filed an action before the Worker's Compensation Commission. The case was litigated, and we were prepared to provide expert testimony and challenge the standing law on post-traumatic stress disorder coverage for first responders. Ultimately, the case settled for a confidential amount. The issue as to whether standing law provides coverage for post traumatic stress disorder remains unclear.

The following is Judge Forsythe's account of two civil appeals she has personally handled:

(a) Angelic Brown and Trojan Bell, Individually and as Personal Representatives of the Estate of Travone L. Bell, Decedent v. The City of North Charleston Police Department and Charleston County Sheriff's Office,

Unpublished Opinion No. 2008-1937 (4th Cir. Jan. 15, 2010).

(b) United States of America v. James Robinson Bonding Company, No. 2011-6957, (4th Cir. May 24, 2012). The case was settled at mediation, prior to the scheduling of Oral Argument. The case was not reported. I have provided my Brief as a writing sample.

Judge Forsythe reported she has not personally handled any civil or criminal appeals.

Judge Forsythe reported that she has held the following judicial office(s):

I presently serve the State of South Carolina as a Family Court Judge. I was elected on February 3, 2016 and commenced my term on July 1, 2016. The jurisdiction of the family court is determined by statute. There are no jurisdictional amounts. On any given day the Family Court can handle simple divorces with little in the way of assets, or complex marital litigation with estates and businesses that are valued in the millions. The Family Court is also tasked with handling matters child custody, visitation and support; separate support and maintenance; matters regarding child abuse and neglect; juvenile delinquency; adoptions; name changes; corrections of birth certificates; matters regarding contempt, and vulnerable adult matters.

Judge Forsythe provided the following list of her most significant orders or opinions:

(a) South Carolina Department of Social Services v. Richard Passio, et. al., 2016-DR-27-200 (Order on a Permanency Planning Hearing Trial April 20, 2017)

(b) Michael Thomas Rooke v. Meredith Kaufman, 2011-DR-10-3199. Order Denying Motion to Relinquish Jurisdiction. May 17, 2017.

(c) South Carolina Department of Social Services v Julia Timmons, 2008-DR-10-1845. Order from Defendant's Motion to Reduce Arrears. May 27, 2017.

(d) Jeffrey Haught v. Christiane Leggett, 2017-DR-10-2991. Order on Defendant's Motion for Reconsideration (Regarding Relocation and Custody of Minor Children). December 7, 2017.

(e) Va'Keisha Page v. Ricardo Dontez Prizzie, Lamont Sanders, Jimmy Frazier, and Katie Page, 2016-DR-10-1370. (Final Order for Custody of Minor Children)

To my knowledge none of my orders, have reached appellate review with an opinion.

Judge Forsythe has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Forsythe's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Forsythe to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Lowcountry Citizens Committee commented that Judge Forsythe is "happy, well-adjusted, self-aware, [and] empathetic."

Judge Forsythe is married to Charles Robert Forsythe. She has one child.

Judge Forsythe reported that she was a member of the following Bar and professional associations:

(a) The James L. Petigru American Inn of Court 2009-present
(b) The James L. Petigru American Inn of Court Executive Committee 2009-2015
(c) The James L. Petigru American Inn of Court Secretary 2009-2015
(d) Berkeley County Bar Association 2010-2013
(e) Charleston County Bar Association 2004 to present
(f) Charleston County Bar Association Executive Committee 2013-2016
(g) Charleston County Bar Association CLE Co-Chair 2013-2016

(h) Charleston School of Law Moot Court Volunteer 2009-2010
(i) South Carolina Association for Justice, Member 2003-2016
(j) South Carolina Bar, Member 2003-present
(k) South Carolina Bar Resolution of Fee Disputes Board Ninth Circuit 2012-present
(l) South Carolina Bar House of Delegates 2010-2014, 2015 to present
(m) South Carolina Bar Civil Practice and Procedure Committee 2014
(n) South Carolina Bar Lawyer Wellness Committee 2014, 2015
(o) South Carolina Bar Lawyers Helping Lawyers Committee 2015
(p) South Carolina Bar Future of the Profession Committee 2015
(q) South Carolina Bar Ask-A-Lawyer Volunteer 2013-2014
(r) South Carolina Bar Mock Trial Judge for Moultrie Middle School 2014
(s) South Carolina Bar Mock Trial Judge, 2018
(t) The Supreme Court Lawyer Mentoring Program 2014 to present
(u) The South Carolina Supreme Court Access to Justice Commission Language Access Task Force Chair 2016-2017.
(v) The National Council of Juvenile and Family Court Judges 2016 to present.
(w) The Family Court Bench Bar Committee 2018

Judge Forsythe provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) James L. Petigru Inn of Court 2009-present
(b) James L. Petigru Inn of Court, Inn Secretary, 2009-2015
(c) James L. Petigru Inn of Court Outstanding Service Award 2015
(d) The Benevolent and Protective Order of Elks, Member 2014-present
(e) Lawyer's Committee on Children's Rights 2010-2016
(f) Special Olympics Volunteer 2004, 2013
(g) YES Carolina Volunteer 2013

Judge Forsythe further reported:

As a child of immigrant parents, I understood early on how fortunate I was to live in America. I was raised in a blue collar neighborhood, right outside of Washington, D.C. In my work prior to law school, I saw the challenges to our freedom from a unique position within government. It was a catalyst for me. It gave me a greater appreciation for our American heritage, and the deeply imbedded legal principles which are a essential to our democracy.

There are no words that I can use to describe how grateful I am to have been able to have the opportunities in my life to learn, grow, and serve my country. Service requires energy, patience, commitment, knowledge, and compassion. As a lawyer, I worked hard to bring these values to the profession of law. But, I felt a stronger calling to serve my state several years ago. Following that calling I ran for the Family Court.

Development as a judge requires a continued commitment to service, and dedication to education and professional development. For over two years, I have had the opportunity to learn and work with other judges, and judicial organizations that have taught me the value of leadership on the bench. I continue to be honored and grateful for the opportunity to serve as a judge in South Carolina. The opportunity to serve on the Circuit Court would allow me to use the skills I have learned in private practice, and on the bench from day one.

(11) Commission Members' Comments:

The Commission appreciates Judge Forsythe's service on the family court bench. They commented that Judge Forsythe is an exemplary candidate.

(12) Conclusion:

The Commission found Judge Forsythe qualified, but not nominated for election to the Circuit Court, Ninth Judicial Circuit, Seat 2.

FRIDAY, JANUARY 11, 2019

The Honorable W. Stephen Harris Jr.
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Harris meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Harris was born in 1974. He is 44 years old and a resident of Johns Island, South Carolina. Judge Harris provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Harris.

Judge Harris demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Harris reported that he has not made any campaign expenditures.

Judge Harris testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Harris testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Harris to be intelligent and knowledgeable.

Judge Harris reported that he has taught the following law-related course:

Charleston School of Law, Adjunct Professor – Created and taught a course in Criminal Trial Practice. The course was a practical course in which the students would be assigned a side (defense or prosecution) and be given discovery and facts. The lectures would focus on the steps in a criminal trial. After each section (voir dire, opening statements, cross examination, etc…) students would present as if they were in an actual courtroom.

Judge Harris reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Harris did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Harris did not indicate any evidence of a troubled financial status. Judge Harris has handled his financial affairs responsibly.

The Commission also noted that Judge Harris was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Harris reported that he is not rated by any legal rating organization.

Judge Harris reported that he has not served in the military.

Judge Harris reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Harris appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Harris appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Harris was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

2005-2008. Began working in the Charleston County Public Defenders office as a clerk after taking the July Bar exam in 2005. Worked as an assistant public defender for the Ninth Circuit until leaving in July 2008.
2008-2010 Opened the Law Office of Stephen Harris in July 2008 as a solo practice. Managed any and all aspects of marketing, administrative, financial management and trust account management. Employed one staff member who took on the role of paralegal/office assistant. Handled cases ranging from traffic tickets to murder on the criminal side and did all types of personal injury cases on the civil side.
2010-Present. Partnered with Theodore Huge, formerly of Motley Rice, in 2010. We opened Harris and Huge LLC with our first office at 218 King Street in downtown Charleston. We focus on civil litigation, corporate litigation, criminal defense and trademark work. I am CEO and Equity partner. We moved our location to 180 Spring Street in Charleston in 2012 and opened a second office at 3202 Maybank Highway in Johns Island in 2016. I have and continue to be involved in hiring, employee management, marketing, payroll, trust accounts, accounting, and general day to day management of the firm's business.

Judge Harris reported the frequency of his court appearances in the past five years as follows:
(a) Federal: 5 Cases a year;
(b) State: Approximately 8 General Session and 50 magistrate level cases per year.

Judge Harris reported the percentage of his practice involving civil, criminal, and domestic matters in the past five years as follows:
(a) Civil: 30%;
(b) Criminal: 65%;
(c) Domestic:
(d) Other: 5% (trademark, wills, etc)

Judge Harris reported the percentage of his practice in trial court in the past five years as follows:
(a) Jury: 15%;
(b) Non-jury: 85%.

Judge Harris provided that in the past five years he most often served as chief counsel.

The following is Judge Harris' account of his three most significant litigated matters:
(a) Atkins v. Hooker – Greenwood, SC. Twenty-nine plaintiffs sued a developer who purchased the golf course that was part of their community. . The developer used the money for personal expenses and to pay off personal debt. I successfully argued that his actions were intentional and beyond simply reckless. Judge Addy ruled in our favor and awarded over $340000 plus costs. This was significant because it was a non-jury trial in Circuit Court. It was my first trial in Common Pleas court as the Chief Counsel.
(b) State v. Ethan Mack – Charleston, SC. Client charged with Murder, forgery, and obstruction of justice. The case was filmed by Dateline and I provided a forty-five minute closing argument that most who attended the trial say led to a hung jury on the murder charge.
(c) United State v. Elizabeth Donnelly – US District Court – Charleston Division. Successfully argued that my client

not only had mental health issues that would excuse some culpability, but she was truly unaware of the criminal conspiracy. This was significant because she was facing a mandatory minimum sentence for her role in a conspiracy to defraud federally financed institutions as part of a car title scam. I provided The Honorable Judge Gergel with psychiatric evaluations and testimony to show she was not a "willing" participant in the conspiracy. She was offered treatment and has become a much more successful member of society.

Judge Harris reported he has not personally handled any civil or criminal appeals.

Judge Harris reported that he has held the following judicial office(s):
Charleston County Magistrate, appointed April 2017. The jurisdiction is any criminal case carrying less than 90 days or any civil case involving less than $7500. I also handle claim and delivery, evictions, restraining orders, and notice to quit.

Judge Harris reported the following regarding his employment while serving as a judge:
Harris and Huge LLC – Partner. I am a part time magistrate and during the last year have also been a partner and CEO of my law firm.

(9) Judicial Temperament:
The Commission believes that Judge Harris' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Harris to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Harris is married to Margaret C. Spillinger. He has two children.

Judge Harris reported that he was a member of the following Bar and professional associations:
(a) Charleston Bar Association
(b) Young Lawyer's Division
(c) South Carolina Association of Criminal Defense Lawyers
(d) National Association of Criminal Defense Lawyers

Judge Harris provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Johns Island Community Association (Co-Founder and Former Chairman)

Judge Harris further reported:
I attended law school after living in Los Angeles, CA for almost six years. I was in sales and became a very good outside salesperson. Spending time in a profession other than law, especially in an "eat what you kill" sales environment, taught me the meaning of hard work and perseverance. Spending time out of my comfort zone in a city as large as Los Angeles also taught me the importance of patience and understanding. Living with 12.5 million people of all occupations, lifestyles, and cultures taught me to understand and have empathy with people who may have a different view than I do. Being a judge requires patience, understanding and empathy at times. Interfacing with thousands of different people and navigating the business world in the second largest city in the United States taught me a lot about those important factors.

(11) Commission Members' Comments:
The Commission commented that Judge Harris is impressive and had good composure before the Commission. They also noted that he has a bright future.

(12) Conclusion:
The Commission found Judge Harris qualified, but not nominated to Circuit Court, Ninth Judicial Circuit, Seat 2.

FRIDAY, JANUARY 11, 2019

Laura Campbell Waring
Circuit Court, Ninth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Waring meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Waring was born in 1970. She is 48 years old and a resident of Charleston, South Carolina. Ms. Waring provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Waring.

Ms. Waring demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Waring reported that she has not made any campaign expenditures.

Ms. Waring testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Waring testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Waring to be intelligent and knowledgeable.

Ms. Waring reported that she has taught the following law-related courses:

(a) I taught a statewide two-day seminar, 'Technical Writing for Court,' from 1997-2000
(b) I lectured at Children's Law Office, 'Representing Guardians ad Litem,' 2000
(c) I lectured at Richland County Bar Association Ethics CLE 'How to Handle Court Appointments' November, 2001
(d) I was a panelist for the Children's Law Office Volunteer Guardian ad Litem Statewide Conference 2002
(e) I was a panelist for the Federal Courts Law Review Annual Symposium 'Election Law in the Federal Courts' regarding 'Free Speech Issues in Election Law' 2013
(f) I was a guest panelist for an ethics CLE sponsored by Young Clement Rivers LLC and presented at various venues including the Worker's Compensation Annual Conference 2016-2017, which was available for Substance Abuse and Mental Health credits
(g) I was a guest Judge at the Charleston School of Law, Trial Advocacy Course 2018

Ms. Waring reported that she has published the following:

(a) (unsure of date or if published) Federal Courts Law Review Symposium
(b) Charleston Mercury 'The First Amendment is Not Dead-It's Frozen'

(4) Character:

The Commission's investigation of Ms. Waring did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Waring did not indicate any evidence of a troubled financial status. Ms. Waring has handled her financial affairs responsibly.

The Commission also noted that Ms. Waring was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Waring reported that her last available rating by a legal rating organization, Martindale-Hubbell, is B-V.

Ms. Waring reported that she has not served in the military.
Ms. Waring reported that she has never held public office.

(6) Physical Health:

Ms. Waring appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Waring appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Waring was admitted to the South Carolina Bar in 1996.

She gave the following account of her legal experience since graduation from law school:

(a) August 1996-November 1996. Immediately following law school, and prior to bar admission, I worked briefly as Associate Coordinator for the Charleston County Guardian ad Litem Program, an arm of the Governor's Office. My primary job was to assist in case management, court preparation, and training of the volunteer Guardians ad Litem in Charleston County.

(b) February 1997-July 2003. Attorney Richland County Casa (f/k/a Guardian ad Litem Project) After being sworn into the South Carolina Bar in November 1996 and upon completion of Rule 403 experiences, I was employed as a contract attorney to try cases involving termination of parental rights, which was under the Kellogg initiative which helped achieve permanent homes for children adrift in the foster care system. In addition to trial work, I helped train volunteers before service and prepared them for court appearances, insuring that their written

reports met the statutory requirements. We represented over one thousand abused and neglected children in our caseload, through their GAL, in negotiations, court appearances, and in bench trials in the Family Court with little, if any, formal discovery. These cases involved emergency hearings, removal hearings on the merits, judicial review hearings, and termination of parental rights. By statute, all emergency protective custody hearings were held within seventy-two hours. Ninety-five percent of merits cases settled, and about five percent were tried. In several of these cases, children were called as fact witnesses, and our role included preparing children to testify, and when necessary, filing motions in limine. Ninety-five percent of termination of parental rights cases were tried, of which, about five percent resulted in appeal. Occasionally, we entered an appearance on appeal, as amicus, and I was invited to participate in oral argument several times at the Court of Appeals.

(c) 1997-2000. During my service as a Contract Attorney for CASA, I also had a contract with the University of South Carolina, College of Social Work, Center for Child and Family Studies, as a trainer for a statewide Technical Writing for Court Seminar, a two-day intensive workshop for social workers to insure compliance with statutory mandates. Social workers received continuing education credit for successful participation in the seminar.

(d) 2001-2002. Senior Staff Attorney, Richland County CASA. As Senior Staff Attorney, I was responsible for the coordination of staff attorneys, again, with a caseload over one thousand, but with more cases being tried. We added three part-time attorneys to meet the demand. As Senior Staff Attorney, in addition to managing the legal staff, my job included representing CASA as 30 (b) (6) designee, participation in panel discussions and child welfare conferences, and presenting to the Richland County Bar Association on the role and responsibilities of the Guardian ad Litem, since the bar was receiving unprecedented appointments for children without a lay volunteer GAL.

(e) 2002-2003. In 2002, after the birth of our first child, I became a Staff Attorney at Richland County CASA and worked part time while preparing administrative documents for uniform case management.

(f) August 2003-Present. After relocating to Charleston, I entered private practice in general civil litigation with Grimball & Cabaniss as an associate on a part-time basis. For the first three years, my practice was almost exclusively insurance defense, from preparation of discovery to motions practice and trial. Within the first year, I received my own files from insurance carriers. I received a defense verdict in my first personal injury jury trial in summary court. I handled motions for summary judgment and motions to dismiss as first chair.

As the needs of my firm increased in 2004, my status changed to salary- based, with flexibility in my schedule to care for my growing family. I became approved panel counsel for State Farm Fire and Casualty and handled a wide variety of personal injury claims, from premises liability to libel and slander. I also assisted attorneys in construction cases and appellate work but did not serve as first chair.

In 2006, I was first chair in a month-long jury trial involving several co-defendants and two plaintiffs. That case was appealed, and I was first chair for our client in briefing and at oral argument. We achieved successful result for our client, a reduction from a jury award of six million dollars in punitive damages and to zero, and a reduction in actual damages from a double verdict of $248,000 to a single verdict of the same. That appeal resulted in numerous referrals of private clients, both defendants and plaintiffs, and I began a niche practice in libel and slander (for which I was invited to speak at the 2013 Federal Courts Law Review Symposium on 'Free Speech Issues in Election Law').

Around 2007, I began my practice in labor and employment law (although I have not sought certification in this area). My clients have had diverse

> needs, from public officials seeking retraction of slanderous material to negotiating a reasonable accommodation under the Americans with Disabilities Act (now ADAAA) to a return to work under modified exposure to a hostile co-worker, and many separation and release agreements along the way. Each case has presented unique challenges, and many clients have sent me letters of thanks after they found successful re-entry into the workforce in a more suitable environment.
>
> Around 2009-2010, many insurance defense firms saw a reduction in case assignment as the economic downturn caused a reduction in contested claims. My practice had to shift to match the needs of the market, and I have enjoyed a boutique practice in employment law since then, with referrals from large firms within and outside of South Carolina. This limited practice has been a blessing to my family, and I have had the flexibility of choosing my cases to match my availability as I have met the needs of my children. Now, with my youngest child entering middle school, this opportunity to serve as a Circuit Court Judge comes at the perfect time.

Ms. Waring further reported regarding her experience with the Circuit Court practice area:

Criminal Matters - Although I do not practice in criminal law, my background in civil litigation and family court has provided me a wealth of transferable skill and knowledge to preside over such matters. Having tried cases for over two decades, I have handled numerous evidentiary hearings in civil matters which are substantially similar to those in criminal practice. For example, as Attorney for the Guardian ad Litem in the family court, in child abuse and neglect cases, I attended and participated in several hundred probable cause hearings (by statute, Emergency Protective Custody hearings were required to be held within 72 hours). I also filed and argued several Motions *in Limine*, such as motions to exclude evidence of a child victim's sexual history under the Rape Shield Law. We routinely coordinated with the Solicitor's office to prepare

children as witnesses within the constitutional guarantees of the Sixth Amendment to preserve the defendant's right of confrontation. We negotiated 'Use Immunity' Findings, which are essentially the same standard as an *Alford* plea. In civil matters, I have handled character evidence and prior bad acts under SCRE 404, which will prepare me to perform a fair analysis in *Lyle* hearings. I have regularly dealt with hearsay and its exceptions, and I have handled impeachment evidence and motions to compel production. I have even filed one motion to suppress evidence under the Federal Wiretapping Statute. No matter whether I am sitting in General Sessions or Common Pleas, I will not lose sight that the trial court is afforded much deference, and that as the gatekeeper, I will draw on my twenty-two years of practice and discernment to make the right decision.

Additionally, I have had actual courtroom experience in (3) general sessions matters in the last ten years. I have given testimony in one instance and an affidavit in another, on behalf of the defense, and I was present for the guilty plea and sentencing of each. I was also unfortunately a member of the victim's family in one high profile murder case, where I had the opportunity to observe the trial and sentencing. Yet, in each of these experiences, I was impressed with the manner in which the presiding judges balanced the interests and sensitivities of both sides of the courtroom, and I aspire to do the same.

Civil Matters - My practice has shifted from mainly defense to mainly plaintiff's cases for the last five years, and these have resolved through mediation or pre-trial negotiations, resulting in fewer court appearances than years past. Moreover, the bulk of my plaintiff's practice has been employment law, which is uniquely quiet, since both sides risk harm to reputation by litigation. I have found that settlement of highly personal matters at the administrative level allows businesses and employees to recover their losses in a cooperative manner. Sometimes a legally based demand letter or request to cease and desist is worth far more to a client than having to endure years of uncertainty and lack of income. Thus, my last five years of practice have seen fewer litigated cases, and my clients have received the benefit. This list does not include matters in which I served as associate counsel.

Ms. Waring reported the frequency of her court appearances during the past five years as follows:

(a) Federal: Almost all my cases in Federal Court were disposed of before their scheduling orders had expired, and none of these have required oral argument of motions. The requirement of mediation has likewise lessened the trend in trials in Federal Court, as well as the exhaustion of administrative remedies prior to filing suit.

(b) State: Few of my recent cases in State Court have required litigation, but I have appeared in court for minor settlements and appointed cases.

Ms. Waring reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:

(a) Civil: 90%;
(b) Criminal: 0%;
(c) Domestic: 5% Guardian ad Litem name changes and appointed DSS cases;
(d) Other: 5% Guardian ad Litem in immigration matters.

Ms. Waring reported the percentage of her practice in trial court during the past five years as follows:

(a) Jury: less than 5%;
(b) Non-jury: less than 5%.

Ms. Waring provided that she most often served as sole counsel.

The following is Ms. Waring's account of her five most significant litigated matters:

(a) Caddy v. Belfair SCDC, Beaufort Div. 9:17-cv-01153 PMD-MGB Settled. This employment matter was settled during discovery, before enormous legal expenses had accrued. The allegations involved sexual harassment with not only sensitive but also novel issues which required sharp legal research on both sides, and an amicable solution was reached.

(b) Komara v. Siemens SCDC, Beuafort, Charleston Div. 2:15-cv-04522 PMD-MGB Settled. This matter was settled in mediation, with difficult facts and challenging issues of

law under the FMLA. While the terms of the settlement are not public, it was an amicable resolution of a hard-fought battle on both sides which could have resulted in protracted litigation. Opposing counsel and I handled these issues with utmost civility and with the focus remaining squarely on the needs of our clients.

(c) (Conciliation Agreement) Doe v. Defendant (EEOC Greenville Div.) 2011-2014 Settled. This matter involved a former employee who had both age and disability discrimination claims against her former employer after decades of excellent work. After a lengthy investigation, the EEOC found in favor of our client, and we negotiated a favorable settlement at the Conciliation Conference.

(d) Woods v. Boeing SCDC 2:13-cv-02592 RMG-BHH Summary Judgment for Defendant. Although the Magistrate recommended that Defendant's Motion for Summary Judgement be denied, the District Court granted Summary Judgement in favor of Boeing, which was a hard-fought battle on both sides. Despite the enormity of resources of our opposition, we zealously pursued the cause of a former employee under extraordinarily complex law (Americans with Disabilities Act as Amended and AIR21 and FAA Administrative Proceedings) and counterclaims. While we did not prevail, I can say that I managed to withstand the pressure of taking on a Goliath and almost defeated our opponent's Motion for Summary Judgement.

(e) Erickson v. Weaver et al Memorandum Opinion No. 2010-MO-006 (Unpublished). This was a ten-year case which still holds the record for the longest trial in the Charleston County Courthouse, where after one month, the jury returned a verdict for the Plaintiff with millions of dollars in punitive damages and a double verdict of actual damages. After an appeal to the South Carolina Supreme Court, we achieved a successful result for our defendant, with punitive damages vacated and reducing the double award of actual damages to a single award of $248,000.00 which was applied to all co-defendants.

The following is Ms. Waring's account of three civil appeals she has personally handled:

(a) Erickson v Winner et al. Supreme Court of South Carolina, Filed March 1, 2010, Opinion No. 2010-MO-006 (Unpublished) (first chair on Weaver brief and argument)

(b) Miller v Aiken Supreme Court of South Carolina, Filed May 02, 2005 Opinion No. 25976. (assisted in drafting brief-certified question-the Court adopted the argument I drafted)

(c) S.C. Department of Social Services, v. Parker, et al Court of Appeals of South Carolina, Filed June 21, 1999 Opinion No. 3014 (case decided on brief without oral argument, I wrote brief on behalf of Guardian ad Litem)

Ms. Waring reported she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Waring's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Ms. Waring to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability, and experience. The Committee commented "superb person, probably better qualified to be family court judge."

Ms. Waring is married to Robert Pruitt Gruber. She has three children.

Ms. Waring reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar (1997-present)
Children's Committee-Chairman, Child Protection Services Committee (2002)

(b) Charleston County Bar Association (2003-present)

(c) Richland County Bar Association (1997-2003)
(d) Federal Bar Association (2005-2007)
(e) American Bar Association (1997-2000)

Ms. Waring provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Vestry Member St. Michael's Church, Anglican, 2017-Present. Strategic Planning Committee, Team Leader Family Service, Assistant Teacher Confirmation Class, Sunday School Volunteer Teacher.
(b) Charleston Museum Board of Trustees, 2012- Jan 2018. Member, Strategic Planning Committee
FANS of the Charleston Museum, 2010-present; Co-Chairman 2015-2017. Fundraising efforts helped the Charleston Museum with important capital campaigns, including the rebuilding of the courtyard and the renovation of the Bunting Natural History Gallery.
(c) Charleston City Ballet Company Board of Trustees, Charter Member 2012-2016. Spearheaded fundraising and board recruitment efforts which culminated in successful Piccolo Spoleto productions for several years.
(d) St. Andrew's School of Math and Science PTA President 2010-2012. With a student population of 755, of whom half are free or reduced lunch recipients, our PTA organized public awareness campaign for Penny Sales Tax Referendum which resulted in grassroots support and ultimate voter approval-our school was rebuilt and our community has rebuilt several schools under this funding project.

Other memberships and honors:

Berkman Center for Internet & Society at Harvard University, the online Media
Network, Colonial Dames, Carolina Assembly, Delta Delta Delta, Omicron
Delta Kappa, Alpha Lambda Delta, Gamma Beta Pi, Golden Key National Honor
Society, Carolinian Society, Who's Who Among Students in American Colleges And Universities, Mortar Board Graduate Fellowship, Outstanding Senior Award.

Ms. Waring further reported:

To whom much is given, much is expected. While I have been given the opportunities and privileges of a great education and supportive family, I have never lost sight of how important it is to reach out beyond my comfort zone. In my legal practice, I have seen the horrors of child abuse and neglect, but I have implemented better systems for advocacy and better practices for those who represent children.

In private practice, my clients have ranged from corporations to hourly employees, and I can honestly say I have treated each client's case with the attention it deserves regardless of the amount of the fee arrangement. Some of my greatest successes are the stories that will never be written in the county bar verdict reports-employees who returned to their pre-termination positions, companies who have implemented safer practices, public officials who regained credibility after being defamed, and the countless insureds whose lives were returned to normal upon the resolution of lawsuits. I treasure the numerous thank you notes I have received from my clients as hallmarks of success.

By representing both defendants and plaintiffs, I have the unique perspective of seeing both sides of litigation. My ability to "cut to the chase" has saved both plaintiffs and defendants time and money, but when litigation is warranted, I have never shied away from a challenge, no matter how formidable the opponent. Because of my faith, my self-worth is not based upon my accomplishments but what has been instilled through worship and spiritual grace.

My professional career has brought years of learned wisdom and skill, but my fairness and even temperament have been present since childhood. Those essential traits set me apart from my peers and make me best suited for this position. I look forward to the opportunity to stand for any questions the Commission may have for me, and I thank you all for your service.

(11) Commission Members' Comments:

The Commission was impressed with Ms. Waring's intellect, and also positively commented on her temperament.

(12) Conclusion:

The Commission found Ms. Waring qualified, but not nominated for election to the Circuit Court, Ninth Judicial Circuit, Seat 2.

NOT QUALIFIED

Gregory Kenneth Voigt
Circuit Court, At-Large, Seat 2

Commission's Findings: NOT QUALIFIED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Voigt meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Voigt was born in 1966. He is 52 years old and a resident of Summerville, South Carolina. Mr. Voigt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006. He was also admitted to the Louisiana Bar in 1994.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Voigt.

Mr. Voigt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.
Mr. Voigt reported that he has not made any campaign expenditures.

Mr. Voigt testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Voigt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Voigt to be intelligent and knowledgeable.

Mr. Voigt reported that he has taught the following law-related courses:

(a) I presented a talk on jury selection at the 2017 "What Works" CLE sponsored by the Charleston Bar Association

(b) I have given smaller presentations to the 9th Circuit Solicitor's Office in-house CLE's involving Batson challenges, discovery rules, and anticipating defenses in 2016 and 2014.

Mr. Voigt reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Voigt did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission noted that Mr. Voigt was not punctual and attentive in his dealings with the Commission and Commission staff. Mr. Voigt did not promptly provide the Commission with requested financial information and the Commission could not adequately investigate Mr. Voigt's financial situation prior to his scheduled screening. Therefore, it is the Commission's opinion that this candidate does not meet the evaluative criterion of character and must be found unqualified.

(5) Reputation:

Mr. Voigt reported that he is not rated by any legal rating organization.

Mr. Voigt reported that he has not served in the military.

Mr. Voigt reported that he has never held public office.

(6) Physical Health:

Mr. Voigt appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Voigt appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Voigt was admitted to the South Carolina Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

- Law Clerk, 1993-94, Orleans Indigent Defenders Program (Public Defenders Office): wrote appellate briefs and motions and memoranda for public defenders in felony cases.
- Associate, 1994-94, Law Firms of Gary Wainwright and William Noland: general practice with emphasis on criminal defense, family law, bankruptcy, and criminal and civil appeals. Gained first jury trial experience.
- Assistant District Attorney, 1998-2000, Orleans Parish District Attorney's Office: assigned to the felony trial division, conducted limited appellate practice.
- Associate, 2000-2005, Lawrence and Olinde: small law firm that emphasized personal injury, criminal defense and family law. Also appeared before administrative bodies for zoning appeals, ABO applications, and teach discipline matters.
- Special Assistant Solicitor, 2005-2015, 9th Circuit Solicitor's Office (Charleston): began as a white-collar crime prosecutor and was later named to lead a trial team. He assigned cases and organized trial terms for approximated

one-third of the office. He was later assigned to special projects which included in-house CLE presentations for the office and cases that conflicted with other jurisdictions. His concentrations were violent and victim crimes for the last 8 years in this office.

- Sole Practitioner, 2015-present, Voigt Murphy, LLC, Law Firm: concentrates in civil practice, criminal defense, and family law. He manages the firm's taxes, salaries, and trust accounts.

Mr. Voigt reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0%
(b) State: 100%
(c) Other: 0%

Mr. Voigt reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 20%
(b) Criminal: 40%
(c) Domestic: 40%
(d) Other: 0%

Mr. Voigt reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 10%
(b) Non-jury: 90%

Mr. Voigt provided that he most often served as sole counsel.

The following is Mr. Voigt's account of his five most significant litigated matters:
(a) State v. Donlyn Burns, 723 So.2d 1013 (1998)
(b) State v. Nathaniel McGee
(c) State v. Jerome Coaxum
(d) State v. Oran Smith
(e) State v. Tyrel Collins

The following is Mr. Voigt's account of five civil appeals he has personally handled:

(a) Banker's Insurance Company v. State, 703 So.2d 1160 (1997), Louisiana Court of Appeals, 3rd Circuit
(b) Ranger Insurance Company v. State, 725 So.2d 601 (1998), Louisiana Court of Appeals, 3rd Circuit
(c) State v. Banker's Insurance Company, 691 So.2d 375 (1997), Louisiana Court of Appeals, 2nd Circuit
(d) State v. Wills (American Bonding), 672 So.2d 405 (1996), Louisiana Court of Appeals, 1st Circuit
(e) State v. Norman (Amwest Surety), 672 So.2d 407 (1996), Louisiana Court of Appeals, 1st Circuit

The following is Mr. Voigt's account of five criminal appeals he has personally handled:

(a) State v. Luckett, 647 So.2d.1232, (1994), Louisiana Court of Appeals, 4th Circuit
(b) State v. Brown, 648 So.2d 872, (1995), Louisiana Supreme Court
(c) State v. Denis, 691 So.2d 1295 (1997), Louisiana Court of Appeals, 4th Circuit
(d) State v. Jones, 800 So.2d 958 (2001), Louisiana Court of Appeals, 5th Circuit
(e) State v. Brocato, 744 So.2d. 178 (1999), Louisiana Court of Appeals, 4th Circuit

Mr. Voigt further reported the following regarding unsuccessful candidacies:

- Mr. Voigt unsuccessfully ran for the Orleans Parish Criminal District Court, Section B, in 2003, for At-Large Seat 13 in 2012 (note, however, the transcript indicates seat number 16), and At-Large Seat 9 in 2014.

The Commission found Mr. Voigt's experience to be heavily weighted toward criminal law with very little experience in civil law. Accordingly, the Commission is concerned as to whether the candidate meets the evaluative criteria of experience.

(9) Judicial Temperament:

The Commission expressed serious concerns regarding Mr. Voigt's judicial temperament based on the negative comments received in the Ballot Box survey.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Mr. Voigt to be "Qualified" in the evaluative criteria of constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament.

Mr. Voigt is married to Kellye Diane Smith. He has two children.

Mr. Voigt reported that he was a member of the following Bar and professional associations:
(a) Louisiana State Bar Association
(b) South Carolina State Bar Association
(c) Charleston Bar Association

Mr. Voigt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Mr. Voigt was a member of and on the school board at St. John the Baptist Catholic School 2015-2017.
(b) He is a member of and on the board of directors at W.E.H. Inc., a non-profit, from 2015 through the present.
(c) He was a member of and on the Steering Committee for the Mayor's Committee for Community Land Trusts from 2016-2017.

Mr. Voight further reported:

I have twice been a prosecutor and three time been a criminal defense attorney. I have worked with families as they struggled with divorce and custody issues. I have recovered money for the injured. I have defended small businesses and individuals from frivolous lawsuits. I know that access to courts and justice can be determined by how much money that a person can throw at a problem. I have given back or forgiven fees to make sure that the benefits of our system are available to my clients.

When you have done a little bit of everything, for everyone, you get to see the hurdles that your clients face. Years in the courtroom have given me the perspective needed to treat all sides fairly. I have tried almost two hundred cases to jury verdict, most of those as lead counsel. I have begun to forget the names and I only remember the interesting bits. It has been a fulfilling career as a litigator. I would like to share that experience from the trial bench.

(11) Commission Members' Comments:

The Commission believed Mr. Voigt had substantial criminal law experience but noted his limited civil trial experience. The lack of civil law experience combined with the Commission's inability to properly review Mr. Voigt's financial situation and concerns regarding his judicial temperament resulted in the Commission's finding Mr. Voigt unqualified to serve on the Circuit Court.

(12) Conclusion:

The Commission, by a six to three vote (with one abstention), found Mr. Voigt not qualified for election to Circuit Court, At-Large, Seat 2.

Rame L. Campbell
Family Court, Tenth Judicial Circuit, Seat 3

Commission's Findings: NOT QUALIFIED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Campbell meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Campbell was born in 1969. He is 49 years old and a resident of Anderson, South Carolina. Mr. Campbell provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Campbell.

Mr. Campbell demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Campbell reported that he has not made any campaign expenditures.

Mr. Campbell testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Campbell testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Campbell to be intelligent and knowledgeable.

Mr. Campbell reported that he has taught the following law-related courses:
I lectured on trial advocacy and courtroom testimony at the 2016 South Carolina Coroner's Association Conference.

Mr. Campbell reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Campbell did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Campbell did not indicate any evidence of a troubled financial status. Mr. Campbell has handled his financial affairs responsibly.

The Commission also noted that Mr. Campbell was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Campbell reported that he is not rated by any legal rating organization.

Mr. Campbell reported that he has not served in the military.

Mr. Campbell reported that he has never held public office.

(6) Physical Health:

Mr. Campbell appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Campbell appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Campbell was admitted to the South Carolina Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor, Fourteenth Judicial Circuit. August 1997 – November 2000. I managed and prosecuted circuit, magistrate and juvenile court cases in the Fourteenth Judicial Circuit for the counties of Allendale, Colleton, Hampton, and Jasper. My caseload required me to handle every aspect of a criminal case including conducting bond hearings, preliminary hearings, preparation of indictments, guilty pleas, motion arguments, and jury trials in violent felony and misdemeanor cases.

(b) Associate, Law Firm of Epps & Nelson. December 2000 – December 2004. I practiced law in a small general practice law firm in Anderson, South Carolina, which focused primarily on domestic relations litigation, personal injury and criminal defense in both state and federal court. I also served as a city prosecutor for the Town of Belton handling municipal criminal violations.

(c) Assistant Solicitor, Tenth Judicial Circuit. January 2005 – October 2015. I was a senior assistant solicitor who handled and prosecuted hundreds of cases in Anderson County. I represented victims and law enforcement in the prosecution of individuals charged with trafficking drugs, burglary, armed robbery, attempted murder, murder, and death penalty cases. I maintained a docket of approximately 300 cases at any given time, throughout my ten years.

(d) Deputy Solicitor, Tenth Judicial Circuit Solicitor's Office. October 2015 to May 2016. I maintained a court docket, which consisted of managing and trying violent felonies, career criminals, high profile cases and murder. My duties expanded to include administrative tasks and managing the day to day activity of the office. I worked closely with eight different law enforcement agencies, reviewed SLED investigations, and advised law enforcement on legal matters. In my prosecuting career, I tried over fifty (50) felony cases to a jury verdict.

(e) Rame Campbell Law Firm, LLC: July 2016 to October 2016. I entered private practice and operated a general practice law firm in Anderson, South Carolina as a sole practitioner. My practice focused on litigation in the area of civil, criminal and domestic relations in state court. I was responsible for managing my firm's bank and IOLTA accounts.

(f) Newton & Campbell Law Firm, October 2016 to present. In October 2016, I partnered to form a two-person general practice law firm. My legal practice focuses primarily on litigation mainly in the areas of domestic relations, divorce, separate support and maintenance, adoptions, custody, child support, civil matters, criminal defense, personal injury, and probate litigation. I also serve as

guardian ad litem in private family court cases and for juveniles charged with criminal and status offenses. I am directly involved in the hiring and supervising office personnel.

Mr. Campbell reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0%
(b) State: 100%

Mr. Campbell reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:
(a) Civil: 15%
(b) Criminal: 40%
(c) Domestic: 40%
(d) Other: 5%

Mr. Campbell reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 75%
(b) Non-jury: 25%

Mr. Campbell provided that he most often served as sole counsel.

The following is Mr. Campbell's account of his five most significant litigated matters:
(a) State v. Raymondeze Rivera, 741 S.E.2d 694 (2013). This case was the second of two murder cases I tried against Mr. Rivera. Mr. Rivera was from Atlanta and by chance stopped in Anderson during his travels on Interstate I-85. He met both of his victims at the Anderson Mall and obtained their contact information. He murdered his first victim within hours of meeting her. Two days later, he returned to Anderson where he met and murdered the second victim at her home. The first case I tried was for the death of the first victim. A jury found him guilty and he received a life sentence. The verdict in the first case served as the aggravating circumstance which allowed the State to seek the death penalty in his second murder trial. This case

involved the testimony of many lay and expert witnesses and lasted three weeks. The jury ultimately found him guilty and recommended a death sentence. However, his sentence was overturned on appeal due to the trial court's failure in not allowing him to testify in his own defense. In 2013, he plead guilty to two consecutive life sentences.

(b) State v. Johnny Mahaffey, 2008 WL 5586017 (Ct.App. 2008). This case involved the murder of a young man who was shot eight times while he was walking home at night along the side of the road. This case is significant because the murder investigation began with no suspects, no eyewitnesses, and limited physical evidence. Law enforcement did not identify a suspect for several months, but over time, the case came together. The case was eventually solved through the use of cell phone records, recovering the murder weapon by a dive team, tracing ownership of the gun back to its original owner, and persistent law enforcement investigation. Ultimately, Mr. Mahaffey was charged with murder and tried by a jury, who returned a guilty verdict. He is currently serving a life sentence.

(c) State v. Linda Taylor, 355 SC 392, 585 S.E.2d 303 (2003). I tried Ms. Taylor for the unlawful issuance of driver's licenses to illegal aliens through her position as manager of the SCDMV office in Walterboro, South Carolina. The case is significant because of the novel issue of what constitutes a "fictitious" driver's license. Ms. Taylor used her position with the SCDMV to profit monetarily by providing illegal aliens valid South Carolina drivers licenses without requiring them to provide proper identification, taking the written portion of the driving exam or taking the driving test. She was found guilty by a jury and appealed her sentence. Ms. Taylor's conviction was overturned by the South Carolina Court of Appeals. The Supreme Court then reversed and reinstated her conviction on the grounds that the evidence presented was sufficient to support convictions for two counts of issuing a fictitious driver's license.

(d) State v. Steward. A Colleton County drug case I prosecuted before the Honorable Diane Goodstein. This is important to me because it is a reminder of the attorney oath I took when admitted to the South Carolina bar. Our oath states that "An

attorney will not maintain any suit or proceeding which shall appear to me to be unjust" and "not mislead the judge or jury by any artifice or false statement of fact or law." In this case, I had called several witnesses during my case in chief. Each witness testified that the drugs found in the car belonged to the defendant. The witnesses body language and testimonies led me to believe they were not telling the truth. I questioned the witnesses during a trial break, which only furthered a reasonable doubt in my mind of the defendant's guilt. Therefore, I felt the only course of action was to dismiss my case, which I did, and not allow a jury to decide the defendant's fate. My reasoning was I did not want to deny a man his freedom for the sake of obtaining a guilty verdict when it appeared to me he was innocent.

(e) In the matter of Jesse Osborne, Juvenile Petition No.: 2016-JU-04-236 >245. Jesse Osborne had just turned 14 years old when he murdered his father and committed a school shooting at the Townville Elementary School. The school shooting resulted in the death of a child and injury to several other people. In February 2018, I served as co-counsel in a week-long waiver hearing to determine if Mr. Osborne would be tried as a juvenile in Family Court or as an adult in General Sessions Circuit Court. The Family Court judge ruled Mr. Osborne should be tried as an adult based upon the witnesses' testimonies and the evidence presented in the hearing.

Mr. Campbell reported he has not personally handled any civil or criminal appeals.

Mr. Campbell further reported the following regarding unsuccessful candidacies:

(a) I was an unsuccessful candidate for Circuit Court, Tenth Judicial Circuit, Seat 1, vacated by the retirement of the Honorable J.C. "Buddy" Nicholson, Jr., in 2009. I successfully completed the judicial screening process and was found qualified to hold judicial office by the Judicial Merit Selection Commission. However, I voluntarily withdrew as a candidate prior to the election. The Honorable R. Lawton McIntosh was elected to fill the seat.

(b) In 2016, I was an unsuccessful candidate for Solicitor of the Tenth Judicial Circuit.

(9) Judicial Temperament:

The Commission expressed concerns about Mr. Campbell's judicial temperament based upon the Ballot Box submissions and the Upstate Citizens Committee's finding of "Unqualified" in the area of temperament. Mr. Campbell's presentation and responses to questions at the public hearing gave credence to these concerns. Therefore, it is the Commission's opinion that this candidate does not meet the evaluative criteria of judicial temperament and must be found unqualified.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Mr. Campbell to be "Qualified" in the evaluative criteria of constitutional qualifications, ethical fitness, professional and academic ability, reputation, physical health, mental stability, and experience. The Committee found Mr. Campbell "Well Qualified" in the evaluative criteria of character. Mr. Campbell was found "Unqualified" in the evaluative criteria of judicial temperament. The Committee further stated, "A number of the candidate's professional colleagues have reported that he has a difficulty working well with others. The candidate also displayed an uneasiness during the interview process that was readily apparent to members of the committee."

Mr. Campbell is married to Jennifer Parham Campbell. He has one child.

Mr. Campbell reported that he was a member of the following Bar and professional associations:
(a) Anderson County Bar Association
(b) South Carolina Bar Association
(c) Accredited with the Department of Veterans Affairs.
(d) South Carolina Association of Criminal Defense Lawyers

Mr. Campbell provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Board Secretary – Anderson County Department of Disability and Special Needs

(b) Member of Grace Episcopal Church in Anderson, South Carolina
(c) Member of Holy Trinity Episcopal Church in Clemson, South Carolina
(d) Member of Phillip Simmons Artist Blacksmith Guild
(e) Member of Anderson County Bee Keeper Association
(f) Eagle Scout with three palms

Mr. Campbell further reported:

The biggest influences in my early life were my family, my scout leaders, and my church. I was fortunate to have been mentored by the men and women from the generation we now term "The Greatest Generation." The values of hard work and perseverance were instilled in me at an early age and were instrumental in making me the person I am today. One of my attributes is treating people in the same manner that I would like to be treated no matter a person's race, religion, financial status, or social standing.

I am proud to say I obtained the rank of Eagle Scout with three palms. I am goal oriented and have a strong work ethic. I am punctual and on time. I place a high value on the court time we are allotted and try my best to make efficient use of it. It is a litigator's most valued commodity. Earning a living by practicing law has given me the experience of dealing with people from all walks of life. I understand the daily pressure attorneys are under and what it is like to have hearings in four different courts on the same day. I have handled hundreds of cases of all types in my career. However, there are two cases I am most proud of in my career. One is a drug case that I prosecuted before the Honorable Diane Goodstein in Colleton County Court of General. The case never reached the jury because I dismissed it during the middle of trial. I believed after hearing my witnesses testimonies that the defendant was innocent of the crime he was charged with. My belief is that everyone should be treated equally under the law. Justice is not served if one innocent person's liberties are taken away. This has stayed with me my entire career. The second case I am proud of is a recent one where I served as a guardian for a seventeen-year-old autistic girl who was being adopted by her step-grandfather and grandmother. The case dealt with the termination of the biological parent's rights. The case exemplified to me what is

right with our legal system. The young lady overcame her handicap and limitations to be a successful student who will attend college this upcoming school year.

I have a special affinity for children especially those with special needs. My daughter is autistic so I understand firsthand the challenges and struggles parents of special needs children face each day. I have a reputation for being fair, impartial and a devoted advocate for children's interest which is why I am appointed as guardian ad litem in many custody cases. Additionally, I am dedicated to increasing awareness of children with autism spectrum disorders and advocating for the needs of individuals with disabilities by currently serving on the Anderson County Department of Disabilities and Special Needs board.

(11) Commission Members' Comments:

Based on the Commission's findings on the discussion of Judicial Temperament [see (9) Judicial Temperament], the Commission finds Mr. Campbell to be unqualified.

(12) Conclusion:

The Commission unanimously found Mr. Campbell not qualified for election to Family Court, Tenth Judicial Circuit, Seat 3.

The Honorable Kelly Pope-Black
Family Court, At-Large, Seat 1

Commission's Findings: NOT QUALIFIED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Pope-Black meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Pope-Black was born in 1973. She is 45 years old and a resident of Campobello, South Carolina. Judge Pope-Black provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pope-Black.

Judge Pope-Black demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pope-Black reported that she has not made any campaign expenditures.

Judge Pope-Black testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pope-Black testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Pope-Black to be intelligent and knowledgeable.

Judge Pope-Black reported that she has taught the following law-related course:

> I have lectured at the 2008 SCAJ Annual Convention about Email Subpoenas to Third-Party Internet Service Providers

Judge Pope-Black reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Pope-Black did not reveal evidence of any founded grievances or criminal allegations made against her.

On November 14, 2018, Judge Pope-Black provided the Commission with a Certificate of Release of a Federal Tax lien in the amount of $79, 491.85 dated October 24, 2018.

The Commission also noted that Judge Pope-Black was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Pope-Black reported that her last rating by a legal rating organization, Martindale-Hubbell, was Distinguished, High Ethical Standing.

Judge Pope-Black reported that she has not served in the military.

Judge Pope-Black reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Pope-Black appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Pope-Black appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Pope-Black was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) Cunningham & Associates, Tega Cay, SC – I worked for Kevin Cunningham as an associate from August 2001 to April 2002. My practice focused on family law, personal injury representing both plaintiffs and defendants. I also handled the firms' DSS court appointed cases. I was not involved in the financial management of the firm.

(b) Cobourn & Saleeby, Spartanburg, SC – I was an associate with the firm from approximately May 2002 to November 2003. The primary focus of the firm of my work at the firm was plaintiff personal injury cases. While an attorney with the firm, I handled all South Carolina litigation except for worker's compensation and social security disability. Cases ranged from simple motor vehicle collisions to wrongful death and third party worker's compensation claims. I handled most of the firm's DSS court appointed matters ranging from vulnerable adult issues to child custody and TPR cases. I was not involved in the financial management of the firm.

(c) Christian and Davis, Greenville, SC – I was an associate with Christian and Davis from November 2003 to October 2005. The firm focuses on plaintiff personal injury matters. While an associate with the firm, I handled simple to complex motor vehicle collisions, tractor trailer collisions, medical malpractice, wrongful death, breach of contract and bad faith cases. I was not involved in the financial management of the firm.

(d) Babb and Brown, Greenville, SC – I was an associate with Babb and Brown from October 2005 to September 20In 07. The firm primarily focuses on real estate issues. However, I handled all of the litigation for the firm, which included family law, personal injury, construction law, insurance law and homeowner association law. I worked in a variety of courts. Family law cases included contested and uncontested divorces, equitable distribution, alimony, child support and child custody. The personal injury matters ranged from simple motor vehicle collisions to complex medical malpractice/wrongful death cases. The firm also represented several residential homebuilders and I handled all of the litigation concerning these homebuilders that was not covered by their insurance carrier. I also represented homeowners in cases against builders alleging defective construction. In addition, the firm represented several homeowner associations. The by-laws and restrictive covenants of the communities would be reviewed and I would provide legal advice on

situation presented by the board of the homeowners associations. There were also matters that would need to be litigated on behalf of the associations and I handled those matters as well. I was not involved in the financial management of the firm.

(e) Mooneyham Berry & Pope, LLC, Greenville, SC – In October 2007 the law firm of Mooneyham Flowers Berry & Karow, LLC was formed. In August 2008, David Flowers left the firm and it became Mooneyham Berry & Karow, LLC. Following my divorce in May 2011, I resumed my maiden name and the firm became Mooneyham Berry & Pope, LLC. Our firm represented clients throughout the state of South Carolina. My practice consisted of civil, family law and criminal defense work. The civil cases ranged from simple to complex. My areas of civil litigation included motor vehicle collisions, wrongful death, medical malpractice, business disputes and construction litigation. The family law cases ranged from adoptions, equitable distribution to custody. Criminal defense was a small area of my practice and I handled smaller cases. As a partner in the firm, I along with my fellow partners, were responsible for the day to day management of the firm. We had regular meetings to review the finances of the firm, including the trust accounts.

(f) South Carolina Family Court Judge At Large Seat 1 – In January of 2013, I was elected to the South Carolina family court bench by the General Assembly. I officially took office July 1, 2013 and continue to hold this position. As a family court judge, I preside over cases in the areas of custody, support, alimony, equitable distribution, divorce, adoption and abuse and neglect. The family courts of South Carolina also hear the majority of crimes related to juveniles. In 2017, I assisted in starting the first juvenile drug court for Spartanburg County.

(9) Judicial Temperament:

The Commission is greatly disturbed by various reports of Judge Pope-Black's poor judicial temperament. There were several negative comments received in the Ballot Box Survey; however,

the Commission is more concerned with the Upstate Citizens Committee's finding of "Unqualified" in the evaluative criterion of judicial temperament and its reasoning for this finding [See below: (10) Miscellaneous]. In the past, Judge Pope-Black was informed of the serious concerns with her temperament, yet reports of both attorneys and lay people indicate no improvement in this area.

Based upon the Ballot Box submissions, the Upstate Citizens Committee finding of "Unqualified" in the area of temperament, and Judge Pope-Black's responses at the public hearing, it is the Commission's opinion that this candidate does not meet the evaluative criteria of judicial temperament and must be found unqualified.

(10) Miscellaneous:

The Upstate Citizens Committee found Judge Pope-Black: "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience; "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and, "Unqualified" in the evaluative criteria of judicial temperament. The Citizens Committee noted, "As the Commission is aware, this committee reported negative information about Judge Pope-Black's judicial temperament last fall, when she was a candidate for a circuit judge position. This committee worked tirelessly to follow up on those reports this year. Our investigation revealed that Judge Pope-Black's temperament remains a problem. During our interview, she reported that she had made significant changes in her courtroom demeanor. Unfortunately, that is not consistent with what the witnesses we interviewed reported. The specific words/phrases used by our witnesses were: dictatorial; disrespectful to lawyers and litigants; arbitrary; arrogant; impatient; creates issues when there weren't any; lacking any tact. Therefore, we would urge the Commission to consider this candidate's qualifications carefully. Based on the troubling information received from many sources (not all lawyers), we must report that the candidate is unqualified in the Judicial Temperament area of the evaluative criteria."

Judge Pope-Black is married to Johnny "Jody" Harold Black. She has one child and one step-child.

Judge Pope-Black reported that she was a member of the following Bar and professional associations:
South Carolina Bar Association

Judge Pope-Black provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Inman First Baptist Church
(b) Oakbrook Preparatory School – Former Board Member
(c) Paws to the Rescue – Volunteer
(d) Zeta Tau Alpha
(e) Miss South Carolina Organization – Volunteer
(f) Greer Christian Basketball Association – Volunteer Coach
(h) BRHJA – Blue Ridge Hunter Jumper Association, Member
(i) SCHJA – South Carolina Hunter Jumper Association, Member

Judge Pope-Black further reported:

In seventh grade I tried out for the middle school basketball team. I thought it would be fun. At the time, I did not realize the amount of hard work and dedication it would take to be a part of the team. Two weeks into practices I wanted to quit. I begged, pleaded and at times had an awful attitude because I was not getting my way. My parents would not let me quit the team. If I started something, it was my responsibility to finish it. I ended up loving not only basketball, but volleyball too and used that passion as a tool to help pay for college. My parents taught me that if you make a commitment, you keep it and work hard at it. They taught me to take responsibility for my actions. I remember at times my parents working two jobs because that was what had to be done. I have a strong work ethic and an attitude of determination as a result of lessons I learned from my parents.

My lesson in compassion began with volunteering. My passion as an advocate for victims began in college when I became a volunteer for SAFE Homes Domestic Abuse Shelter and Rape Crisis Center and The Children's Shelter in Spartanburg. I later expanded my volunteer work into other

counties and other organizations. The experience I gained as a volunteer lead to my job with the Foothills Rape Crisis Center and later with Safe Harbor Domestic Violence Shelter.

My work with these organizations was filled with humbling and life changing experiences. While at Safe Harbor, the organization did not have the funds to support a separate staff office space from the shelter. Therefore, our offices were in the shelter. At times that situation made it difficult to work because of the distractions, but it also allowed us to provide immediate support to the women and children staying at the shelter. There were times when difficult and painful decisions had to be made in order to protect the children. The children I worked with taught me the value of life. I witnessed those children at one of the most painful points in their lives and most still found strength and courage to want to trust and love again. They continue to inspire me. My gavel is engraved with a message about those precious children.

Before taking the bench as a family court judge, I thought I knew the practice of patience, open mindedness and academic growth. The past five years as a family court judge have shown me that I had a lot to learn and still have a lot to learn. In family court we deal a lot with self-represented litigants that require a lot of patience as they do not understand the law. There are many times parties, represented and unrepresented, grow angry with you as a judge because the outcome is not what they expected. Dealing with their anger and frustration requires patience and open mindedness because a judge must realize, appreciate and respect the positions of those in front of him or her. During the past five years, I have encountered many cases that were academically stimulating and challenging. There are situations and circumstances that I never thought until I encountered them as a judge. As a result, I am learning and growing daily not only professionally, but personally as well.

(11) Commission Members' Comments:

Based on the Commission's findings on the discussion of Judicial Temperament [See: (9) Judicial Temperament], the Commission finds Judge Pope-Black to be unqualified.

(12) Conclusion:

The Commission, with an eight to two vote, found Judge Pope-Black not qualified for continued service as a Family Court judge based on judicial temperament, one of the nine evaluative criteria. Her term on the bench will end on June 30, 2019.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

COURT OF APPEALS

SEAT 1
Blake A. Hewitt
The Honorable Alison Renee Lee
The Honorable Jerry Deese Vinson Jr.
SEAT 3
The Honorable John D. Geathers
SEAT 4
The Honorable Paula H. Thomas

CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT, SEAT 1
The Honorable DeAndrea Gist Benjamin
SEVENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Joseph Derham Cole
NINTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Deadra L. Jefferson
NINTH JUDICIAL CIRCUIT, SEAT 2
Meredith L. Coker
The Honorable Bentley Douglas Price
The Honorable Dale E. Van Slambrook
TENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Rivers Lawton McIntosh
AT-LARGE, SEAT 2
Ryan Kirk Griffith
John Patrick (Jack) Riordan
AT-LARGE, SEAT 14
The Honorable R. Keith Kelly
AT-LARGE, SEAT 15
The Honorable Maite Murphy

AT-LARGE, SEAT 16
The Honorable Donald Bruce Hocker

FAMILY COURT

FIRST JUDICIAL CIRCUIT, SEAT 1
The Honorable Anne Guè Jones
SECOND JUDICIAL CIRCUIT, SEAT 2
The Honorable Angela W. Abstance
THIRD JUDICIAL CIRCUIT, SEAT 2
The Honorable Angela R. Taylor
THIRD JUDICIAL CIRCUIT, SEAT 3
The Honorable Gordon B. Jenkinson
FOURTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Salley Huggins McIntyre
FIFTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Michelle M. Hurley
FIFTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Michael Scott Rankin
Carrie Hall Tanner
SIXTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Coreen B. Khoury
SEVENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Phillip K. Sinclair
SEVENTH JUDICIAL CIRCUIT, SEAT 2
Michael Todd Thigpen
EIGHTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Matthew Price Turner
EIGHTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Joseph C. Smithdeal
NINTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Alice Anne Richter
NINTH JUDICIAL CIRCUIT, SEAT 4
The Honorable Wayne M. Creech
TENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Edgar Henderson Long Jr.
ELEVENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Huntley S. Crouch
ELEVENTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Robert E. Newton
TWELFTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Timothy H. Pogue

TWELFTH JUDICIAL CIRCUIT, SEAT 2
The Honorable FitzLee Howard McEachin
THIRTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Rochelle Y. Conits
THIRTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable W. Marsh Robertson
THIRTEENTH JUDICIAL CIRCUIT, SEAT 6
Kimaka (Kim) Nichols-Graham
The Honorable Jessica Ann Salvini
FOURTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Gerald C. Smoak Jr.
FOURTEENTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Deborah Ann Malphrus
FIFTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Jan B. Bromell Holmes
SIXTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable David G. Guyton
AT-LARGE, SEAT 2
The Honorable Tony M. Jones
AT-LARGE, SEAT 3
The Honorable James G. McGee III
AT-LARGE, SEAT 4
The Honorable Monet S. Pincus
AT-LARGE, SEAT 5
The Honorable Randall E. McGee
AT-LARGE, SEAT 6
The Honorable David Earl Phillips

ADMINISTRATIVE LAW COURT

SEAT 1
The Honorable Ralph King (Tripp) Anderson III
Thomas Rosamond Smith

Respectfully submitted,

/s/Sen. Luke A. Rankin
/s/Sen. Ronnie A. Sabb
/s/Sen. Tom Young, Jr.
/s/Mr. Michael Hitchcock
/s/Mr. Robert W. Hayes, Jr.
/s/Ms. Margaret Bluestein
/s/Rep. Murrell Smith
/s/Rep. J. Todd Rutherford
/s/Rep. Chris Murphy.
/s/Mr. Andrew N. Safran
/s/Ms. Lucy Grey McIver

FRIDAY, JANUARY 11, 2019

APPENDIX

Report from the South Carolina Bar
Judicial Qualifications Committee

Blake A. Hewitt, Conway, SC
Court of Appeals, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Hewitt's candidacy for Court of Appeals, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Michael S. Holt, Hartsville, SC
Court of Appeals, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Holt's candidacy for Court of Appeals, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Alison Renee Lee, Columbia, SC
Court of Appeals, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Lee's candidacy for Court of Appeals, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jerry Deese Vinson Jr., Florence, SC
Court of Appeals, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Vinson's candidacy for Court of Appeals, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable John D. Geathers, Ridgeway, SC
Court of Appeals, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Geathers's candidacy for Court of Appeals, Seat 3 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Paula H. Thomas, Pawleys Island, SC
Court of Appeals, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Thomas's candidacy for Court of Appeals, Seat 4 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable DeAndrea Gist Benjamin, Columbia, SC
Circuit Court, Fifth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Benjamin's candidacy for Circuit Court, Fifth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Joseph Derham Cole, Spartanburg, SC
Circuit Court, Seventh Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Cole's candidacy for Circuit Court, Seventh Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Deadra L. Jefferson, Charleston, SC
Circuit Court, Ninth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jefferson's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 1 is as follows:

Overall Qualified	
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

Meredith L. Coker, Charleston, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Coker's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Michèle Patrão Forsythe, Charleston, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Forsythe's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall Qualified	
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable W. Stephen Harris Jr., Johns Island, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Harris's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Bentley Douglas Price, Charleston, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Price's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable Dale E. Van Slambrook, Goose Creek, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Van Slambrook's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Laura Campbell Waring, Charleston, SC
Circuit Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Waring's candidacy for Circuit Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Rivers Lawton McIntosh, Williamston, SC
Circuit Court, Tenth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McIntosh's candidacy for Circuit Court, Tenth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Ryan Kirk Griffin, Sumter, SC
Circuit Court, At Large, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Griffin's candidacy for Circuit Court, At Large, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

John Patrick (Jack) Riordan, Greenville, SC
Circuit Court, At Large, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Riordan's candidacy for Circuit Court, At Large, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Gregory Kenneth Voigt, Summerville, SC
Circuit Court, At Large, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Voigt's candidacy for Circuit Court, At Large, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable R. Keith Kelly, Spartanburg, SC
Circuit Court, At Large, Seat 14

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Kelly's candidacy for Circuit Court, At Large, Seat 14 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Maite Murphy, North Charleston, SC
Circuit Court, At Large, Seat 15

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Murphy's candidacy for Circuit Court, At Large, Seat 15 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable Donald Bruce Hocker, Laurens, SC
Circuit Court, At Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hocker's candidacy for Circuit Court, At Large, Seat 16 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Anne Guè Jones, Orangeburg, SC
Family Court, First Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jones's candidacy for Family Court, First Judicial Circuit, Seat 1 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable Angela W. Abstance, Barnwell, SC
Family Court, Second Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Abstance's candidacy for Family Court, Second Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Angela R. Taylor, Sumter, SC
Family Court, Third Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Taylor's candidacy for Family Court, Third Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Gordon B. Jenkinson, Kingstree, SC
Family Court, Third Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jenkinson's candidacy for Family Court, Third Judicial Circuit, Seat 3 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Salley Huggins McIntyre, Dillon, SC
Family Court, Fourth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McIntyre's candidacy for Family Court, Fourth Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Michelle M. Hurley, Columbia, SC
Family Court, Fifth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hurley's candidacy for Family Court, Fifth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Michael Scott Rankin, Camden, SC
Family Court, Fifth Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Rankin's candidacy for Family Court, Fifth Judicial Circuit, Seat 3 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

Carrie Hall Tanner, Elgin, SC
Family Court, Fifth Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Tanner's candidacy for Family Court, Fifth Judicial Circuit, Seat 3 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Coreen B. Khoury, Lancaster, SC
Family Court, Sixth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Khoury's candidacy for Family Court, Sixth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Phillip K. Sinclair, Spartanburg, SC
Family Court, Seventh Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Sinclair's candidacy for Family Court, Seventh Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Michael Todd Thigpen, Roebuck, SC
Family Court, Seventh Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Thigpen's candidacy for Family Court, Seventh Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Matthew Price Turner, Laurens, SC
Family Court, Eighth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Turner's candidacy for Family Court, Eighth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Joseph C. Smithdeal, Greenwood, SC
Family Court, Eighth Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Smithdeal's candidacy for Family Court, Eighth Judicial Circuit, Seat 3 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Alice Anne Richter, Mount Pleasant, SC
Family Court, Ninth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Richter's candidacy for Family Court, Ninth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Wayne M. Creech, Pinopolis, SC
Family Court, Ninth Judicial Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Creech's candidacy for Family Court, Ninth Judicial Circuit, Seat 4 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Edgar Henderson Long Jr., Anderson, SC
Family Court, Tenth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Long's candidacy for Family Court, Tenth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Rame L. Campbell, Anderson, SC
Family Court, Tenth Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Campbell's candidacy for Family Court, Tenth Judicial Circuit, Seat 3 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable Huntley S. Crouch, Lexington, SC
Family Court, Eleventh Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Crouch's candidacy for Family Court, Eleventh Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Robert E. Newton, Lexington, SC
Family Court, Eleventh Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Newton's candidacy for Family Court, Eleventh Judicial Circuit, Seat 3 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

The Honorable Timothy H. Pogue, Marion, SC
Family Court, Twelfth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Pogue's candidacy for Family Court, Twelfth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable FitzLee Howard McEachin, Florence, SC
Family Court, Twelfth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McEachin's candidacy for Family Court, Twelfth Judicial Circuit, Seat 2 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

The Honorable Rochelle Y. Conits, Greer, SC
Family Court, Thirteenth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Conits's candidacy for Family Court, Thirteenth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable W. Marsh Robertson, Greenville, SC
Family Court, Thirteenth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Robertson's candidacy for Family Court, Thirteenth Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

Kimaka (Kim) Nichols-Graham, Greenville, SC
Family Court, Thirteenth Judicial Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Nichols-Graham's candidacy for Family Court, Thirteenth Judicial Circuit, Seat 6 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Jessica Ann Salvini, Greenville, SC
Family Court, Thirteenth Judicial Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Salvini's candidacy for Family Court, Thirteenth Judicial Circuit, Seat 6 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Gerald C. Smoak Jr., Walterboro, SC
Family Court, Fourteenth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Smoak's candidacy for Family Court, Fourteenth Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Deborah Ann Malphrus, Ridgeland, SC
Family Court, Fourteenth Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Malphrus's candidacy for Family Court, Fourteenth Judicial Circuit, Seat 3 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

The Honorable Jan B. Bromell Holmes, Georgetown, SC
Family Court, Fifteenth Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Holmes's candidacy for Family Court, Fifteenth Judicial Circuit, Seat 1 is as follows:

Overall Qualified	
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

FRIDAY, JANUARY 11, 2019

The Honorable David G. Guyton, Rock Hill, SC
Family Court, Sixteenth Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Guyton's candidacy for Family Court, Sixteenth Judicial Circuit, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Kelly Pope-Black, Campobello, SC
Family Court, At Large, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Pope-Black's candidacy for Family Court, At Large, Seat 1 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Tony M. Jones, Rock Hill, SC
Family Court, At Large, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jones's candidacy for Family Court, At Large, Seat 2 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable James G. McGee III, Florence, SC
Family Court, At Large, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McGee's candidacy for Family Court, At Large, Seat 3 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable Monet S. Pincus, Columbia, SC
Family Court, At Large, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Pincus's candidacy for Family Court, At Large, Seat 4 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Randall E. McGee, St. Matthews, SC
Family Court, At Large, Seat 5

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McGee's candidacy for Family Court, At Large, Seat 5 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

The Honorable David Earl Phillips, Easley, SC
Family Court, At Large, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Phillips's candidacy for Family Court, At Large, Seat 6 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Ralph King (Tripp) Anderson III, Columbia, SC
Administrative Law Court, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Anderson's candidacy for Administrative Law Court, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

FRIDAY, JANUARY 11, 2019

Thomas Rosamond Smith, Columbia, SC
Administrative Law Court, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Smith's candidacy for Administrative Law Court, Seat 1 is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

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ADJOURNMENT

At 11:05 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, January 15, 2019, under the provisions of Rule 1B.

* * *

Tuesday, January 15, 2019
(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 ACTING PRESIDENT, Senator CROMER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

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

S. 79 Sen. Climer
S. 89 Sen. Senn
S. 112 Sens. Young, Climer and Turner
S. 125 Sen. Young
S. 313 Sen. Gambrell
S. 363 Sen. Senn
S. 364 Sen. Kimpson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 366 -- Senator Davis: A BILL TO ENACT THE SOUTH CAROLINA COMPASSIONATE CARE ACT; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM THE SALES TAX IMPOSED BY CHAPTER 36, TITLE 12; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 367 -- Senators Shealy and Setzler: A BILL TO AMEND SECTION 9-1-580(A) OF THE 1976 CODE, RELATING TO THE OPTION OF CERTAIN HOSPITAL EMPLOYEES, TO PROVIDE THAT ANY PERSONS EMPLOYED BY A HOSPITAL THAT IS AN EMPLOYER UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM BY APPLICATION MAY ELECT NOT TO BECOME MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.
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Read the first time and referred to the Committee on Finance.

S. 368 -- Senator Climer: A BILL TO AMEND ARTICLE 1, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, BY ADDING SECTION 38-71-42, TO REQUIRE HEALTH MAINTENANCE ORGANIZATIONS, INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES, AND INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR CERTAIN TESTS FOR THE EARLY DETECTION OF CARDIOVASCULAR DISEASE; AND TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC EMPLOYEE BENEFIT AUTHORITY'S DUTY TO MAKE CERTAIN INSURANCE PLANS AVAILABLE, TO REQUIRE THE GROUP HEALTH PLAN TO COVER CERTAIN TESTS FOR THE EARLY DETECTION OF CARDIOVASCULAR DISEASE.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 369 -- Senator Goldfinch: A BILL TO AMEND SECTION 48-39-290(B)(2)(a) OF THE 1976 CODE, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, TO ALLOW FOR SHORELINE-PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 370 -- Senator Goldfinch: A BILL TO AMEND SECTION 48-39-80(B)(11) OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S REVIEW OF

ALL STATE AND FEDERAL PERMIT APPLICATIONS IN THE COASTAL ZONE, TO EXEMPT STATE NAVIGABLE WATERS PERMITS FROM THE REVIEW.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 371 -- Senator Goldfinch: A BILL TO AMEND SECTION 48-39-145 OF THE 1976 CODE, RELATING TO THE APPLICATION FEE FOR A PERMIT TO ALTER A CRITICAL AREA AND TO SPECIAL PROVISIONS AS TO THE CONSTRUCTION OF MARINAS AND COMMERCIAL DOCK FACILITIES, TO PROVIDE THAT, FOR PERMIT APPLICATIONS TO CONSTRUCT PRIVATE RECREATIONAL DOCKS ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE PERMISSIBLE SIZE OF THE STRUCTURE.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 372 -- Senator Shealy: A BILL TO ENACT THE "ACT TO ESTABLISH PAY EQUITY"; TO AMEND TITLE 41 OF THE 1976 CODE, RELATING TO LABOR AND EMPLOYMENT, BY ADDING CHAPTER 11, TO PROVIDE THAT NO EMPLOYER SHALL PAY WAGES TO ANY EMPLOYEE AT A RATE LESS THAN THE RATE PAID TO EMPLOYEES OF ANOTHER RACE, RELIGION, COLOR, SEX, INCLUDING GENDER IDENTITY AND SEXUAL ORIENTATION, AGE, NATIONAL ORIGIN, OR DISABILITY STATUS FOR COMPARABLE WORK AND TO PROVIDE EXCEPTIONS, TO PROVIDE THAT CERTAIN EMPLOYMENT PRACTICES RELATING TO REQUESTS FOR THE DISCLOSURE OF WAGES ARE UNLAWFUL AND TO PROVIDE EXCEPTIONS, TO PROVIDE THAT A CIVIL ACTION ASSERTING A VIOLATION MAY BE MAINTAINED AGAINST ANY EMPLOYER IN ANY COURT OF COMPETENT JURISDICTION AND TO PROVIDE FOR THE RECOVERY OF UNPAID WAGES AND DAMAGES, TO PROVIDE PENALTIES FOR AN EMPLOYER WHO VIOLATES THE ACT TO ESTABLISH PAY EQUITY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION

SHALL HAVE THE AUTHORITY TO INVESTIGATE VIOLATIONS AND TO BRING ACTION, TO PROVIDE THAT EVERY EMPLOYER SHALL POST CERTAIN INFORMATION IN A CONSPICUOUS PLACE, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 373 -- Senator Davis: A BILL TO AMEND SECTION 59-24-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS THAT SCHOOL ADMINISTRATORS NOTIFY LAW ENFORCEMENT AUTHORITIES OF CERTAIN HARMFUL OR POTENTIALLY HARMFUL ACTIVITIES ON SCHOOL PROPERTY OR AT SCHOOL-SANCTIONED OR SCHOOL-SPONSORED ACTIVITIES, SO AS TO REQUIRE ADMINISTRATORS ALSO PROVIDE SUCH NOTICE TO PARENTS OR GUARDIANS OF AFFECTED STUDENTS.
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Read the first time and referred to the Committee on Education.

S. 374 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-1-110 SO AS TO ESTABLISH THE SOUTH CAROLINA ELECTION SECURITY COUNCIL, AND TO PROVIDE FOR THE COUNCIL'S COMPOSITION, DUTIES, POWERS, AND RESPONSIBILITIES; BY ADDING SECTION 7-13-1625 SO AS TO PROVIDE THAT AFTER THE EFFECTIVE DATE OF THIS ACT, ALL VOTING SYSTEMS USED IN SOUTH CAROLINA SHALL UTILIZE A PAPER-BASED SYSTEM USING PAPER BALLOTS TABULATED BY OPTICAL SCANNERS AS THE BALLOT OF RECORD, AND TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE THE FUNDS NECESSARY TO PURCHASE THE VOTING SYSTEMS REQUIRED BY THIS SECTION; AND BY ADDING SECTION 7-13-1635 SO AS TO PROVIDE THAT BEGINNING WITH THE 2020 GENERAL ELECTION CYCLE, THE STATE ELECTION COMMISSION IN CONJUNCTION WITH THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, AS NECESSARY, SHALL CONDUCT POSTELECTION RISK-LIMITING AUDITS FOR ALL STATEWIDE PRIMARY, GENERAL, AND SPECIAL ELECTIONS, INCLUDING STATEWIDE RUNOFF ELECTIONS, TO DEFINE RELEVANT TERMS, AND TO AUTHORIZE THE

STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS REGARDING THE PROCEDURES AND USE OF RISK-LIMITING AUDITS.
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Read the first time and referred to the Committee on Judiciary.

S. 375 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE WALHALLA FIRST BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN WALHALLA, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 376 -- Senators Shealy, Setzler, Cromer, Massey and Harpootlian: A SENATE RESOLUTION TO CONGRATULATE DEAN CREPES UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE LEXINGTON COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

ADJOURNMENT

At 11:03 A.M., on motion of Senator McLEOD, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Wednesday, January 16, 2019
(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 ACTING PRESIDENT, Senator McLEOD. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

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

S. 28 Sen. Verdin
S. 32 Sen. Verdin
S. 366 Sens. McLeod and Kimpson
S. 372 Sen. McLeod

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 377 -- Senators Young, Setzler and Massey: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CHIEF J. CARROL BUSBEE, SR., FORMER DIRECTOR OF THE AIKEN DEPARTMENT OF PUBLIC SAFETY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 378 -- Senator Climer: A BILL TO AMEND SECTION 23-31-600 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF IDENTIFICATION CARDS TO QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS, THE CIRCUMSTANCES IN WHICH A QUALIFIED LAW ENFORCEMENT OFFICER MAY CARRY A CONCEALED WEAPON, AND OPPORTUNITIES FOR TRAINING TO QUALIFY TO CARRY A FIREARM THAT MUST BE OFFERED TO A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER, TO

DELETE THE PROVISION THAT RESTRICTS THE CARRYING OF A CONCEALED WEAPON ONTO CERTAIN PREMISES.
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Read the first time and referred to the Committee on Judiciary.

S. 379 -- Senator Senn: A BILL TO AMEND SECTION 56-15-45(D) OF THE 1976 CODE, RELATING TO THE PROHIBITION ON MOTOR VEHICLE MANUFACTURERS OR FRANCHISORS SELLING MOTOR VEHICLES TO CONSUMERS IN THIS STATE, TO PROVIDE THAT AN ELECTRIC VEHICLE MANUFACTURER MAY SELL, DIRECTLY OR INDIRECTLY, ALL-ELECTRIC MOTOR VEHICLES THAT IT MANUFACTURES TO CONSUMERS IN THIS STATE, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Transportation.

S. 380 -- Senator Campsen: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.
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Read the first time and referred to the Committee on Finance.

S. 381 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-11-2480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS EXEMPT FROM OBTAINING A FUR BUYER'S LICENSE, SO AS TO REMOVE REFERENCES TO COYOTES; TO AMEND SECTION 50-11-2600, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 13, CHAPTER 11, TITLE 50, SO AS TO REMOVE COYOTE FROM THE DEFINITION OF A FOX AND COYOTE HUNTING ENCLOSURE; TO AMEND SECTION 50-11-2605, RELATING TO THE PURCHASE AND RELEASE OF A COYOTE OR FOX, SO AS TO PROHIBIT THE PURCHASE, SALE, TRANSFER, POSSESSION, OR RELEASE OF A COYOTE OR A COYOTE-HYBRID; TO AMEND SECTION 50-11-2610, RELATING TO ENCLOSURE PERMITS, SO AS TO REMOVE REFERENCES TO COYOTES; TO AMEND SECTION 50-11-2620, RELATING TO OBTAINING FOXES AND COYOTES TO STOCK ENCLOSURES, SO AS TO REMOVE REFERENCES TO COYOTES; TO AMEND SECTION 50-11-2630, RELATING TO THE SALE OF LIVE FOXES OR COYOTES BY TRAPPERS, SO AS TO REMOVE REFERENCES

TO COYOTES; TO AMEND SECTION 50-11-2640, RELATING TO THE IMPORTATION OF FOXES AND COYOTES, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO BRING OR IMPORT A COYOTE-HYBRID INTO THIS STATE AND TO REMOVE THE AUTHORIZATION TO RELEASE A COYOTE IN THIS STATE.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 382 -- Senators Alexander, Rankin and Hutto: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, FEBRUARY 6, 2019, IMMEDIATELY FOLLOWING THE ELECTIONS FOR THE POSITIONS NAMED IN THE CONCURRENT RESOLUTION IN WHICH CANDIDATES SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.
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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

H. 3560 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. LUCAS CLAMP, PRINCIPAL OF RIVER BLUFF HIGH SCHOOL IN

LEXINGTON, AND TO CONGRATULATE HIM FOR BEING NAMED THE 2019 NATIONAL PRINCIPAL OF THE YEAR BY THE NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS.

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

H. 3561 -- Reps. Gagnon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2018 CLASS AA STATE CHAMPIONSHIP.

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

H. 3562 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott,

Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 16-23, 2019.

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

H. 3564 -- Reps. Taylor, Clyburn, Blackwell, Hixon and Young: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CHIEF J. CARROL BUSBEE, SR., FORMER DIRECTOR OF THE AIKEN DEPARTMENT OF PUBLIC SAFETY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

H. 3574 -- Reps. Gagnon and West: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT TIM WRIGHT OF THE ABBEVILLE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

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

REPORTS OF STANDING COMMITTEES

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

S. 76 -- Senator Cromer: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM

FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology polled out S. 94 favorable:

S. 94 -- Senator Campsen: A BILL TO AMEND SECTION 24-21-710 OF THE 1976 CODE, RELATING TO FILM, VIDEOTAPE, OR OTHER ELECTRONIC INFORMATION THAT MAY BE CONSIDERED BY THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IN PAROLE DETERMINATION, TO PROVIDE THAT THE VICTIM OF A CRIME'S IMMEDIATE FAMILY MAY SUBMIT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION, TO PROVIDE THAT ANY FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OR THE VICTIM'S IMMEDIATE FAMILY MUST BE RETAINED BY THE BOARD AND MUST BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS UNLESS THE SUBMITTING PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION NO LONGER REPRESENTS THE PRESENT POSITION OF THE PERSON, AND TO PROVIDE THAT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE PROSECUTING SOLICITOR'S OFFICE OR THE PERSON WHOSE PAROLE IS BEING CONSIDERED MAY BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS EACH TIME THE SUBMITTING OFFICE OR PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION REPRESENTS THE PRESENT POSITION OF THE OFFICE OR PERSON; AND TO AMEND SECTION 30-4-40(a) OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE THAT A PUBLIC BODY MAY EXEMPT FROM DISCLOSURE FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OF A CRIME FOR WHICH A PRISONER HAS BEEN SENTENCED OR BY THE VICTIM'S IMMEDIATE FAMILY.

WEDNESDAY, JANUARY 16, 2019

Poll of the Corrections and Penology Committee
Polled 14; Ayes 14; Nays 0; Not Voting 1

AYES

Martin	Allen	Shealy
Turner	Margie Matthews	Davis
Nicholson	Fanning	McLeod
Rice	Senn	Cash
Goldfinch	Harpootlian	

Total--14

NAYS

Total--0

NOT VOTING

Kimpson

Total--1

Ordered for consideration tomorrow.

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

S. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

Ordered for consideration tomorrow.

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

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL

ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

Ordered for consideration tomorrow.

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

S. 214 -- Senators Kimpson, Sheheen and Gregory: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

Ordered for consideration tomorrow.

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

S. 217 -- Senators Kimpson, Campsen and Senn: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

Ordered for consideration tomorrow.

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

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Ordered for consideration tomorrow.

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

S. 326 -- Senator Massey: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO DISTRIBUTE TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE SOUTH CAROLINA STATE FIREFIGHTERS ASSOCIATION TO PROVIDE FOR POST TRAUMATIC STRESS DISORDER INSURANCE AND PROGRAMS.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Correction and Penology polled out S. 333 favorable:

S. 333 -- Senator M.B. Matthews: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

Poll of the Corrections and Penology Committee
Polled 14; Ayes 14; Nays 0; Not Voting 1

AYES

Martin	Allen	Shealy
Turner	Margie Matthews	Davis
Nicholson	Fanning	McLeod
Rice	Senn	Cash
Goldfinch	Harpootlian	

Total--14

NAYS

Total--0

NOT VOTING

Kimpson

Total--1

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 14 -- Senators Rankin, Young, Sabb, Peeler, Alexander, Verdin and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 6, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 3, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 4, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 14, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 15, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE

OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, WHICH WILL EXPIRE JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A

SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, UPON HIS ELECTION TO THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 2, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 3, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 4, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 5, WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 6,

WHICH WILL EXPIRE ON JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHICH WILL EXPIRE ON JUNE 30, 2019; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON, FIFTH CONGRESSIONAL DISTRICT, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2020; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020; AND TO ELECT TWO AT-LARGE MEMBERS TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, WHOSE TERMS WILL EXPIRE JUNE 30, 2020.

Returned with concurrence.

Received as information.

S. 346 -- Senator Hembree: A CONCURRENT RESOLUTION TO HONOR THE GREEN SEA FLOYDS HIGH SCHOOL FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2018 CLASS A STATE CHAMPIONSHIP TITLE.

Returned with concurrence.

Received as information.

S. 347 -- Senator Hembree: A CONCURRENT RESOLUTION TO SALUTE THE NORTH MYRTLE BEACH HIGH SCHOOL VOLLEYBALL TEAM FOR ITS OUTSTANDING SEASON AND TO CONGRATULATE THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF ON CAPTURING THE 2018 CLASS AAAA STATE CHAMPIONSHIP TITLE.

Returned with concurrence.

Received as information.

S. 355 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE MARION B. MASON, SENIOR ART EDUCATOR OF LEXINGTON COUNTY SCHOOL DISTRICT ONE, UPON THE OCCASION OF HIS RETIREMENT; TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DEDICATED HIGH SCHOOL TEACHING AND SERVICE TO THE CITIZENS OF THE

MIDLANDS OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 356 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE LEXINGTON HIGH SCHOOL GIRLS' GOLF TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE AAAAA SOUTH CAROLINA GIRLS' GOLF STATE CHAMPIONSHIP.

Returned with concurrence.

Received as information.

MOTION ADOPTED

On motion of Senator ALEXANDER, the Senate stood adjourned in honor of the birth of Brooks Isiah Hollifield of Long Creek, S.C. Brooks was born January 8, 2019, and weighed 7 pounds, 1.8 ounces and is 19 inches long. The proud parents are Morgan and Mark Hollifield. The doting grandparents are Susan and Doug Hollifield and Glenda and Dale Black. The South Carolina Senate welcomes a new Clemson Tiger fan, Brooks, into the world and wishes him a bright future full of love and happiness.

ADJOURNMENT

At 11:05 A.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, January 17, 2019
(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 ACTING PRESIDENT, Senator SETZLER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATIONS RESUBMITTED

The following were received:

Document No. 4849
Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board
Chapter: 29
Statutory Authority: 1976 Code Section 40-11-60
SUBJECT: Surety Bond Claims
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Resubmitted January 17, 2019

Document No. 4857
Agency: Department of Labor, Licensing and Regulation - Real Estate Appraisers Board
Chapter: 137
Statutory Authority: 1976 Code Sections 40-60-10(I)(3) and 40-60-360
SUBJECT: Education and Experience Requirements for Licensure; and Minor Corrections
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Resubmitted January 17, 2019

CO-SPONSORS ADDED

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

S. 9 Sen. Rice
S. 102 Sen. Rice
S. 103 Sen. Rice
S. 112 Sens. Rice and Verdin
S. 125 Sen. Rice

S. 139 Sen. Rice
S. 160 Sens. Turner and Rice
S. 185 Sen. Rice
S. 200 Sen. Rice
S. 282 Sen. Rice
S. 293 Sen. Rice
S. 298 Sen. Fanning
S. 363 Sen. Shealy
S. 366 Sen. Hutto

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 383 -- Senator Nicholson: A SENATE RESOLUTION TO CELEBRATE THE ONE HUNDREDTH ANNIVERSARY OF THE INDEX-JOURNAL NEWSPAPER IN GREENWOOD AND TO CONGRATULATE THE OWNERS, PUBLISHERS, AND STAFF FOR A CENTURY OF OUTSTANDING JOURNALISM IN THE GREENWOOD COMMUNITY.
l:\council\bills\gm\24002vr19.docx

The Senate Resolution was adopted.

S. 384 -- Senators Campbell, Davis and Williams: A BILL TO REPEAL CHAPTER 55, TITLE 46 OF THE 1976 CODE, RELATING TO THE CULTIVATION OF INDUSTRIAL HEMP, UPON THE STATE DEPARTMENT OF AGRICULTURE'S SUBMISSION OF THE STATE'S INDUSTRIAL HEMP PLAN TO THE UNITED STATES DEPARTMENT OF AGRICULTURE.
l:\s-res\pgc\006repe.kmm.pgc.docx

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

S. 385 -- Senator J. Matthews: A BILL TO AMEND SECTION 12-28-2930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLOCATION OF STATE SOURCE HIGHWAY FUNDS FOR CONSTRUCTION AND RENOVATION PROJECTS TO FIRMS OWNED AND CONTROLLED BY DISADVANTAGED ETHNIC GROUPS OR WOMEN, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO FUNDS ON CONTRACTORS OR CONSULTANTS FOR CERTAIN PROJECTS THAT INCLUDE BUILDING CONSTRUCTION AND MAINTENANCE, TO DELETE THE ESTIMATED VALUE OF

CONTRACTS COVERED BY THIS PROVISION, TO PROVIDE THIS PROVISION COVERS SUBCONTRACTS, TO PROVIDE THE DEPARTMENT OF TRANSPORTATION AND THE COUNTIES MAY ESTABLISH SUBCONTRACTING GOALS TO OBTAIN PARTICIPATION IN THE CONTRACTING PROCESS BY ETHNIC GROUPS AND WOMEN, AND TO REVISE DESIGN OF AND IMPLEMENTATION OF THE DEPARTMENT OF TRANSPORTATION'S PROGRAM TO ALLOCATE FUNDS PURSUANT TO THIS SECTION.
l:\council\bills\gt\5615cm19.docx

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

S. 386 -- Senators Malloy, Goldfinch, Climer, Talley, Sabb and Harpootlian: A BILL TO AMEND CHAPTER 78, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT, SO AS TO AMEND AND REORGANIZE THE EXISTING EXCEPTIONS AND MAKE OTHER RELATED CHANGES.
l:\s-jud\bills\malloy\jud0026.jcv.docx

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

H. 3635 -- Reps. Hewitt and Fry: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILLIE C. "BOOTY" SHELLEY, JR., OF GEORGETOWN COUNTY, MEMBER OF THE MURRELLS INLET-GARDEN CITY FIRE DISTRICT BOARD OF DIRECTORS, AND TO CONGRATULATE HIM UPON HIS INDUCTION INTO THE DISTRICT'S LIFE MEMBERSHIP.

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

H. 3636 -- Reps. Hewitt and Fry: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODNEY R. JEWETT, JR., OF GEORGETOWN COUNTY, FIRE CAPTAIN IN THE MURRELLS INLET-GARDEN CITY FIRE DISTRICT, AND TO CONGRATULATE HIM UPON HIS INDUCTION INTO THE DISTRICT'S LIFE MEMBERSHIP.

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

H. 3637 -- Reps. Fry and Hewitt: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ALBERT W. HITCHCOCK OF HORRY COUNTY, FORMER CHAIRMAN OF THE MURRELLS INLET-GARDEN CITY FIRE DISTRICT BOARD OF DIRECTORS, AND TO CONGRATULATE HIM UPON HIS INDUCTION INTO THE DISTRICT'S LIFE MEMBERSHIP.

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

H. 3638 -- Reps. Hewitt and Anderson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEVON SMITH, EXECUTIVE DIRECTOR OF ST. FRANCES ANIMAL CENTER IN GEORGETOWN, FOR HER DEDICATED LEADERSHIP AND LABORS IN EVACUATING THE CENTER'S ANIMALS TO SAFETY DURING THE RAVAGES OF HURRICANE FLORENCE.

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

REPORTS OF STANDING COMMITTEE

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

S. 16 -- Senator Rankin: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 169 -- Senator Hembree: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 205 -- Senator Young: A BILL TO AMEND SECTION 44-36-320 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER, TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 377 -- Senators Young, Setzler and Massey: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CHIEF J. CARROL BUSBEE, SR., FORMER DIRECTOR OF THE AIKEN DEPARTMENT OF PUBLIC SAFETY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

Returned with concurrence.

Received as information.

ADJOURNMENT

At 11:04 A.M., on motion of Senator McELVEEN, 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.

* * *

Friday, January 18, 2019
(Local 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 ACTING PRESIDENT, Senator McELVEEN.

REPORT RECEIVED

State Regulation of Public Utilities Review Committee

Sen. Thomas C. Alexander, Chairman
Rep. William E. Sandifer, III, Vice Chairman
Rep. P. Michael Forrester
Sen. C. Bradley Hutto
Dan Jones
Rep. David J. Mack, III
Gregg Morton
Sen. Luke A. Rankin, Sr.
John S. Simmons, Esquire

Heather Anderson,
Committee Counsel
Steve Davidson,
Committee Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6208

January 16, 2019

Members of the South Carolina General Assembly
Columbia, South Carolina

Dear Fellow Members:

Enclosed is the State Regulation of Public Utilities Review Committee's Report as to Qualifications of Candidates for Seat 2 of the Public Service Commission (Commission). The report is designed to provide you with information on the candidates qualified and nominated by the Review Committee. The Review Committee is charged with nominating up to three candidates for this seat on the Commission. In accordance with this mandate, the Review Committee thoroughly investigated each candidate with respect to his or her suitability for service on the Commission.

FRIDAY, JANUARY 18, 2019

The Review Committee held public hearings on January 14, 2019 to question the candidates. A transcript of the oral examination of the candidates will be available no later than the close of business of Thursday, January 17, 2019. An electronic version of the transcript will be emailed to you once the transcript is received, and it will be available for review on the Review Committee's website at: https://www.scstatehouse.gov/CommitteeInfo/PublicUtilitiesReviewComm/2018PublicServiceCommissionScreeningInfo2.php

The Review Committee considered the qualifications of each candidate. The Review Committee's finding that a candidate is qualified and nominated means that the candidate satisfies the constitutional and statutory criteria for service on the Commission and the Review Committee's evaluative criteria.

Candidates are prohibited from asking for your commitment until 12:00 noon, Friday, January 18, 2019. **Members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, or statements detailing a candidate's qualifications on behalf of a candidate, and are not permitted to offer a pledge to vote for a candidate until 12:00 noon on January 18, 2019.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Heather Anderson at (803) 212-6208 or Steve Davidson at (803) 734-3015.

Sincerely,

Thomas C. Alexander

REVIEW COMMITTEE REPORT AS TO THE QUALIFICATIONS OF CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEAT 2

INTRODUCTION

Section 58-3-530(1)(a) of the South Carolina Code of Laws charges the State Regulation of Public Utilities Review Committee ("Review Committee") with the duty to nominate candidates for the members of the South Carolina Public Service Commission ("Commission"). The term for Commission Seat 2 expired on June 30, 2018.

The Review Committee conducted its screening process for Seat 2 during the spring of 2018, as well as the screening for Commissioner Seats 4 and 6. On May 10, 2018 the General Assembly rejected the slate of candidates for Seat 2. As a result, the Review Committee began the application process for Seat 2 on June 13, 2018, with applications due on

August 1, 2018. A total of six candidates submitted applications by the August 1, 2018 deadline, and one candidate withdrew prior to the Review Committee's public hearing to screen candidates.

The Review Committee conducted background investigations of each candidate, including credit, driver's license, and law enforcement checks. It gave a written examination to determine the level of knowledge that each candidate has with respect to substantive public utility issues, ethical constraints applicable to the Commission, and the operations of the Commission. The Review Committee also obtained attendance records at Commission meetings and hearings for the incumbent Commissioner. During the public hearing on January 14, 2019, each candidate was questioned and given an opportunity to make statements as to his or her qualifications and desire to serve as a Commissioner.

LEGAL QUALIFICATIONS

Pursuant to Section 58-3-20(A), members of the Commission must have the following qualifications:

(1) a baccalaureate or more advanced degree; and

(2) a background of substantial duration and an expertise in at least one of the following areas:

(a) energy;
(b) telecommunications;
(c) consumer protection and advocacy;
(d) water and wastewater;
(e) finance, economics, and statistics;
(f) accounting;
(g) engineering; or
(h) law.

The Review Committee may find a candidate qualified even though he or she does not have a background of substantial duration and expertise in at least one of the above areas if three-fourths of the Review Committee vote to qualify the candidate.

The Review Committee is also required to consider: "(1) the ability, dedication, compassion, common sense, and integrity of the candidates; and (2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State." S.C. Code Ann. §58-3-560. The determination of legal qualifications includes a determination of the candidate's residence in the appropriate Public Service Commission district as established by Section 58-3-20, the candidate's eligibility for

election as determined by Section 58-3-24, and the candidate's compliance with constitutional provisions limiting election to those persons eligible to be electors of this State.

Pursuant to S.C. Code Ann. §58-3-530, the annual performance review of Commissioners seeking reelection must be made a part of the Commissioner's record for consideration if the Commissioner seeks reelection. These evaluations are included after the Commissioner's summary of qualifications.

GENERAL QUALIFICATIONS

To determine fitness beyond mere legal qualifications, the Review Committee considered each candidate's experience, temperament, compliance with and knowledge of legal and ethical constraints on public service, knowledge of Commission operations, demonstrated or potential aptitude for meaningful leadership and/or service at the Commission, and demonstrated integrity, including the handling of personal financial affairs. The Review Committee considered each candidate as a whole in making a determination of qualified and nominated.

Experience

Section 58-3-20 requires that Commissioners have a background of substantial duration and an expertise in energy; telecommunications; consumer protection and advocacy; water and wastewater; finance, economics, and statistics; accounting; engineering; or law. The Review Committee considered not only whether a candidate has succeeded in one of these fields but also whether the candidate has the capability of transferring this success and knowledge to the operations of the Commission. The Review Committee's transcript contains each applicant's background and employment history.

Temperament

The Review Committee sought to determine whether a candidate's sense of the role he or she is to fill on the Commission is such that his or her work will be productive, proactive, and protective of the interests of all South Carolinians.

Compliance with and Knowledge of Legal and Ethical Constraints

Section 58-3-30 requires that Commissioners adhere to the State Ethics Act and the Judicial Code of Conduct. The Review Committee believes that not only must the candidates be aware of the legal and

ethical constraints, they must have conducted and comported themselves with the highest regard for ethics in their actions.

Potential Aptitude for Meaningful Leadership and/or Service at the Public Service Commission

The Review Committee believes that the Commission should have strong leadership, work toward common goals, have a positive influence on employees, and ensure that parties and persons appearing before the Commission are treated fairly and impartially. The Review Committee therefore sought to gauge each candidate's potential aptitude to serve as a leader and/or as a Commissioner supporting the goals and mission of the agency.

Integrity

Candidates must assure the Review Committee that their word is their bond. The Code of Judicial Conduct requires, among other factors, that Commissioners and candidates handle their finances in a responsible manner. The Review Committee therefore considered the way each candidate has managed his or her financial affairs.

Substantive Knowledge of Commission Operations

The Review Committee believes that every candidate, whether incumbent or non-incumbent, must demonstrate some basic understanding of the role of the Commission and its operations. It would be unfair, however, to require non-incumbents to have accumulated a wealth of knowledge about Commission operations specifically, or regulated utilities generally. Unlike incumbent Commissioners, challengers have not had the benefit of a compensated opportunity to educate themselves in hearings or through conversations with Commission staff. The Review Committee expects incumbents and others who have substantial experience appearing before the Commission to be able to discuss these matters with a greater fluency than those persons who have, to date, committed themselves to other employment. The Review Committee emphasizes that the substantive knowledge findings contained in this report are a measure of a candidate's knowledge at the time of his or her candidacy. The findings are not necessarily indicative of a candidate's ability to subsequently master Commission operations and the multitude of issues relating thereto.

FRIDAY, JANUARY 18, 2019

FINDINGS AS TO QUALIFICATIONS AND NOMINATIONS

The Review Committee screened a total of five candidates for Seat 2 on January 14, 2019. In accordance with Section 58-3-530(1)(a), the Review Committee may nominate up to three candidates per seat to be elected by the General Assembly. The Review Committee found the following candidates qualified and nominated them for election to the South Carolina Public Service Commission:

SEAT 2 Florence P. Belser
Elliott F. Elam, Jr.

This report provides a summary of qualifications for the candidates found qualified and nominated, as well as other candidates who were screened and did not withdraw prior to the issuance of this report.

CANDIDATES FOR SEAT 2

JAMES "BUDDY" ATKINS

Review Committee Finding: QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Atkins received a Bachelor of Science degree from the University of South Carolina in 1976, with a major in Marine Science. He received a Master of Science degree in Environmental Systems Engineering from Clemson University in 1981. He obtained a Ph.D. from the University of South Carolina in 1998 in Marine Science.

Mr. Atkins was a hydrologist with the Water Resources Division of the U.S. Geological Survey from 1977 to 1979. From 1979 to 1981, he was a graduate research assistant with the environmental system engineering department at Clemson University. From 1981 to 1984, he served as an extension specialist with North Carolina State University's Biological and Agricultural Engineering Department. From 1984 to 1985, Mr. Atkins served as the Section Chief of the Agricultural Nonpoint Source Pollution Section with the North Carolina Division of Soil and Water Conservation, in which he was responsible for the development, administration and technical oversight of the N.C. Agricultural Cost Share Program for Nutrient Sensitive Waters. From 1985 to 1996, he was employed by Department of Health and Environmental Control, initially as chief for surface water hydrology,

and then as a senior scientist/engineering associate; both of these positions focused on various water issues. From 1996 to 2000, Mr. Atkins was a research associate professor with the Earth Sciences & Resources Institute at the University of South Carolina. Mr. Atkins served on the Public Service Commission (PSC), Seat 2 from 2000 to 2004. From 2004 to 2010, he was the president and owner of Regulatory Heuristics, a consulting firm focused on technical and policy issues in the energy, water, and environmental sectors. From 2006 to 2007, he served as program manager with the S.C. Commission on Higher Education, in which he assisted in managing the S.C. Research Centers of Economic Excellence Program (this was a non FTE, temporary position). Mr. Atkins served as director of the Richland County Conservation Department from 2010 to 2014, in which his responsibilities included managing budgets of the Richland Soil and Water Conservation District and the Richland County Conservation Commission, project management for the county's contract to establish a Stream-Wetland Mitigation Bank, and overseeing the Conservation Commission's conversion and historic grants program and its conservation easement program.

Mr. Atkins is a member of the American Water Works Association. Within the past five years, he has been a member of the following organizations: (1) Gills Creek Watershed Association (board member 2016-2018); (2) Shandon Neighborhood Council; (3) Midlands Local Food Collaborative (founding member (4) Main St. United Methodist Church; and (5) University of South Carolina Alumni Association (life member).

Test Score: 91

FLORENCE P. BELSER

Review Committee Finding: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Ms. Belser obtained a Bachelor of Science degree in Biology from the College of Charleston in 1983, and a Juris Doctor from the University of South Carolina in 1987.

Ms. Belser was a substitute teacher in Summerton, SC from 1987 to 1988. She then served as a judicial law clerk for the Honorable James "Mac" Morris from 1988 to 1990. From 1990 to 1991, she served as an

associate with John E. Miles, Esquire. From 1991 to 1993, she worked as an assistant solicitor for the Third Judicial Circuit. From 1993 to 2003, she worked as a staff attorney and deputy general counsel for the Public Service Commission (PSC), where she represented the PSC at all levels of the judicial system. From 2003 to 2004, she served as the executive assistant at the PSC and assisted the Commissioners in developing positions in cases by reviewing the record and law in the proceedings and in drafting motions concerning those positions. Since 2004, Ms. Belser has served as general counsel in the Office of Regulatory Staff (ORS), where she provides legal advice to the agency, represents the ORS in proceedings before all courts in S.C., and assists in developing ORS's position in administrative matters.

Ms. Belser is a member of the South Carolina Bar Association. Within the past five years, she has been a member of the following organizations: (1) St. Matthias Anglican Church; (2) American Legion Auxiliary; (3) American Legion Auxiliary Palmetto Girls State (director); (4) Clarendon Hall Land Trust (trustee); and (5) College of Charleston Alumni Association (life member).

Test Score: **95**

PATRICIA P. CARSON

Review Committee Findings: NOT QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Ms. Carson received a Bachelor of Science degree from the Missouri School of Mines and Metallurgy in 1977, with a major in Engineering Management.

Ms. Carson has worked as an industrial engineer on various corporate projects from 1976 to the present date. She has worked at Colonial Life Insurance as a public sector analyst, actuarial analyst, product manager and corporate project manager. She has also worked at Citicorp Acceptance Company as a senior operations research/financial analyst. She was employed by Lever Brothers, Inc., and Proctor and Gamble Paper Products, Inc. as an industrial engineer. She also worked for Olin Brass/Winchester Western as a marketing engineer. Ms. Carson served as a Councilmember in North, South Carolina from 2010 to 2015. She is

the current Mayor of North, South Carolina and was elected in November, 2015.

Ms. Carson is a member of the (1) MASC Mayors Association; (2) Orangeburg County Chamber of Commerce Mayors Group; and (3) South Carolina Rural Water Association. Within the past five years, she has been affiliated with the following organizations: (1) Association of SC Mayors; (2) North Arbor Day, Inc. (founder); (3) honorary commander of Joint Base Charleston AFB; (4) Lower Savannah Council of Governments (board member); (5) North Mayor's Youth Council (creator and leader); (6) North Cooperative Ministry (consulting member for Eartha Kitt Gala); (7) North United Methodist Church - associate member, church trustee, finance committee member, offertory steward, worship lector, leader of Youth Mission Teams to Asbury Hills, SC and Corbin, KY; (8) Orangeburg County Chamber of Commerce Mayors Group; and (9) North Senior Center.

Test Score: 53

BRUCE K. COLE

Review Committee Findings: NOT QUALIFIED, NOT NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Cole graduated from Harvard College in 1977 with a degree in Economics. He then earned a Master's degree in Accounting from Northeastern University in 1981 and a Master's in Business Administration from Stanford Graduate School of Business in 1985. He obtained a Ph.D. in Plan, Design and Built Environment from Clemson University in 2012.

From 1978 to 1980, Mr. Cole was employed as an economic analyst for the Abt. Associates, Inc. From 1981 to 1983, he was an auditor at Peat, Marwick Mitchell & Co.

Mr. Cole was employed with AT&T Communications from 1985 to 1989 as a manager. In 1989, Mr. Cole founded Subscriber Technologies, Inc. in San Francisco, CA, and served as its president until 1997. From 1989 to 1990, he was a controller with Interactive Network. From 1990 to 1991, he was the chief financial officer for Douglas Broadcasting. From 1990 to 1993, he worked for ESL/TRW in Sunnyvale, CA where he helped commercialize a variety of wireless technologies. From 1990

to 1992, he served as a board member of Cable Television Cooperative, a cooperatively owned cable-TV system, serving Palo Alto and neighboring areas. From 1993 to 1997, Mr. Cole was employed by William Jackson and Associates in Boston, MA, for which he served as audit manager. From 1995 to 1997, he worked for Pacific Telesis in San Ramone, CA and served as a consultant to facilitate acquisition of Pacific Telesis by Southwestern Bell.

Mr. Cole was the chief financial officer of the Boston Public Library from 1997 to 1999. From 1999 to 2002, he served as the chief executive consultant for John Hancock Financial Services. In 1999, Mr. Cole founded the Boston Rental Housing Association, and served as its president until 2006. From 2002 to 2005, he was an audit manager for Jackson & Associates.

From 2006 through 2016, Mr. Cole worked at several institutions of higher education as an associate or visiting professor, including Allen University (associate professor, 2006-2008, Division of Business Administration; chair, professor - 2016); Benedict College (assistant professor, School of Business, 2008-2009), Presbyterian College (School of Business - visiting assistant professor, 2009-2010); Southern Wesleyan University (assistant professor, School of Business, 2010-2013), and the University of South Carolina (visiting assistant professor, Department of Finance, 2013-2015).

Mr. Cole is currently the managing director for Palmetto Realty Advisors, LLC, which he founded in 2007. This company develops real estate-centric growth strategies for public, private, and government entities and operates a real estate investment fund, commercial brokerage firm and an advisory business.

Mr. Cole founded the Richard T. Greener Institute for Social Policy Research in 2014, and currently serves as its president. This is a 501(c)(3) non-profit established to support policy-makers and communities with research relevant to South Carolina's African-American citizens. He is also an officer for Palmetto Realty Advisors, LLC and Electronic Health Network, Inc.

In addition to the entities described above, Mr. Cole is currently listed on the Secretary of State's website as the agent for the following entities: (1) The Aviation Fund (501(c)(3)); (2) Cole Financial Publications, LLC; (3) PRA Tax Certificate 1, LLC; and (4) South Carolina Real Estate Journal, LLC.

Mr. Cole is a member in the following professional organizations: (1) American Institute of Certified Public Accountants; (2) American Real Estate and Urban Economics Association; (3) American Real Estate

Society, director emeritus; (4) New York State Society of Certified Public Accountants (CPA since 1983); and (5) Urban Land Institute.

Within the past five years, Mr. Cole has been affiliated with the following organizations:
(1) Sierra Club; (2) South Carolina Council on Economic Education; (3) Thomas Cooper Society; and (4) Richland County Airport Commission.

Test Score: 74

ELLIOTT F. ELAM, JR.

Review Committee Findings: QUALIFIED AND NOMINATED

Personal Information, Educational Background, and Work Experience:

Mr. Elam graduated from the University of South Carolina, where he received a Bachelor of Arts degree in Political Science in 1984, as well as a Master's degree in Public Administration and a Juris Doctor in 1988.

Mr. Elam was employed by the Department of Consumer Affairs from 1987 through 2014, during which he served in various capacities. His employment with the Department began as a law clerk in 1987. In 1990, he was promoted to staff attorney, where he represented utility and insurance ratepayers before the Public Service Commission, the Department of Insurance, Administrative Law Judge Division, the Federal Communications Commission, the Federal Energy Regulatory Commission, and state and federal courts. While a staff attorney, he testified numerous times before committees of the South Carolina General Assembly on utility regulation issues. From 2002 to 2014, he served as the Deputy Consumer Advocate/Consumer Advocate. In this role, he directed the representation of utility and insurance ratepayers before the South Carolina Public Service Commission, the Federal Communications Commission, the Federal Energy Regulatory Commission, the South Carolina Department of Insurance, and the Administrative Law Court. He also represented consumer appeals before the state's circuit courts, the South Carolina Court of Appeals, and the South Carolina Supreme Court. Mr. Elam has served as the Public Service Commissioner for the Second Congressional District since July 1, 2014.

Mr. Elam is a member of the following professional organizations: (1) South Carolina Bar Association; (2) South Carolina Bar Association's Administrative and Regulatory Law Committee; (3) National

Association of Regulatory Utility Commissioners (NARUC); (4) NARUC Committee on Telecommunications and Telecommunications Act Modernization Task Force; (5) Federal Communications Commission's Federal-State Joint Conference on Advanced Telecommunications Services; and (6) Southeastern Association of Regulatory Utility Commissioners.

Test Score: 91

State Regulation of Public Utilities Review Committee
Performance Evaluation

Elliott F. Elam, Jr.
South Carolina Public Service Commission
Seat: Second Congressional District
Review Period: July 1, 2015 - June 30, 2016

Commissioner Elam was initially elected to the Public Service Commission on May 28, 2014. During his tenure at the Commission, he has taken advantage of many opportunities to expand his understanding of public utilities issues. Commissioner Elam is a member of NARUC and SEARUC. He is a member of the NARUC Committee on Telecommunications and the NARUC Telecommunications Act (TeAM) Task Force. He was appointed by the Federal Communications Commission to serve on the Federal-State Joint Conference on Advanced Telecommunications. He is also a member of the South Carolina Bar's Administrative and Regulatory Law Committee.

During the review period, Commissioner Elam attended the following educational programs and events:

- NARUC meetings (summer, annual, and winter);
- NARUC Annual Regulatory Studies Program;
- SEARUC annual meeting;
- Emerging Issues Policy Forum;
- Critical Consumer Issues Forum;
- Various training sessions and workshops, continuing legal education courses, allowable ex parte briefings, and statutorily required sessions on ethics.

Based on surveys of persons appearing before the Commission and Commission employees, Commissioner Elam is courteous to all persons

appearing before him, is impartial in his treatment of persons appearing before him, has a positive influence on employee morale, and is respected by attorneys and persons appearing before the Commission. The Review Committee's review revealed no evidence of unethical behavior by Commissioner Elam.

State Regulation of Public Utilities Review Committee
Performance Evaluation

Elliott F. Elam, Jr.
South Carolina Public Service Commission
Seat: Second Congressional District
Review Period: July 1, 2014 - June 30, 2015

Commissioner Elam was initially elected to the Public Service Commission on May 28, 2014. During his first year at the Commission, he has taken advantage of many opportunities to expand his understanding of public utilities issues. Commissioner Elam is a member of NARUC and SEARUC. He is a member of the NARUC Committee on Telecommunications and was appointed by the Federal Communications Commission to serve on the Federal-State Joint Conference on Advanced Telecommunications. He is also a member of the South Carolina Bar's Administrative and Regulatory Law Committee.

During the review period, Commissioner Elam attended the following educational programs and events:

- NARUC meetings (summer, annual, and winter);
- NARUC Annual Regulatory Studies Program;
- SEARUC Commissioners Only Summit;
- SEARUC annual meeting;
- Various training sessions and workshops, including allowable ex parte briefings and statutorily required sessions on ethics.

Based on surveys of persons appearing before the Commission and Commission employees, Commissioner Elam is courteous to all persons appearing before him, is impartial in his treatment of persons appearing before him, has a positive influence on employee morale, and is respected by attorneys and persons appearing before the Commission. The Review Committee's review revealed no evidence of unethical behavior by Commissioner Elam.

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FRIDAY, JANUARY 18, 2019

ADJOURNMENT

At 11:06 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, January 22, 2019, at 2:00 P.M.

* * *

Tuesday, January 22, 2019
(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:

Ephesians 1-18a

"I pray that the eyes of your heart may be enlightened so that you may know what is the hope of His calling."

Let us pray. Almighty God, we are a nation that has been exceedingly blessed and founded on the principles of justice, equality and freedom. Clearly that felt pretty good for a long time as we took our enlightened place on the world stage for some 200 years. But then we made a disturbing discovery…we as a nation were in fact blind.

Yesterday we remembered a Georgia preacher who opened our eyes and stirred the soul of this nation -- Dr. Martin Luther King. I say, Dr. King, but it was not really him. It was You, O God, working in and through Dr. King and giving him extraordinary influence over the conscience of America.

May we all open our eyes and our hearts to Your amazing power to give us sight today so that we might see clearly the injustice that continues to surround us in our beloved State. Empower us, O God, to step out in faith and do something about it. Amen.

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

Point of Quorum

At 2:06 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

RECESS

At 2:06 P.M., on motion of Senator SETZLER, the Senate receded from business pending the presence of a quorum.

At 2:09 P.M., the Senate resumed.

TUESDAY, JANUARY 22, 2019

Doctor of the Day

Senator SENN introduced Dr. James McCoy of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 2:11 P.M., Senator MARTIN requested a leave of absence for Senator DAVIS for the balance of the day.

Leave of Absence

At 2:30 P.M., Senator TURNER requested a leave of absence for Senator VERDIN until 3:00 P.M.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks by Senator MASSEY

Mr. PRESIDENT, I just wanted to make a plea to the Governor on a matter. We have heard about a number of appointments to different commissions and boards, and also appointments to new state agencies. So far, the Clerk's office has not received any paperwork regarding those appointments. Therefore, we haven't made the appointments yet. I would ask the Governor to get the paperwork to us as soon as possible. I've talked with committee members and to Senators. We are ready to work on those nominations. We are not going to delay them. But there is work that needs to be done in this regard. There are background checks and examinations that need to be completed. The nominees need to be scheduled to appear at hearings and we need to make sure that the Senators are prepared to ask pertinent questions so we can vote. I do not want to delay these appointments; but, I would ask the Governor and his staff to get the paperwork to the Clerk as quickly as possible so that we can begin the process of advice and consent and get these positions filled.

On motion of Senator CLIMER, with unanimous consent, the remarks of Senator MASSEY, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 3 Sen. Gregory
S. 7 Sen. Kimpson
S. 9 Sen. Gregory
S. 28 Sen. Gregory
S. 32 Sen. Gregory

S. 35 Sen. Campsen
S. 85 Sen. Gregory
S. 86 Sen. Gregory
S. 130 Sen. Gregory
S. 134 Sen. Gregory
S. 135 Sen. Gregory
S. 167 Sen. Gregory
S. 178 Sens. Harpootlian and Gregory
S. 205 Sens. Martin and Setzler
S. 326 Sens. Setzler, Malloy and Turner
S. 363 Sen. Reese

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 387 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JAMES E. BROWN FOR HIS FORTY-ONE YEARS OF DEDICATED SERVICE TO THE COLUMBIA COMMUNITY.
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The Senate Resolution was adopted.

S. 388 -- Senator Williams: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DR. FRANKLIN G. MASON AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 389 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-5-115 SO AS TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS BEING A MEMBER OF THAT PARTY; TO AMEND SECTION 7-5-110, RELATING TO THE REQUIREMENT OF REGISTRATION IN ORDER TO VOTE, SO AS TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS BEING A MEMBER OF THAT POLITICAL PARTY; TO AMEND SECTION 7-5-170,

RELATING TO THE REQUIREMENTS FOR VOTER REGISTRATION, SO AS TO PROVIDE THE REQUIREMENT OF STATING POLITICAL PARTY AFFILIATION, IF ANY, ON THE FORM AND INCLUDING IT IN THE OATH, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ASSIST IN CAPTURING THIS DATA; AND TO AMEND SECTION 7-9-20, RELATING TO THE QUALIFICATIONS FOR VOTING IN PRIMARY ELECTIONS, SO AS TO INCLUDE, AS A REQUIREMENT, REGISTERING AS A MEMBER OF THE PARTY AND TO PROVIDE A PROCEDURE FOR CHANGING POLITICAL PARTY AFFILIATION OR NONAFFILIATION AFTER A SELECTION HAS BEEN MADE.
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Read the first time and referred to the Committee on Judiciary.

S. 390 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3800 SO AS TO PROVIDE FOR TAX CREDITS OR REBATES AGAINST VARIOUS TYPES OF TAXES IMPOSED UNDER STATE LAW FOR ELIGIBLE TAXPAYERS EQUAL TO TWENTY PERCENT OF NEW TAX REVENUE PAID BY THESE TAXPAYERS IF THEY HAVE MADE A QUALIFYING CAPITAL INVESTMENT AT THEIR BUSINESS LOCATION WHERE THIS ADDITIONAL TAX REVENUE WAS GENERATED, AND TO PROVIDE PROCEDURES FOR AND LIMITATIONS ON THESE TAX CREDITS OR REBATES.
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Read the first time and referred to the Committee on Finance.

S. 391 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-250 SO AS TO REQUIRE PROVISIONS IN THE ANNUAL GENERAL APPROPRIATIONS BILL THAT DIRECT THE MANNER IN WHICH FUNDS ARE TO BE EXPENDED TO SPECIFICALLY STATE THE SOURCE OF FUNDS, THE AUTHORIZED EXPENDITURES, AND ANY PROGRAM WHICH FUNDS WILL BE REDUCED AS A RESULT OF THE PROVISION.
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Read the first time and referred to the Committee on Finance.

S. 392 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 81 TO TITLE 2 SO AS TO CREATE THE JOINT COMMITTEE ON FEDERALISM TO EVALUATE CERTAIN FEDERAL LAWS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO SPECIFY THE PROCESS OF EVALUATION, AND TO SET FORTH OTHER DUTIES.
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Read the first time and referred to the Committee on Judiciary.

S. 393 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-190 SO AS TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION (SLED) TO CREATE, PREPARE, MAINTAIN, AND CERTIFY A REPORT LISTING BY NAME EACH SOUTH CAROLINA POLITICAL SUBDIVISION IT HAS DETERMINED TO BE IN COMPLIANCE WITH SECTIONS 17-13-170 AND 23-3-1100; TO DESIGNATE THIS REPORT THE "IMMIGRATION COMPLIANCE REPORT" (ICR); TO DELINEATE SPECIFIC DUTIES AND RESPONSIBILITIES RELATING TO THE SUBMISSION OF DOCUMENTATION NECESSARY TO PREPARE THE ICR; TO REQUIRE SLED ANNUALLY TO PROVIDE COPIES TO THE GOVERNOR, GENERAL ASSEMBLY, AND STATE TREASURER, TO PROHIBIT THE STATE TREASURER FROM DISBURSING CERTAIN FUNDS TO POLITICAL SUBDIVISIONS THAT HAVE NOT BEEN CERTIFIED AS COMPLIANT IN THE ICR, TO AUTHORIZE SLED TO CONDUCT CRIMINAL INVESTIGATIONS RELATING TO ICR CERTIFICATIONS; TO PROVIDE SANCTIONS FOR POLITICAL SUBDIVISIONS THAT HAVE BEEN FOUND TO HAVE SUBMITTED FALSIFIED COMPLIANCE DOCUMENTATION TO SLED; TO DEFINE "POLITICAL SUBDIVISION", AND TO PROVIDE THAT THE SANCTIONS AND REMEDIES DELINEATED IN THIS ACT ARE IN ADDITION TO OTHER SANCTIONS AND REMEDIES PROVIDED BY LAW.
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Read the first time and referred to the Committee on Judiciary.

S. 394 -- Senators Talley and Climer: A BILL TO AMEND CHAPTER 17, TITLE 39 OF THE 1976 CODE, RELATING TO CONTAINERS AND GRADES, BY ADDING ARTICLE 7, TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR IMPOSITION OF ANY PROHIBITION,

RESTRICTION, FEE IMPOSITION, OR TAXATION OF AUXILIARY CONTAINERS MUST BE DONE BY THE GENERAL ASSEMBLY, TO PROVIDE FOR EXCEPTIONS, AND TO DEFINE NECESSARY TERMS.

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

S. 395 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250, RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, SECTION 20-1-260, RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT, AND SECTION 20-1-300, RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD, SO AS TO PROVIDE THAT A PERSON YOUNGER THAN EIGHTEEN YEARS OF AGE CANNOT ENTER INTO MARRIAGE IN SOUTH CAROLINA.

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

S. 396 -- Senator Hutto: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH, AND TO STRENGTHEN AGE VERIFICATION REQUIREMENTS FOR INTERNET SALES OF ALTERNATIVE NICOTINE PRODUCTS AND TOBACCO PRODUCTS; TO AMEND SECTION

16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION; BY ADDING SECTION 59-1-380 SO AS TO PROHIBIT THE USE OR POSSESSION OF ANY TOBACCO PRODUCT OR ALTERNATIVE NICOTINE PRODUCT IN PUBLIC SCHOOLS; AND TO AMEND SECTION 44-95-20, RELATING IN PART TO THE PROHIBITION OF SMOKING IN PUBLIC SCHOOLS AND PRESCHOOLS, SO AS TO ELIMINATE THE EXCLUSION FOR PRIVATE OFFICES AND TEACHERS' LOUNGES.
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Read the first time and referred to the Committee on Judiciary.

S. 397 -- Senator Harpootlian: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.
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Read the first time and referred to the Committee on Judiciary.

S. 398 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.
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Read the first time and referred to the Committee on Finance.

S. 399 -- Senator Campbell: A BILL TO ENACT THE "ASBESTOS TRUST CLAIMS TRANSPARENCY ACT"; TO AMEND TITLE 15 OF THE 1976 CODE, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING CHAPTER 83, TO ESTABLISH THE REQUIRED DISCLOSURES BY PLAINTIFFS, TO ESTABLISH DISCOVERY PROVISIONS, TO ESTABLISH THAT A COURT MAY STAY AN ACTION, TO ESTABLISH THAT A DEFENDANT MAY IDENTIFY ADDITIONAL OR ALTERNATIVE ASBESTOS TRUSTS, TO ESTABLISH THE VALUATION OF ASBESTOS

TRUST CLAIMS, TO ESTABLISH SETOFF PROVISIONS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 400 -- Senator Grooms: A BILL TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2019"; TO AMEND SECTION 10-11-320(B) OF THE 1976 CODE, RELATING TO THE CARRYING OR DISCHARGING OF A FIREARM, TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, TO DELETE REFERENCES TO A CONCEALED WEAPONS PERMIT ISSUED TO A PERSON, TO REVISE THE PROVISION THAT ALLOWS A HANDGUN TO BE CARRIED BY A PERSON IN A VEHICLE, AND TO PROVIDE THAT A PERSON WHO IS NOT PROHIBITED FROM POSSESSING FIREARMS UNDER STATE LAW MAY CARRY A HANDGUN UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 16-23-420 AND 16-23-430 OF THE 1976 CODE, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE AN EXCEPTION FOR A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-460 OF THE 1976 CODE, RELATING TO CARRYING CONCEALED WEAPONS, TO DELETE A REFERENCE TO CONCEALED WEAPON PERMITS, AND TO PROVIDE EXCEPTIONS FOR A PERSON LAWFULLY CARRYING A CONCEALABLE WEAPON AND FOR HANDGUNS; TO AMEND SECTION 16-23-465(B)(1) OF THE 1976 CODE, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR CONSUMPTION ON THE PREMISES, TO DELETE A REFERENCE TO CONCEALED WEAPON PERMITS, AND TO PROVIDE AN EXCEPTION FOR A PERSON LAWFULLY CARRYING A CONCEALABLE WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING THE CONCEALABLE WEAPON ON THE BUSINESS PREMISES; TO AMEND SECTION 51-3-145(G) OF THE 1976

CODE, RELATING TO CERTAIN ACTS THAT ARE UNLAWFUL IN A STATE PARK, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-31-215(K), (M), (N), AND (O) OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES, AND THE ASSOCIATED PENALTY, TO PROVIDE AN EXCEPTION TO THE PROVISION THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON ONTO CERTAIN PREMISES, TO DELETE THE PROVISION THAT PROVIDES FOR THE REVOCATION OF A PERSON'S PERMIT WHEN HE VIOLATES CERTAIN PROVISIONS, TO PROVIDE THAT VALID OUT-OF-STATE PERMITS TO CARRY CONCEALABLE WEAPONS BY A RESIDENT OF ANOTHER STATE MUST BE HONORED BY THE STATE, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND TO DELETE THE TERM "RECIPROCAL STATE" AND REPLACE IT WITH THE TERM "ANOTHER STATE"; TO AMEND SECTIONS 23-31-220 AND 23-31-225 OF THE 1976 CODE, BOTH RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPON PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, TO DELETE THE PROVISION THAT REQUIRES THE REVOCATION OF A PERMIT FOR A VIOLATION OF CERTAIN PROVISIONS OF LAW, AND TO DELETE A REFERENCE TO THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF CONCEALED WEAPON PERMITS; TO AMEND SECTION 23-31-240 OF THE 1976 CODE, RELATING TO PERSONS WHO ARE ALLOWED TO CARRY A CONCEALED WEAPON WHILE ON DUTY, TO DELETE THE PROVISION THAT REQUIRES THESE PERSONS TO POSSESS A CONCEALED WEAPON PERMIT; AND TO DEFINE NECESSARY TERMS.

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

S. 401 -- Senator Campbell: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Transportation.

S. 402 -- Senator Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF SOUTH CAROLINA HIGHWAY 5 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 521 TO THE CATAWBA RIVER IN LANCASTER COUNTY "DENNIS C. STRAIGHT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 403 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE JANUARY 30, 2019, AS "CAROLINA DAY" AT THE STATE HOUSE.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 404 -- Senators Sheheen, Campbell and Campsen: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR CERTAIN QUALIFIED REHABILITATION EXPENSES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO DELETE A PROVISION ALLOWING FOR A FEE SCHEDULE DETERMINED

BY REGULATION AND TO SET FORTH THE FEE SCHEDULE IN STATUTE.
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Read the first time and referred to the Committee on Finance.

S. 405 -- Senator Young: A SENATE RESOLUTION TO CELEBRATE THE LIFE AND LEGACY OF WADE COTHRAN "COT" CAMPBELL AND TO RECOGNIZE HIS SIGNIFICANT CONTRIBUTIONS AS AN AUTHOR, FAMILY MAN, AND VISIONARY HORSEMAN WHO CHANGED THE FACE OF THOROUGHBRED RACING IN AMERICA AND HAD A LASTING IMPACT ON SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 406 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA LACTATION SUPPORT ACT" BY ADDING SECTION 41-1-130 SO AS TO DEFINE NECESSARY DEFINITIONS, TO PROVIDE EMPLOYERS DAILY SHALL PROVIDE EMPLOYEES WITH REASONABLE UNPAID BREAK TIME OR SHALL PERMIT EMPLOYEES TO USE PAID BREAK TIME OR MEAL TIME TO EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS SHALL MAKE REASONABLE EFFORTS TO PROVIDE CERTAIN AREAS WHERE EMPLOYEES MAY EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS MAY NOT DISCRIMINATE AGAINST EMPLOYEES FOR CHOOSING TO EXPRESS BREAST MILK IN THE WORKPLACE IN COMPLIANCE WITH THE PROVISIONS OF THIS ACT, AND TO PROVIDE REMEDIES FOR VIOLATIONS; AND TO PROVIDE RELATED FINDINGS AND EXPRESS RELATED POLICIES.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 407 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-180 SO AS TO PROHIBIT A PERSON CONVICTED OF ANIMAL CRUELTY FROM ADOPTING ANIMALS.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 408 -- Senators Reese and Turner: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.
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Read the first time and referred to the Committee on Finance.

S. 409 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LAMAR RICHARDS, A SENIOR IN THE DUAL ENROLLMENT PROGRAM AT RICHLAND ONE MIDDLE COLLEGE, FOR HIS OUTSTANDING ACADEMIC ACHIEVEMENT AND TO CONGRATULATE HIM FOR WINNING THE TENTH ANNUAL LOUISIANA STATE UNIVERSITY UNDERGRADUATE RESEARCH CONFERENCE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 410 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CHESTER HIGH SCHOOL VARSITY FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2018 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.
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The Senate Resolution was adopted.

S. 411 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BENNIE MCMURRAY FOR HIS THIRTY-EIGHT YEARS OF DEDICATED SERVICE AS A COACH IN THE PALMETTO STATE, PREPARING YOUNG PEOPLE TO BECOME PROFESSIONAL ATHLETES, AND TO EXPRESS GRATITUDE FOR HIS ROLE IN PREPARING YOUNG PEOPLE TO TAKE THEIR PLACES AS PRODUCTIVE CITIZENS.
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The Concurrent Resolution was adopted, ordered sent to the House.

H. 3614 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 23, 2019, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

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

H. 3676 -- Reps. Clemmons, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DIXIE COX EUBANK, RESIDENT CIRCUIT COURT REPORTER FOR THE FIFTEENTH JUDICIAL CIRCUIT, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN FOUR DECADES OF OUTSTANDING SERVICE

AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

H. 3677 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO ENACT WITHOUT DELAY AN "AMERICAN ECONOMIC RECOVERY PROGRAM" WITH SUGGESTED PARAMETERS AND SPECIFICS IN ORDER TO PROVIDE MECHANISMS TO RESTORE THE ECONOMIC HEALTH AND WELL-BEING OF AMERICA AND ITS CITIZENS.

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

REPORTS OF STANDING COMMITTEES

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

S. 227 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out S. 343 favorable:

S. 343 -- Senator Alexander: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR WINNING THE 2018 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER-ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 26, 2019, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.

TUESDAY, JANUARY 22, 2019

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

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

READ THE SECOND TIME

S. 327 -- Senator Shealy: A BILL TO AMEND SECTION 1-25-60(A)(5)(b) OF THE 1976 CODE, RELATING TO THE STATE INTERAGENCY PLANNING AND EVALUATION ADVISORY COMMITTEE, TO REDESIGNATE THE GENERAL COMMITTEE AS THE FAMILY AND VETERANS' SERVICES COMMITTEE.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman

Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

S. 76 -- Senator Cromer: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson

Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--41

NAYS

Fanning

Total--1

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

READ THE SECOND TIME

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

The Senate proceeded to a consideration of the Bill.

Senator CAMPBELL explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--42

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. 217 -- Senators Kimpson, Campsen and Senn: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\217C001.NBD.DG19), which was adopted:

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

/ SECTION 1. Section 6-1-530(A) of the 1976 Code is amended by adding new items to read:

"(7) control and repair of flooding and drainage within or on tourism-related lands or areas; or

(8) site preparation for items in this section, including, but not limited to, demolition, repair, or construction." /

Amend the bill further, by striking SECTION 3 and inserting:

/ SECTION 3. Section 6-1-730(A) of the 1976 Code is amended by adding new items to read:

"(7) control and repair of flooding and drainage within or on tourism-related lands or areas; or

(8) site preparation for items in this section, including, but not limited to, demolition, repair, or construction." /

Amend the bill further, SECTION 5, page 3, by striking lines 16 - 18 and inserting:

/ <u>(ix) site preparation for subsubitems in this subitem (b), including, but not limited to, demolition, repair, or construction; and</u> /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

Senator CROMER explained the Bill.

The question then was second reading of the Bill as amended.

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

Motion Under Rule 26B

Senator MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

S. 326 -- Senators Massey, Malloy, Setzler and Turner: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO DISTRIBUTE TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE SOUTH CAROLINA STATE FIREFIGHTERS ASSOCIATION TO PROVIDE FOR POST TRAUMATIC STRESS DISORDER INSURANCE AND PROGRAMS.

The Senate proceeded to a consideration of the Resolution.

Senator CROMER explained the Resolution.
The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

S. 333 -- Senator M.B. Matthews: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS

AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

The Senate proceeded to a consideration of the Bill.

Senator M.B. MATTHEWS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

READ THE SECOND TIME

S. 205 -- Senator Young, Setzler and Martin: A BILL TO AMEND SECTION 44-36-320 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED

DISORDERS RESOURCE COORDINATION CENTER, TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 94 -- Senator Campsen: A BILL TO AMEND SECTION 24-21-710 OF THE 1976 CODE, RELATING TO FILM, VIDEOTAPE, OR OTHER ELECTRONIC INFORMATION THAT MAY BE

CONSIDERED BY THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IN PAROLE DETERMINATION, TO PROVIDE THAT THE VICTIM OF A CRIME'S IMMEDIATE FAMILY MAY SUBMIT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION, TO PROVIDE THAT ANY FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OR THE VICTIM'S IMMEDIATE FAMILY MUST BE RETAINED BY THE BOARD AND MUST BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS UNLESS THE SUBMITTING PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION NO LONGER REPRESENTS THE PRESENT POSITION OF THE PERSON, AND TO PROVIDE THAT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE PROSECUTING SOLICITOR'S OFFICE OR THE PERSON WHOSE PAROLE IS BEING CONSIDERED MAY BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS EACH TIME THE SUBMITTING OFFICE OR PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION REPRESENTS THE PRESENT POSITION OF THE OFFICE OR PERSON; AND TO AMEND SECTION 30-4-40(a) OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE THAT A PUBLIC BODY MAY EXEMPT FROM DISCLOSURE FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OF A CRIME FOR WHICH A PRISONER HAS BEEN SENTENCED OR BY THE VICTIM'S IMMEDIATE FAMILY.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN explained the Bill.

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

S. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

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

S. 214 -- Senators Kimpson, Sheheen and Gregory: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN explained the Bill.

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

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

S. 16 -- Senator Rankin: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

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

S. 169 -- Senator Hembree: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.

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

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

TUESDAY, JANUARY 22, 2019

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that on Wednesday, January 30, 2019, the Senate will convene at 2:00 P.M.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators McELVEEN and JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James A. Campbell of Sumter, S.C. James served in the U.S. Army and received his undergraduate degree from Erskine College and his masters and PHD from the University of South Carolina. He was a published author, athletic director, scholarship fundraiser, Chairman of the Sumter County Board of Voter Registration, a Tuomey Fellow, interim Sumter County Administrator, served on Sumter County Council and was a member of the American Legion to mention a few. James was an active member of St. John's United Methodist Church and a Gamecock fan. James was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Ann Addy of Leesville, S.C. Ann Addy passed away on January 13, 2019. She graduated the University of South Carolina with a BA in Journalism. Ann began her career in newspapers in Seneca and Bishopville. Ann worked at the SC Department of Mental Retardation, SC Technical College System, Municipal Association of South Carolina, Columbia College, the State Library, and her own public relations firm, Solutions! Ink. Ann was an active member of the Midlands community; from her work with the SC Book Festival and the annual SC Read In. Ann was awarded the Order of the Palmetto, South Carolina's highest civilian award for her volunteer work. Ann was a loving wife, devoted mother and doting grandmother who will be dearly missed.

TUESDAY, JANUARY 22, 2019

ADJOURNMENT

At 3:01 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 P.M.

* * *

Wednesday, January 23, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

I Corinthians 12: 4-5

"Now there are varieties of gifts; but the same Spirit; and there are varieties of services, but the same Lord; and there are varieties of activities, but it is the same God who activates all of them in everyone."

Let us pray. Almighty and everlasting God, we give You the utmost praise this day. You have opened the door for these Senators to serve You in this State in a way that most considered only a distant dream. But the reality is that serving is tough -- it is demanding and it is a stressful endeavor. It doesn't take long to realize that the job is too big for just one person. It takes teamwork -- in a word, "staff" -- competent staff, friendly staff, loyal staff and supportive staff. It doesn't take but a cursory visit to any office, any meeting room or any event at the State House to recognize that the staff members here are the best of the best. And now, let us take a moment of silence so that each Senator can thank You, O God, for the staff members who are a blessing to their work each day and every day.

As we close this prayer we lift up to you a dear friend, Robert Adams, who has walked these hallowed halls for many years and now needs Your special grace and strength to sustain him through difficult treatments in the days ahead.

We offer this prayer to You, O God, whose love and grace is everlasting, Amen.

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

REGULATION WITHDRAWN

The following was received:
Document No. 4820
Agency: Department of Labor, Licensing and Regulation
Chapter: 10

WEDNESDAY, JANUARY 23, 2019

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-6-50, and 40-6-60
SUBJECT: Auctioneers' Commission
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn January 22, 2019

Doctor of the Day

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

CO-SPONSORS ADDED

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

S. 51 Sen. Rankin
S. 76 Sen. Alexander
S. 94 Sen. Senn
S. 131 Sen. Cromer
S. 160 Sen. Talley
S. 169 Sen. Senn
S. 205 Sen. Shealy
S. 214 Sen. Campsen
S. 217 Sen. Scott
S. 266 Sen. Senn
S. 326 Sens. Alexander and Young
S. 332 Sens. Campbell and Reese
S. 343 Sen. Martin
S. 363 Sens. Fanning and M.B. Matthews

RECALLED AND ADOPTED

S. 382 -- Senators Alexander, Rankin, Hutto and M.B. Matthews: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, FEBRUARY 6, 2019, IMMEDIATELY FOLLOWING THE ELECTIONS FOR THE POSITIONS NAMED IN THE CONCURRENT RESOLUTION IN WHICH CANDIDATES SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE

SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.

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

The Resolution was recalled from the Committee on Judiciary.

Senator RANKIN 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.

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

RECALLED AND COMMITTED

S. 363 -- Senators Davis, Senn, Shealy, Reese, Fanning and M.B. Matthews: A BILL TO AMEND SECTION 44-20-30 OF THE 1976 CODE, RELATING TO TERMS DEFINED IN THE "SOUTH CAROLINA INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT," TO ADD A DEFINITION FOR "AUTISM SPECTRUM DISORDER"; AND TO AMEND SECTION 38-71-280 OF THE 1976 CODE, RELATING TO HEALTH INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, TO MAKE CONFORMING CHANGES.

On motion of Senator VERDIN, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Banking and Insurance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 412 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MILDRED R. JOHNSON FOR HER DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.
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Read the first time and referred to the Committee on Judiciary.

S. 414 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 20 THROUGH JANUARY 26, 2019, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 415 -- Senator Davis: A BILL TO AMEND SECTION 40-45-230(G) AND (H) OF THE 1976 CODE, RELATING TO THE EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260 OF THE 1976 CODE, RELATING TO THE LIMITS ON ATTEMPTS TO PASS THE LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, TO INCREASE THE MAXIMUM NUMBER OF ATTEMPTS FROM TWO TO SIX.
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Read the first time and referred to the Committee on Medical Affairs.

S. 416 -- Senator Davis: A BILL TO DELETE SECTION 40-45-110(A)(4) OF THE 1976 CODE, RELATING TO THE BOARD OF PHYSICAL THERAPY EXAMINERS REFUSING TO GRANT LICENSES OR SUSPENDING, REVOKING, OR OTHERWISE RESTRICTING LICENSES ON THE GROUNDS OF PROVIDING PHYSICAL THERAPY SERVICES BEYOND THIRTY DAYS

AFTER AN INITIAL EVALUATION OR TREATMENT DATE WITHOUT REFERRAL OF THE PATIENT TO A LICENSED MEDICAL DOCTOR OR DENTIST UNLESS INITIAL EVALUATION AND TREATMENT WAS MADE FROM A REFERRAL FROM A MEDICAL DOCTOR OR DENTIST.
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Read the first time and referred to the Committee on Medical Affairs.

S. 417 -- Senators Young, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO HONOR AND RECOGNIZE CHILDREN'S PLACE, INC., OF AIKEN COUNTY FOR ITS DEDICATED SERVICE TO THE CHILDREN OF OUR STATE FOR OVER FIFTY YEARS.
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The Senate Resolution was adopted.

S. 418 -- Senator Scott: A CONCURRENT RESOLUTION TO MEMORIALIZE BANKS, CREDIT UNIONS, UTILITY PROVIDERS, AND OTHER LENDING INSTITUTIONS OPERATING IN THIS STATE TO ASSIST FEDERAL EMPLOYEES AFFECTED BY THE GOVERNMENT SHUTDOWN.
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The Concurrent Resolution was introduced and referred to the Committee on Banking and Insurance.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian and Kimpson: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE

THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 38 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-90 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out S. 80 favorable:

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.

Poll of the Family and Veterans' Services Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Shealy	Sheheen	Young
Johnson	McElveen	Turner
Climer	Fanning	McLeod
Talley	Gambrell	Cash
Cromer	Gregory	*Matthews, Margie*
Harpootlian		

Total--16

NAYS

Total--0

NOT VOTING

Verdin

Total--1

Ordered for consideration tomorrow.

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

S. 168 -- Senator Hembree: A JOINT RESOLUTION TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RECOMMENDATIONS FOR REDUCING AND STREAMLINING THE AMOUNT OF PAPERWORK AND REPORTING REQUIREMENTS OF TEACHERS, SCHOOLS, AND SCHOOL DISTRICTS, TO PROVIDE REQUIREMENTS FOR THE CONTENT OF THESE RECOMMENDATIONS, AND TO PROVIDE THE

DEPARTMENT SHALL REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 15, 2020.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology polled out S. 176 favorable:

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

Poll of the Corrections and Penology Committee
Polled 14; Ayes 9; Nays 5

AYES

Martin	Shealy	Turner
Davis	Fanning	Rice

Senn	Cash	Goldfinch

Total--9

NAYS

Allen	Kimpson	*Matthews, Margie*
Nicholson	McLeod	

Total--5

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 194 -- Senator Shealy: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 196 -- Senators Shealy, Hutto and Jackson: A BILL TO REPEAL SECTION 20-1-300 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD.

Ordered for consideration tomorrow.

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

S. 228 -- Senator Gambrell: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE

CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

Ordered for consideration tomorrow.

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. 327 -- Senator Shealy: A BILL TO AMEND SECTION 1-25-60(A)(5)(b) OF THE 1976 CODE, RELATING TO THE STATE INTERAGENCY PLANNING AND EVALUATION ADVISORY COMMITTEE, TO REDESIGNATE THE GENERAL COMMITTEE AS THE FAMILY AND VETERANS' SERVICES COMMITTEE.

S. 76 -- Senators Cromer and Alexander: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

S. 207 -- Senator Young: A BILL TO AMEND SECTION 12-43-220(c)(2) OF THE 1976 CODE, RELATING TO PROGRAMS AND UNIFORM ASSESSMENT RATIOS FOR COUNTY EQUALIZATION AND REASSESSMENT, TO PROVIDE THAT AN OWNER ELIGIBLE FOR AND RECEIVING THE SPECIAL ASSESSMENT PURSUANT TO SECTION 12-43-220(c) WHO IS RESIDING AT A NURSING HOME RETAINS THE SPECIAL ASSESSMENT RATIO OF FOUR PERCENT FOR AS LONG AS THE OWNER REMAINS IN THE NURSING HOME.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 217 -- Senators Kimpson, Campsen, Senn and Scott: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10 OF THE 1976 CODE, ALL RELATING TO THE EXPENDITURE OF THE STATE

ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

Ayes 34; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Corbin	Rice

Total--2

There being no further amendments, the Bill was amended, read the third time, passed and ordered sent to the House of Representatives with amendments.

WEDNESDAY, JANUARY 23, 2019

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 326 -- Senators Massey, Setzler, Malloy, Turner, Alexander and Young: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO DISTRIBUTE TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE SOUTH CAROLINA STATE FIREFIGHTERS ASSOCIATION TO PROVIDE FOR POST TRAUMATIC STRESS DISORDER INSURANCE AND PROGRAMS.

S. 333 -- Senator M.B. Matthews: A BILL TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-435, TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF SUCH PERSON.

S. 205 -- Senators Young, Martin, Setzler and Shealy: A BILL TO AMEND SECTION 44-36-320 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER, TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.

AMENDED, READ THE SECOND TIME

S. 94 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 24-21-710 OF THE 1976 CODE, RELATING TO FILM, VIDEOTAPE, OR OTHER ELECTRONIC INFORMATION THAT MAY BE CONSIDERED BY THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IN PAROLE DETERMINATION, TO PROVIDE THAT THE VICTIM OF A CRIME'S IMMEDIATE FAMILY MAY SUBMIT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC

INFORMATION, TO PROVIDE THAT ANY FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OR THE VICTIM'S IMMEDIATE FAMILY MUST BE RETAINED BY THE BOARD AND MUST BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS UNLESS THE SUBMITTING PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION NO LONGER REPRESENTS THE PRESENT POSITION OF THE PERSON, AND TO PROVIDE THAT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE PROSECUTING SOLICITOR'S OFFICE OR THE PERSON WHOSE PAROLE IS BEING CONSIDERED MAY BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS EACH TIME THE SUBMITTING OFFICE OR PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION REPRESENTS THE PRESENT POSITION OF THE OFFICE OR PERSON; AND TO AMEND SECTION 30-4-40(a) OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE THAT A PUBLIC BODY MAY EXEMPT FROM DISCLOSURE FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OF A CRIME FOR WHICH A PRISONER HAS BEEN SENTENCED OR BY THE VICTIM'S IMMEDIATE FAMILY.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (94HUTTO1), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 34-35 and inserting the following:

/ represents the present position of the person who is submitting the information. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill, as amended.

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

Ayes 42; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Harpootlian

Total--1

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

READ THE SECOND TIME

S. 214 -- Senators Kimpson, Sheheen, Gregory and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN explained the Bill.

The question being the second reading of the Bill.

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

Motion Under Rule 26B Waived

Senator SHEHEEN asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 227 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\227C001.NBD.DG19), which was adopted:

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

/ SECTION 1. Section 6-1-320(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to

read:

"(3)(a) A municipality without an operating millage on January 1, 2019, or a municipality that incorporates after January 1, 2019, may impose an operating millage sufficient to generate one-third of the municipality's general fund expenses in the previous fiscal year.

(b) Notwithstanding subitem (a), a municipality without an operating millage on January 1, 2019, that previously imposed an operating millage but repealed the millage, may re-impose an operating millage up to an amount equal to its last millage plus the cumulative amount of the increases that would have been allowed pursuant to item

(1) since 2007 or since the millage was repealed, whichever is more recent. In calculating the millage amount for reimposition, appropriate amounts must be adjusted to account for rollback millage pursuant to Section 12-37-251(E). For purposes of item (2), a municipality that re-imposes millage pursuant to this subitem is deemed to have imposed the maximum millage for the years prior to the reimposition.

(c) After the operating millage is imposed pursuant to this item, the millage is subject to the limitations on increases set forth in item (1).”/

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Bill, as amended.

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

Ayes 37; Nays 3; Abstain 1

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Jackson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--37

NAYS

Corbin	Rice	Verdin

Total--3

ABSTAIN

Senn

Total--1

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

CARRIED OVER

S. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

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

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

S. 169 -- Senators Hembree and Senn: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.

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

OBJECTION

S. 16 -- Senator Rankin: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

Senator HUTTO objected to consideration of the Bill.

WEDNESDAY, JANUARY 23, 2019

ADOPTED

S. 343 -- Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, John Matthews, Margie Bright Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams And Young: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR WINNING THE 2018 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER-ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 26, 2019, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that, when the Senate completed its business today, the Senate would stand in recess until 6:45 P.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would stand adjourned to meet at 11:00 A.M. tomorrow.

RECESS

At 1:07 P.M., on motion of Senator MASSEY, the Senate receded from business until 6:45 P.M.

At 6:45 P.M., the Senate resumed.

NIGHT SESSION

The Senate assembled at 6:45 P.M. and was called to order by the PRESIDENT.

WEDNESDAY, JANUARY 23, 2019

Committee to Escort

The PRESIDENT appointed Senators MASSEY, SETZLER, LEATHERMAN, JACKSON and SHEALY to escort the Honorable Henry D. McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:55 P.M., the Senate receded for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

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

H. 3614 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 23, 2019, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Honorable Henry D. McMaster, and members of his party, were escorted to the rostrum by Senators MASSEY, SETZLER, LEATHERMAN, JACKSON and SHEALY and Representatives Dillard, Howard, Hyde, Erickson, Elliott and Ballentine.

The PRESIDENT of the Senate introduced the Honorable Henry D. McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

State of the State Address

Governor Henry D. McMaster

Ladies and gentlemen, I thank you all for being here tonight, those in this magnificent building as well as those watching from afar. I am proud of our State and I am also proud of my family. For those who have not met them, please let me introduce my wife, Peggy, and my son, Henry, and his wife, Virginia. We all live in Columbia. My daughter, Mary Rogers, is watching from New York with her fiancé, Samuel Martin Herskovitz. The big date -- March 16. Will you please stand be recognized? Thank you.

One year ago, I observed that we were at the dawn of a new prosperity, that our future would be even better than our past. Tonight, as we all

know, it is true. The state of our State is strong -- and getting even stronger. We live in a land of opportunity. And over the generations we have built the institutions of opportunity. Our goals today must be to re-invigorate and accelerate those institutions and rededicate ourselves to achieving the prosperity which can be ours.

We have a strong State because we are strong people. A family, a state, a nation is only as strong as its people. Our strength is an economic issue and also an issue of national security. In a rapidly changing world -- a highly competitive and dangerous world -- we must be constantly making our people strong -- Educated -- Trained -- Healthy -- Happy.

As I speak tonight, I would like to recognize just a few of our strong people. Leaders who have made a difference in our lives. I start with the six in uniform who lost their lives while protecting ours: Deputy Shannon Dale Hallman of the Saluda County Sheriff's Office; Deputy James L. Kirk, Jr. of the Lancaster County Sheriff's Office; Sergeant Terrance F. Carraway of the Florence Police Department; Deputy Farrah B. Turner of the Florence County Sheriff's Office; Assistant Fire Chief Dennis Charles Straight of the Charlotte Road/Van Wyck Volunteer Fire Department in Lancaster County; and Sergeant First Class Christopher A. Celiz, United States Army, who lost his life in Paktia Province, Afghanistan, in support of Operation Freedom's Sentinel.

To the families and loved ones of these men and women, on behalf of all South Carolinians, we send you love, admiration and strength, and we thank you for your loved ones' service and sacrifice. You are in our prayers.

I would also like to thank Dr. Harris Pastides, who is retiring after ten years of remarkable leadership and accomplishment at the University of South Carolina, who is with us tonight. Dr. Pastides, please stand and be recognized.

Not with us tonight is Dr. Andrew Hsu, whom we welcome as the new President of the College of Charleston. He has called this position his "American Dream."

And also, I'd like to congratulate Clemson University on winning their third national championship.

In many different ways, all of these men and women have added to the strength and prosperity of our State.

And I have one brand new face for you: Lieutenant Governor Pamela Evette of Travelers Rest with her husband, David, and son, Jackson. Thank you for accepting the call to serve our fellow citizens. Please stand and be recognized.

Ladies and gentlemen, South Carolina is red hot. Our agricultural base is accelerating, our tourism industry is thriving, and we have become a major high-tech manufacturing hub. South Carolina is the nation's top exporter of tires and of completed automobiles. Our average annual manufacturing employment growth is 16%, the highest in the southeast. Over and over we are recognized as one of the best places in the country to do business and to visit or vacation.

In the last two years, we have announced over $8 billion dollars in new capital investment and more than 27,000 new jobs. Our unemployment rate just hit an all-time low. More people are working than ever before. In the past year we have welcomed many new businesses to South Carolina and celebrated the growth, expansions and milestones with those who already call our State home. Some of them are here with us tonight. I'll ask them to stand and we'll welcome them as a group: Representing W International, Mr. Ed Walker and Ms. Michelle Fowler, Representing Kent International and Bicycle Corporation of America, Mr. Arnold Kamler and Mr. Scott Kamler, Representing DRÄXLMAIER Group, Mr. Bradley Nelson and Mr. Chip Vogel, Representing Keurig Dr. Pepper, Mr. Randy Downing and Ms. Pam Daskalakis, Representing Sonoco, Mr. Rob Tiede and Mr. Roger Schrum, Representing Google, Mr. Paul Carff, Representing Round Point Mortgage, Mr. Kevin Brungardt. Ladies and gentlemen, we welcome you to this historic State House.

Did you notice at the Inauguration ceremony two weeks ago -- on the steps -- in addition to the display of leadership of our academic establishment, the presence of 27 diplomats from 22 countries? These visitors are here for one reason: Commerce. Investment. Prosperity. They see that we are on the way up.

They know that we have recognized and are harnessing the catalytic power of collaborations between and among business and industry and academia. In a word, it is brainpower. Brainpower produces commercial horsepower. And that horsepower drives our economic prosperity.

Ladies and gentlemen, we in South Carolina are players in the greatest economic competition the world has ever known. We must be bold, aggressive and think long-term. We must keep the people and institutions of South Carolina leading the competition.

It has taken years to get to where we are. But we must do more. That means we must keep taxes low, reduce burdensome regulations and invest heavily in infrastructure.

We have the highest marginal income tax rate in the southeast -- the 12th highest in the nation. Seven states have no income tax at all. Taxes

of all kinds at all levels add up -- little by little -- to smother growth. Beating the competition requires reforming our state's marginal income and corporate tax rates. That's why I have proposed a $2.2 billion tax cut across all personal income brackets resulting in an average 15% rate reduction.

And that's why I commend the House and Senate for embarking on a comprehensive effort to reform our state's tax structure. Working together, I am certain that we will succeed and keep South Carolina winning!

This year, our vigorous economy created a budget surplus. My executive budget sends $200 million of this surplus back to South Carolina taxpayers in the form of a one-time rebate check. Surpluses don't mean we have to spend it all. A surplus allows us to prioritize the most critical needs in state government and then return the rest to the taxpayers!

We should commit to returning tax dollars back to our state's businesses at every opportunity. Last year, I issued a $52 million dollar cut to the unemployment insurance taxes paid by our state's employers. This was made possible by the leadership and work done by many in this room tonight to reform and rebuild our state's trust fund.

The time has come to re-double our commitment to our state's men and women in uniform -- veterans, first responders, law officers, firefighters and peace officers -- through a full retirement income exemption.

The exemption for veterans is a key factor in the Pentagon's decisions on protecting and expanding a state's military bases and expanding and bringing new missions and troops to our bases. It's also an effective incentive to keep experienced law officers, firefighters, and first responders on the job.

We are now another year into our ongoing state retirement pension crisis. Our unfunded pension liability threatens to place unprecedented strain on state government if we do not take action soon. Retired, current and future public employees must have a pathway to retirement income security, with future benefits and costs that are both sustainable and predictable. Doing nothing threatens our commitment. It is a fact that we have some of the strongest people in the country in the field of education.

For example, in 2001, Dr. Sharon Buddin of Ridge View High School, and in 2009, the late Lucy Beckham of Wando High school were named National Principal of the Year. Last year, it was Dr. Akil Ross, of Chapin High School. This year, we celebrate again, with Dr. Lucas C. Clamp, of

River Bluff High School, being recognized as National Principal of the year. They aren't able to be with us here tonight, but we thank them for exemplifying the greatness that South Carolina produces.

Ladies and gentlemen, we are building an international reputation for business growth and progress. Being perceived as weak in any part of our State in education is not good. But being perceived as not committed to fixing it is disastrous.

Not long ago, I had a conversation with Dr. Wanda Andrews, the Superintendent of the Lee County School District -- A rural county. Education suffers there. Once grown, children leave, only returning for a family reunion or homecoming football game.

I asked Dr. Andrews what would happen if a new manufacturing plant offering 500 jobs were to come to her district. Dr. Andrews set down her pencil, took off her glasses and said, "It would change everything." Dr. Andrews, that is exactly what we are going to do -- change everything. The words "Corridor of Shame" will be a distant memory! Dr. Andrews, please stand and be recognized.

This will require a state-backed economic development commitment to bring jobs to these districts by providing infrastructure in rural areas -- not only in water, sewer, and roads, but in school buildings and facilities. We must provide the spark.

My executive budget creates the "Rural School District Economic Development Closing Fund." This fund will provide $100 million dollars for our Department of Commerce to use as a "closing fund" to bring new jobs and investment to our poorest school districts.

We must also invest in our teachers. To attract and retain the best, their compensation must be competitive with their peers in the southeast and elsewhere. My executive budget calls for a 5% teacher pay raise totaling $155 million dollars. This will increase average teacher salaries above the southeastern average.

But we can't stop there. The primary funding formula for public education, the Education Finance Act, was established forty years ago. That and those that have followed have become outdated, inefficient, and confusing.

They fail to provide the accountability, efficiency, and transparency necessary for a modern means of measurement, to determine if taxpayer dollars are being properly delivered and utilized in the classroom. Last week, Speaker Lucas and PRESIDENT PEELER and I called on the state Revenue and Fiscal Affairs Office to objectively review South Carolina's complex education funding formulas and suggest a new, more

efficient and modern funding model for the General Assembly to consider.

Further, Speaker Lucas and Senator GREG HEMBREE will propose wholesale reforms to our education delivery system -- eliminating burdensome testing, consolidating school districts, replacing non-productive school boards and reigning in the practice of social promotions in our classrooms. I support the Speaker and the Senator 100%. Send me these reforms and I will sign them into law. But we can't stop there either. Our classrooms and schools must also be safe, free from distraction and violence.

It's a fact -- the presence of a trained certified law enforcement officer is the best and most effective deterrent against violence at a school.

Local police officers or sheriff's deputies who serve as school resource officers are trained to spot, assess, and eliminate any potential threat. They train constantly. They immediately communicate and coordinate with local law enforcement.

Last year, we held a school safety summit of law enforcement, educators, counselors, mental health professionals, parents, and students to address the rise of violence in our schools.

Two recommendations were made over and over. One was to place a school resource officer in every school. The second was to provide access to mental health professionals who can train educators to recognize the warning signs of violent behavior in their students before it happens.

Some school districts cannot afford such personnel. Therefore, my executive budget ensures that every public school in our State has a full-time, trained law enforcement officer and access to a mental health counselor through the Department of Mental Health's school services program. The time to act on this is now. For decades, every family's goal was for their children to go to college, which meant a four-year college degree. Higher education was -- and still is -- the key to success. But the industries have changed. The skills required in today's modern workplace require us to stay ahead of demand and adapt with rapid advancements in technology. Modern manufacturing plants and assembly lines have been transformed into intricate computerized environments driven by advanced robotics, artificial intelligence, and sophisticated logistical delivery systems designed to deliver finished products around the world. This economic prosperity can also be achieved today through two-year associate degrees and a multitude of certificates from our state's technical colleges. Our technical college system is the best in the country. Last year, our readySC program trained

over 3,600 people for 82 companies. It is known around the world. My budget also triples existing funding for readySC, making more than $19 million dollars available for training new employees for business in the next fiscal year. Right now South Carolina has 60,000 highly paid jobs looking for people -- High tech production -- advanced manufacturing. The demand for workers in the skilled trades -- plumbing, masonry, carpentry, and others -- high paying jobs -- is so great that our businesses have to go out-of-state to recruit them. High school students and their parents must be made aware that these new opportunities are readily available. My executive budget prioritizes funding for our technical colleges to identify and recruit local businesses to participate in collaborative partnerships with high schools to create internship opportunities and to promote certificate completion. This will provide our local businesses with a pipeline of future employees who are ready to work.

My budget includes $63 million dollars in additional dollars that are dedicated to workforce training and development. It triples new lottery funding for workforce scholarships and grants to help students attend our state's technical colleges. But even with our growth, the cost and debt associated with higher education is becoming a barrier for many students and their families. With ten years of tuition and fee increases, student loan debt in South Carolina has risen by 315% -- the highest increase in the country. I am proposing a one-year freeze on tuition and fees for in-state students at our public technical colleges, four-year colleges and research universities for the 2019-2020 academic year. In exchange for freezing in-state tuition and fees -- to be certified by the Commission on Higher Education -- institutions will receive a 6% increase to their annual base budget. That will be their pro-rata share from a $36 million-dollar appropriation my budget makes to the CHE. I expect this one-year tuition freeze to serve as the first step toward a comprehensive reform of higher education funding and tuition. Our state's institutions of higher education play a vital role in our state's economic prosperity. Their continued success is critical to keeping South Carolina competitive and winning.

We must also continue to invest in infrastructure. Our ports, roads, and rail are critical components of our economic prosperity. In December, the South Carolina Ports Authority reported a 6.4% year-over-year container volume growth, with a record 2.3 million units handled in 2018 that marked the third consecutive year of record volume. We're only getting stronger. The deepening of Charleston Harbor is one of our most important steps to accelerate our future prosperity. Working with

President Trump and his administration, and with the assistance of Senator Graham and our Congressional Delegation, last year we secured an additional $49 million dollars to keep the Charleston Harbor dredging on schedule. There is more to come. And remember, we wisely provided the first $300 million dollars several years ago to guarantee the fulfillment of the project.

Once this project is completed, Charleston will have the deepest, most efficient harbor on the Atlantic, allowing post-Panamax ships to carry even bigger loads in and out of South Carolina, spurring economic growth throughout the State. This is an enormous competitive advantage, and to it we will add in the years ahead, a revitalized Port of Georgetown and a new Port of Jasper.

I'd like to recognize Chairman Bill Stern and CEO Jim Newsome of the South Carolina Ports Authority for their vision and dedication. Mr. Newsome couldn't be with us tonight, but I'd like to ask Chairman Stern to stand and be recognized.

The elemental purpose of government is to protect people and property. Today we understand the many advantages of replacing recidivism with employment. We also know that more officers on the street means less crime.

My executive budget provides more than $33 million dollars for law enforcement, corrections, probation, firefighting and other criminal justice agencies to use for pay raises, retention bonuses and hiring new officers.

It also includes an additional $40 million dollars to the Department of Corrections to expedite security system upgrades and modernization, as well as critical repairs to damaged prison facilities. Director Bryan Stirling's focus on workforce readiness among inmates has resulted in South Carolina having one of the lowest recidivism rates in the country. More former inmates are re-entering their communities with a job than ever before. South Carolina is a safer place because of Director Stirling's leadership. He is one of the most innovative and effective directors of prison systems in the United States. Director Bryan Stirling, please stand and be recognized.

The "silent hurricane" of opioid addiction continues to pummel the Palmetto State. The death toll from opioid-related overdose continued to rise in 2017, with 748 opioid-related fatalities across the State. There were just 57 in 2014. Last year, I declared a statewide public health emergency, mobilizing the full power of the state's emergency infrastructure in response to the growth of opioid addiction and abuse. And I signed what must be the most comprehensive set of laws in the

country addressing this crisis across the spectrum of law enforcement, education, and healthcare. For instance, our doctors are now required to educate minors and their families on the dangers of opioids before prescribing them; DHEC is issuing tamper-proof prescription pads; the anti-overdose drug Narcan is more readily available; and initial prescriptions are now limited to seven days. I also established the Opioid Emergency Response Team, which in June released a plan consisting of recommendations on physical and public education, prevention and response, treatment and recovery, and law enforcement approaches.

Although there is still much to be done, this progress would not have happened without the leadership of our Director of the Department of Alcohol and other Drug Abuse Services. Director Sarah Goldsby, please stand and be recognized. "A healthy mind in a healthy body," was the classical ideal; today it is a competitive advantage. Unfortunately, especially in some of our rural areas, access to good healthcare is lacking. But fortunately, we know how to fix it.

As always, education and knowledge are essential to progress. But so is the convenient access to health care professionals. This can be done in two ways: physical presence and virtual presence. We are doing both. Last year, I signed the law repealing the restriction which required nurse practitioners to work only within 45 miles of their supervising physician. Now they can go anywhere. You are now seeing them in drug stores, rural clinics and soon -- other convenient locations. Virtual presence is accomplished by telehealth, in which we lead the nation.

We are home of the Medical University of South Carolina, which is now designated a National Telehealth Center of Excellence -- one of only two in the country. This recognition would not have been achieved without the General Assembly investing and prioritizing innovation and optimization in the areas of stroke care, obstetrics, mental health and urgent care.

Through telehealth, we can expand access to healthcare professionals, improve healthcare outcomes and reduce costs. And there is another kind of health which we must address. That is the health of the public's confidence in their public servants and institutions. As we move forward together, we must reaffirm our commitment to good government. As elected officials, we are stewards of the public trust. South Carolinians must trust their representatives, and representatives must demonstrate they are deserving of that trust. Maintaining the public's trust in government, at all levels, requires transparency and accountability on how and why every single taxpayer dollar is spent.

The best disinfectant against waste and corruption -- or suspicions thereof -- is sunshine. That means stronger and expanded authority for the State Ethics Commission

Anyone paid to influence decisions made by state, county, municipal, or school board officials must be required to publicly register with the state ethics commission as a lobbyist. Public officials must be required to recuse themselves when a conflict exists. And public officials in all branches of government -- at all levels -- must comply with the Freedom of Information Act. I ask my colleagues to take this fresh opportunity to bring all of government into the sunlight and restore and insure the confidence of all.

South Carolina's bright economic future and continued job growth require an abundant supply of clean and affordable energy. Without it, we are at a competitive disadvantage. However, Santee Cooper is currently saddled with almost $9 billion dollars in debt, over $4 billion dollars of that debt from the failed VC Summer nuclear reactor construction project alone, with nothing to show for it. This huge debt will have to be paid. Santee Cooper will have no choice but to raise rates on customers to pay this debt. Their largest customer, the electric cooperatives, will be required to pay 70% of it for the next 30 years.

I am honored to serve on the committee with members of the House and Senate to present potential solutions concerning the future of Santee Cooper. I ask that members of the General Assembly keep an open and objective mind when you receive this information. We must be deliberate and wise. This land, as noted by explorers for kings and queens, is lush, fertile and brimming with abundance in plant and animal life. It is irreplaceable. The obligation and privilege of our generation and others is to use it, cultivate it, develop it and also to protect it and encroach upon it only gently.

Our economic growth and the preservation of our natural environment are not opposing objectives which must be balanced as in a competition, one against the other. Instead, they are complimentary, each dependent on the other. To these ends, I recently established the South Carolina Floodwater Commission. It is unique in the United States. The commission's purpose is to provide guidance, solutions and opportunities presented by inland and coastal flooding and all that entails. Its scope will be global, to be applied here.

Such an effort requires extraordinary leadership. That is why I have asked another South Carolina leader to chair the commission. Noted attorney, former JAG officer and former commander of the South

Carolina State Guard, General Tom Mullikin, please stand and be recognized.

Economic prosperity requires that we address water in a comprehensive fashion -- whether it is flooding, sea rise, aquifer depletion, or upstream withdrawal. Make no mistake -- a plentiful water supply is essential to our manufacturing, agricultural and tourism industries, as well as our quality of life.

That means that we must stand firmly against all efforts to endanger the future of our pristine coastline, our beaches, our sea islands, our marshes, and our watersheds. Ladies and gentlemen, that means we will not have offshore testing or drilling off the coast of South Carolina. One final story about strong people.

For two and a half days last September, Hurricane Florence stormed across North and South Carolina -- battering the coast with hurricane force winds, storm surge, and massive amounts of rainfall. The winds were less than originally predicted; the water was many times worse. That rainfall sent almost Biblical amounts of water racing into and onto South Carolina, creating catastrophic flooding along the Lynches, Great Pee Dee, Little Pee Dee and Waccamaw Rivers -- surpassing anything recorded in modern history. It stayed there for weeks.

Access to the Grand Strand was threatened by historic, rising floodwaters poised to overtake, washout and destroy the roads and bridges into Myrtle Beach, and they did. In addition, the threat of an environmental catastrophe was now on our doorstep with the certain over-topping of the closed Santee Cooper ash pond on the edge of the Waccamaw in Conway. Thus, began a remarkable feat of cooperation, engineering, science, hydrology, technology and collaboration. Four foot tall barriers were built on both sides of US 501 at Conway, saving that vital highway from certain flooding and breech. A four - foot aqua-dam was erected surrounding the eight-acre ash ponds to keep potentially deadly coal ash and toxins from flowing into the Waccamaw River and the Winyah watershed, all the way to Georgetown. And potential breeches along US 378 and State Highway 9 were blunted. The participants? The men and women of the Department of Transportation and the South Carolina National Guard.

Secretary Christy Hall and Major General Bob Livingston, please stand and be recognized.

In closing, to my friends and colleagues in the General Assembly, all of us in this building do not wear the same jerseys, but we are still on the same team. We will work together to ensure that future generations of South Carolinians are able to keep winning and prospering. Now is the

time to be bold, not bashful. Now is the time to act together. This year. Now. May God bless you, the great State of South Carolina, and the United States of America.

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

Motion Adopted

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

ADJOURNMENT

At 7:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 24, 2019
(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:

1 Peter 5:6

"Humble yourselves, therefore, under God's mighty hand, that he may lift you up in due time."

Let us pray. We thank You God for this special moment when our hearts can be united in prayer to You, our creator, redeemer and Lord. Let not the importance of our position, the accomplishments of our past or the plans of the present deceive us into thinking that we are the architects of our own destiny. All that we have and all that we achieve is a result of Your divine providence and Your grace in our lives. Deliver us from the error of asking and expecting Your blessing and Your guidance in our public lives while closing the doors to You in our private living.

Help us, O God, to humble ourselves before You, and with Your help, be the best that we can -- twenty-four hours a day. 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 11:05 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Cash	Corbin	Cromer
Davis	Hembree	Johnson
Leatherman	Malloy	Martin
Massey	Nicholson	Peeler

Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator NICHOLSON introduced Dr. Gregory Tarasidis of Greenwood, S.C., Doctor of the Day.

Leave of Absence

At 11:57 A.M., Senator MASSEY requested a leave of absence for Senators GREGORY and GROOMS for the day.

Leave of Absence

At 11:57 A.M., Senator BENNETT requested a leave of absence for Senator CAMPBELL for the balance of the day.

Leave of Absence

At 11:58 A.M., Senator CLIMER requested a leave of absence for Senator GOLDFINCH for the balance of the day.

Leave of Absence

At 12:05 P.M., Senator LEATHERMAN requested leave of absence for the balance of the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

In case you missed it, the State of New York on the 46th anniversary of Roe v. Wade passed a law allowing abortions up to the due date if the mother's health is at-risk. That would mean physical health, mental health, emotional health, or whatever else might qualify as a risk to health. I wish I could say that this is fake news but it's not. Upon passage of the law, people in the gallery erupted in cheering and applause and many members of the legislature clapped along with them. After signing the law, Governor Andrew Cuomo directed that the spire on One World Trade Center be lit up in pink to celebrate the passage of the new law. If you have seen the picture, in my opinion, that lit up spire is like giving the finger to our holy, omnipotent Creator God, throwing back in God's

face the gift of life. What a law. After 46 years of legalized murder that has resulted in over 61 million innocent pre-born persons being killed, including hundreds of thousands in South Carolina -- what darkness masquerading as light, what evil masquerading as progress. But forget about New York for a moment because we don't live in New York and we can't do a thing about what happens in New York. We live in South Carolina. We are legislators in the State of South Carolina who bear responsibility for the laws that are passed and not passed in South Carolina. Last night, we heard a State of the State address from Governor McMaster who is very pro-life and for whom I am very appreciative. For that address, I simply wish to add, let us remember preborn persons in our State. In all likelihood, over 5,000 innocent preborn persons were killed in South Carolina in 2018 and in all likelihood 5,000 more, 5,000, will be killed this year. Some of you don't believe this little baby is a person. Or perhaps, you believe there is a constitutional right for a woman to have her little baby killed if that is her choice. If those are your sincere beliefs, then I offer to discuss them with you at a time and place of your choosing. I know it is a difficult topic. I don't enjoy talking about it anymore than you do, but it is life and death for 5,000 people this year and I offer to talk with anyone who is willing to discuss it. Others, however, agree with me that this little baby is a person and has not just a constitutional right but a God-given unalienable right to life. If those are your sincere beliefs, I ask you to give careful consideration to the Personhood Bill I will soon introduce in this Senate. I ask you to do everything in your power to provide equal protection of the law for every single preborn person in this State. I am ready and willing to discuss the Personhood Bill with you, or to help with any Bill that aims to provide equal protection for every person. May God help us in this State and in this mission. Equal protection of life for every person born and preborn.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 16 Sen. Cash
S. 105 Sens. Verdin and Rankin
S. 168 Sens. Climer, Setzler, Leatherman, Young, Cromer, Verdin Johnson, Rice, Alexander and Campsen
S. 169 Sen. Campsen
S. 194 Sen. Senn
S. 196 Sen. Senn

S. 330 Sen. Gregory
S. 332 Sen. Gregory
S. 384 Sen. Verdin
S. 419 Sen. Turner

RECALLED AND ADOPTED

S. 403 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE JANUARY 30, 2019, AS "CAROLINA DAY" AT THE STATE HOUSE.

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

The Resolution was recalled from the Committee on Education.

Senator HEMBREE 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 AND ADOPTED

S. 418 -- Senator Scott: A CONCURRENT RESOLUTION TO MEMORIALIZE BANKS, CREDIT UNIONS, UTILITY PROVIDERS, AND OTHER LENDING INSTITUTIONS OPERATING IN THIS STATE TO ASSIST FEDERAL EMPLOYEES AFFECTED BY THE GOVERNMENT SHUTDOWN.

Senator SCOTT asked unanimous consent to make a motion to recall the Resolution from the Committee on Banking and Insurance.

The Resolution was recalled from the Committee on Banking and Insurance.

Senator SCOTT 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.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 419 -- Senators Hembree, Malloy, Turner, Setzler and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CAREER OPPORTUNITY AND ACCESS FOR ALL ACT"; BY ADDING SECTION 59-1-485 SO AS TO PROVIDE A STATEWIDE COLLEGE AND CAREER READINESS GOAL FOR 2030; BY ADDING ARTICLE 15 TO CHAPTER 63, TITLE 59 SO AS TO CREATE THE "STUDENT BILL OF RIGHTS"; TO AMEND SECTION 59-5-10, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ADD A PUBLIC SCHOOL STUDENT APPOINTED BY THE GOVERNOR TO SERVE A TWO-YEAR TERM AS A NONVOTING ADVISORY MEMBER; BY ADDING CHAPTER 12 TO TITLE 1 SO AS TO CREATE THE "ZERO TO TWENTY COMMITTEE" AND TO PROVIDE FOR THE PURPOSES, MEMBERSHIP, AND DUTIES OF THE COMMITTEE; BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN HIGH SCHOOLS; TO AMEND SECTION 59-18-310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REMOVE SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59-18-320, RELATING TO FIELD TESTS IN THE STATEWIDE ASSESSMENT PROGRAM AND ADMINISTRATION OF ASSESSMENTS UNDER THE PROGRAM, SO AS TO MAKE CHANGES TO CONFORM TO THE REMOVAL OF SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59-18-325, RELATING TO REQUIREMENTS THAT THE DEPARTMENT PROCURE AND ADMINISTER CERTAIN STANDARDS-BASED ASSESSMENTS, SO AS TO REMOVE THE REQUIREMENT FOR PROCURING AND ADMINISTERING STANDARDS-BASED ASSESSMENTS IN SOCIAL STUDIES TO STUDENTS IN FIFTH GRADE AND SEVENTH GRADE; BY ADDING SECTION 59-156-250 SO AS TO PROVIDE THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS AND THE STATE DEPARTMENT OF EDUCATION SHALL COMPILE AND REPORT TO THE GENERAL ASSEMBLY CERTAIN INFORMATION ABOUT EARLY CHILDHOOD

READING EFFORTS, PLANS TO INCREASE PARTICIPATION IN RELATED PROGRAMS IN CERTAIN DISTRICTS, AND TO REQUIRE A SUBSEQUENT REPORT IN FIVE YEARS; TO AMEND SECTION 59-104-20, RELATING TO THE CRITERIA FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING PALMETTO FELLOWS SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019-2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59-149-50, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019-2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59-59-210, RELATING TO ARTICULATION AGREEMENTS PROVIDING DUAL ENROLLMENT BETWEEN HIGH SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO EXPAND SUCH DUAL ENROLLMENT OPPORTUNITIES BY CREATING A UNIFORM SYSTEM OF DUAL ENROLLMENT COLLEGE COURSES OFFERED TO HIGH SCHOOL STUDENTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-18-365 SO AS TO PROVIDE A SYSTEM FOR ACCOUNTABILITY FOR STUDENT PROGRESS TOWARD COLLEGE AND CAREER READINESS FROM KINDERGARTEN THROUGH TWELFTH GRADE; TO AMEND SECTION 59-5-65, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE REMEDIAL COURSEWORK FOR COLLEGE READINESS ONLY MAY BE PROVIDED AT THE HIGH SCHOOL LEVEL AND MAY NOT BE PROVIDED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTIONS 59-18-1950 AND 59-101-350, BOTH RELATING TO REMEDIAL COURSEWORK, SO AS TO MAKE A CONFORMING CHANGE TO THE ELIMINATION OF REMEDIAL COURSEWORK BEING

OFFERED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-155-155 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL APPROVE NO MORE THAN FIVE RELIABLE AND VALID EARLY LITERACY AND NUMERACY SCREENING ASSESSMENT INSTRUMENTS FOR SELECTION AND USE BY SCHOOL DISTRICTS FOR KINDERGARTEN THROUGH THIRD GRADE, AND TO PROVIDE REQUIREMENTS FOR SUCH INSTRUMENTS; TO AMEND SECTION 59-155-110, RELATING TO THE READ TO SUCCEED OFFICE, SO AS TO CORRECT A TYPOGRAPHICAL ERROR; TO AMEND SECTION 59-155-120, RELATING TO DEFINITIONS IN THE READ TO SUCCEED ACT, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 59-155-130, RELATING TO DUTIES OF THE READ TO SUCCEED OFFICE, SO AS TO REVISE THE REQUIREMENTS CONCERNING COURSEWORK NECESSARY FOR LITERACY ADD-ON ENDORSEMENTS AND TO REVISE REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT IN READING AND COACHING FOR CERTIFIED READING/LITERACY COACHES AND LITERACY TEACHERS; TO AMEND SECTION 59-155-140, RELATING TO THE STATE READING PROFICIENCY PROGRAM, SO AS TO REMOVE THE USE OF BOOK CLUBS FOR CERTAIN REQUIRED SUPPLEMENTAL INSTRUCTION; TO AMEND SECTION 59-155-150, RELATING TO THE READINESS ASSESSMENT PROVIDED BY THE READ TO SUCCEED ACT, SO AS TO REVISE THE REQUIREMENTS FOR SCREENING AND DIAGNOSTIC ASSESSMENTS AND INTERVENTIONS; TO AMEND SECTION 59-155-160, RELATING TO MANDATORY STUDENT RETENTION PROVISIONS OF THE READ TO SUCCEED ACT, SO AS TO REVISE CRITERIA FOR RETENTION AND EXEMPTIONS FROM RETENTION, TO ELIMINATE AN APPEALS PROCESS, AND TO REVISE CRITERIA FOR INTENSIVE INSTRUCTIONAL SERVICES AND SUPPORT PROVIDED TO RETAINED STUDENTS; TO AMEND SECTION 59-155-180, RELATING TO PROVISIONS CONCERNING TEACHER EDUCATION PROGRAMS IN THE READ TO SUCCEED ACT, SO AS TO REMOVE THE REQUIREMENT THAT READING/LITERACY COACHES BE EMPLOYED IN ALL ELEMENTARY SCHOOLS, TO REVISE REQUIREMENTS CONCERNING THE ROLES AND FUNCTIONS OF READING/LITERACY COACHES, TO PROVIDE MEASURES TO ENSURE TEACHER CANDIDATES

UNDERSTAND THE FOUNDATIONS OF READING AND ARE PREPARED TO TEACH READING TO ALL STUDENTS, AND TO PROVIDE THE COMMISSION ON HIGHER EDUCATION AND THE LEARNING DISORDERS TASK FORCE ANNUALLY SHALL ASSESS THE EFFECTIVENESS OF TEACHER EDUCATION PROGRAMS IN PREPARING TEACHERS TO DIAGNOSE READING PROBLEMS IN STUDENTS AND PROVIDE APPROPRIATE INTERVENTIONS, AND TO PROVIDE THE COMMISSION SHALL REPORT FINDINGS OF THIS ASSESSMENT TO THE STATE DEPARTMENT OF EDUCATION AND TO THE GENERAL ASSEMBLY; TO AMEND SECTION 59-59-20, RELATING TO CAREER-CLUSTER CURRICULUM, SO AS TO REVISE THE CURRICULUM TO ALIGN WITH WORKFORCE NEEDS, AMONG OTHER THINGS; TO AMEND SECTION 59-59-50, RELATING TO STATE MODELS AND PROTOTYPES FOR INDIVIDUAL GRADUATION PLANS, SO AS TO REVISE THE REQUIREMENTS TO INCLUDE CAREER CLUSTERS AND RELATED PATHWAYS AND PROGRAMS OF STUDY, AMONG OTHER THINGS; TO AMEND SECTION 59-59-60, RELATING TO THE ORGANIZATION OF HIGH SCHOOL CURRICULA AROUND CLUSTERS OF STUDY AND CLUSTER MAJORS, SO AS TO REORGANIZE THE CURRICULA AROUND CAREER PATHWAYS AND TO PROMOTE RELATED INCREASED AWARENESS AND CAREER COUNSELING; BY ADDING SECTION 59-53-30 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH COMMON MINIMUM ADMISSIONS SCORES FOR ITS INSTITUTIONS, TO PROVIDE VARIATIONS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE ADVICE INSTITUTIONS SHOULD GIVE INDIVIDUALS WHO MEET THESE MINIMUM SCORES; TO AMEND SECTION 59-150-360, RELATING TO TUITION ASSISTANCE FOR STUDENTS WHO ATTEND TECHNICAL COLLEGES OR TWO-YEAR PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO PROVIDE THIS ASSISTANCE FOR STUDENTS SEEKING CERTAIN BUSINESS OR INDUSTRY CREDENTIALS, AMONG OTHER THINGS; BY ADDING SECTION 12-6-3800 SO AS TO ALLOW AN INCOME TAX CREDIT FOR A TAXPAYER WHO EMPLOYS A PUBLIC SCHOOL K4-12 TEACHER AS AN INTERN, TO PROVIDE THAT THE INTERNSHIP MUST BE APPROVED BY THE SCHOOL DISTRICT IN WHICH THE TEACHER IS EMPLOYED BASED ON

CRITERIA PROVIDED BY THE DEPARTMENT OF EDUCATION, AND TO PROVIDE FOR REPORTING REQUIREMENTS; TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND THE STATE BOARD OF EDUCATION TO REPORT RECOMMENDATIONS FOR TRANSFERRING ADULT BASIC EDUCATION AND ADULT SECONDARY EDUCATION TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND HOW TO BEST USE CAREER AND TECHNOLOGY CENTERS TO PROVIDE IMPROVED AND UPDATED TECHNICAL EDUCATION; TO AMEND SECTION 59-111-110, RELATING TO CERTAIN PEOPLE EXEMPT FROM PAYING TUITION TO ATTEND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO INCLUDE FULL-TIME CERTIFIED CLASSROOM TEACHERS EMPLOYED IN SCHOOLS WITH ABSOLUTE RATINGS OF BELOW AVERAGE OR UNSATISFACTORY FOR THREE OF THE FOUR PRECEDING YEARS; BY ADDING SECTION 59-111-155 SO AS TO PROVIDE A NECESSARY DEFINITION; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE SCHOOL BOARDS MAY REIMBURSE TEACHERS WHO MUST TRAVEL MORE THAN TWENTY-FIVE MILES EACH WAY BETWEEN HOME AND SCHOOL FOR MILEAGE AT A RATE NOT TO EXCEED THE FEDERAL RATE; TO AMEND SECTION 59-19-350, RELATING TO SCHOOLS OF CHOICE, SO AS TO PROVIDE SCHOOL DISTRICTS INSTEAD MAY CREATE MULTIPLE SCHOOLS OF INNOVATION; BY ADDING SECTION 59-8-1115 SO AS TO PROVIDE SCHOOLS RECEIVING OVERALL RATINGS OF "GOOD" OR "EXCELLENT" ON THEIR ANNUAL REPORT CARDS FOR AT LEAST TWO CONSECUTIVE YEARS MAY HIRE NONCERTIFIED TEACHERS FOR UP TO TWENTY-FIVE PERCENT OF ITS TEACHING STAFF AND TO PROVIDE REQUIREMENTS FOR NONCERTIFIED TEACHERS; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE EDUCATOR PREPARATION PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION MAY SUBMIT SEPARATE AND DISTINCT EDUCATOR PREPARATION PROGRAMS FOR ALTERNATIVE PREPARATION TO THE STATE BOARD OF EDUCATION FOR APPROVAL, TO PROVIDE THESE PROGRAMS ARE NOT REQUIRED TO BE NATIONALLY ACCREDITED BUT MUST MEET CERTAIN OTHER REQUIREMENTS, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL

REPORT RELATED DATA TO THE STATE BOARD OF EDUCATION AND THE GENERAL ASSEMBLY; TO AMEND SECTION 59-26-20, RELATING TO DUTIES OF THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION CONCERNING THE TRAINING, CERTIFICATION, AND EVALUATION OF PUBLIC EDUCATORS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS REGARDING A CYCLICAL EVALUATION PROCESS FOR APPROVED TEACHER EDUCATOR PROGRAMS, AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT; BY ADDING SECTION 59-25-52 SO AS TO INCREASE EFFORTS TO RETAIN EDUCATORS BY CONDUCTING A SEMIANNUAL WORKPLACE SATISFACTION OPINION SURVEY OF SOUTH CAROLINA PUBLIC SCHOOL TEACHERS, AND TO PROVIDE FOR THE REPORTING OF THE RESULTS OF THESE SURVEYS; TO AMEND SECTION 59-20-50, RELATING TO TEACHER SALARY SCHEDULES, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE DISTRICTS MAY PAY TEACHERS ANNUAL SALARIES AT LEAST EQUAL TO THE MINIMUM STARTING SCHEDULE FOR THEIR EXPERIENCE AND EDUCATIONAL ATTAINMENT, TO PROVIDE A MINIMUM STARTING SALARY FOR NEW TEACHERS, TO PROVIDE THIS STARTING SALARY MUST BE ESTABLISHED WITH THE GOAL OF REACHING THE SOUTHEASTERN AVERAGE, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO MAKE CERTAIN RECOMMENDATIONS FOR A PLAN TO REMOVE THE EXISTING TEACHER SALARY SCHEDULE AND IMPLEMENT

BETWEEN FIVE AND NINE CAREER BANDS, AMONG OTHER THINGS; BY ADDING ARTICLE 16 TO CHAPTER 18, TITLE 59 SO AS TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; BY ADDING SECTION 59-17-15 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION SHALL DEVELOP AND PROVIDE CERTAIN RECOMMENDATIONS CONCERNING THE CONSOLIDATION OF SCHOOL DISTRICTS; TO AMEND SECTION 59-39-100, RELATING TO REQUIREMENTS FOR HIGH SCHOOL DIPLOMAS, SO AS TO PROVIDE LOCAL SCHOOL BOARDS MAY REQUIRE ADDITIONAL UNITS OF STUDY FOR HIGH SCHOOL DIPLOMAS BEGINNING WITH STUDENTS ENTERING NINTH GRADE IN THE 2020-2021 SCHOOL YEAR; BY ADDING ARTICLE 5 TO CHAPTER 19, TITLE 59 SO AS TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE REQUIREMENTS FOR LOCAL SCHOOL BOARD GOVERNANCE AND BOARD MEMBER CONDUCT, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL CODE OF ETHICS FOR LOCAL SCHOOL BOARD MEMBER CONDUCT, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT CODES OF ETHICS BASED ON THIS MODEL CODE, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT NEPOTISM POLICIES THAT MEET CERTAIN MINIMUM REQUIREMENTS, TO PROHIBIT CONFLICTS OF INTEREST BY SCHOOL BOARD MEMBERS, TO PROVIDE FOR THE REFERRAL OF CONFLICT OF INTEREST ALLEGATIONS TO THE STATE ETHICS COMMISSION UPON A TWO-THIRDS VOTE OF SCHOOL BOARD MEMBERS PRESENT FOR SUCH A VOTE, TO REQUIRE NOTICE TO THE STATE BOARD OF EDUCATION WHEN A PUBLIC SCHOOL ACCREDITING BODY PLACES A DISTRICT OR SCHOOL ON A LEVEL OF ACCREDITATION THAT IMMEDIATELY PRECEDES ACCREDITATION LOSS FOR GOVERNANCE REASONS, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL CONDUCT A HEARING ON THE MATTER AND MAY RECOMMEND SUSPENSION OF A BOARD TO THE GOVERNOR, AND TO PROVIDE THE GOVERNOR MAY SUSPEND AN ENTIRE BOARD AND APPOINT A TEMPORARY BOARD; TO AMEND SECTION 59-18-920, RELATING TO THE REQUIREMENT THAT THE PERFORMANCE OF STUDENTS IN CHARTER SCHOOLS SPONSORED BY THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT MUST BE INCLUDED IN OVERALL

PERFORMANCE RATINGS, SO AS TO PROVIDE THIS REQUIREMENT ALSO APPLIES TO CHARTER SCHOOLS SPONSORED BY REGISTERED INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-19-55 SO AS TO PROVIDE SCHOOL BOARD TRUSTEES AND SCHOOL OFFICIALS SHALL COMPLY WITH CERTAIN ETHICS PROVISIONS APPLICABLE TO PUBLIC OFFICERS AND EMPLOYEES; BY ADDING SECTION 8-13-810 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL NOTIFY THE STATE ETHICS COMMISSION OF ANY SCHOOL BOARD TRUSTEE WHO FAILS TO COMPLETE REQUIRED ETHICS TRAINING, TO PROVIDE FAILURE OF A SCHOOL BOARD MEMBER TO COMPLETE THIS TRAINING CONSTITUTES A VIOLATION OF THE STATE ETHICS ACT AND SUBJECTS THE MEMBER TO CERTAIN CIVIL AND CRIMINAL PENALTIES, TO PROVIDE THE COMMISSION ALSO MAY IMPOSE ORAL OR WRITTEN WARNINGS OR REPRIMANDS, AND TO PROVIDE TRUSTEES MUST BE PROVIDED NOTICE AND OPPORTUNITY FOR A HEARING BEFORE THEIR POSITION ON THE SCHOOL BOARD MAY BE TERMINATED FOR VIOLATIONS OF THE STATE ETHICS ACT; TO AMEND SECTION 1-3-240, RELATING TO STATE AND COUNTY OFFICIALS SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR IN CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE SCHOOL BOARD TRUSTEES; TO AMEND SECTION 59-19-45, RELATING TO MANDATORY ORIENTATION FOR SCHOOL BOARD MEMBERS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL TRAINING PROGRAM FOR SCHOOL BOARD MEMBERS WHICH DISTRICTS SHALL ADOPT, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT LOCAL TRAINING PROGRAMS, AND TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH TRAINING TO BOARD MEMBERS WITHIN ONE YEAR AFTER TAKING OFFICE; TO AMEND SECTION 59-19-60, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES, SO AS TO REVISE THE GROUNDS FOR REMOVAL, THE MANNER OF REMOVAL, AND PROVISIONS CONCERNING THE FILLING OF SEATS VACATED BY REMOVAL, AMONG OTHER THINGS; BY ADDING SECTION 59-1-444 SO AS TO PROVIDE THE DEPARTMENT SHALL POST ALL REPORTS, STUDIES, PUBLISHED FINDINGS, MEMORANDA, GUIDELINES, RULES, AND CERTAIN OTHER DOCUMENTS ON ITS INTERNET

WEBSITE WITHIN TWENTY-FOUR HOURS AFTER BEING MADE PUBLIC, TO PROVIDE THE POSTING MUST BE IN A CERTAIN FORM AND MANNER EASILY LOCATABLE AND ACCESSIBLE FOR VIEWING AND DOWNLOADING BY THE PUBLIC, AND TO SUBJECT THE DEPARTMENT TO CERTAIN MONETARY FINES FOR NONCOMPLIANCE; TO AMEND SECTION 59-19-90, AS AMENDED, RELATING TO GENERAL POWERS AND DUTIES OF LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES MEMBERS, SO AS TO PROVIDE RULES ADOPTED BY THESE BOARDS MUST ALIGN WITH APPLICABLE STATE AND FEDERAL ACCOUNTABILITY STANDARDS; AND TO REPEAL ARTICLE 15 OF CHAPTER 18, TITLE 59 RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT AND SECTION 59-59-30 RELATING TO IMPLEMENTATION OF THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT.
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Senators HEMBREE and SETZLER spoke on the Bill.

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

S. 420 -- Senator Rice: A BILL TO AMEND SECTION 56-5-750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FAILURE TO STOP A MOTOR VEHICLE WHEN SIGNALED BY A LAW ENFORCEMENT VEHICLE, SO AS TO PROVIDE A PENALTY WHEN A VEHICLE LEADS AN OFFICER ON A HIGH-SPEED PURSUIT WHICH HAS BEEN VIDEO RECORDED.
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Read the first time and referred to the Committee on Judiciary.

S. 421 -- Senator Scott: A BILL TO AMEND SECTION 16-23-465, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PENALTY FOR UNLAWFULLY CARRYING A FIREARM INTO THE PREMISES OF A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT THIS SECTION DOES NOT APPLY TO A PERSON WHO HOLDS A CONCEALED WEAPON PERMIT WHILE CARRYING A FIREARM ONTO THE PREMISE UNDER CERTAIN CIRCUMSTANCES, TO

REVISE THE PENALTIES FOR A VIOLATION OF THIS SECTION, AND TO MAKE TECHNICAL CHANGES.
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Senator SCOTT spoke on the Bill.

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

S. 422 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-75-70 SO AS TO PROVIDE THAT AN INSURER MAY NOT DENY A CLAIM ARISING FROM A LEAK UNDER CERTAIN CIRCUMSTANCES.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 423 -- Senator Hutto: A BILL TO AMEND SECTION 16-23-420(A) OF THE 1976 CODE, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO POSSESS A FIREARM OF ANY KIND ON OR WITHIN ONE THOUSAND FEET OF ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION OR IN ANY PUBLICLY OWNED BUILDING, WITHOUT THE EXPRESS PERMISSION OF THE AUTHORITIES IN CHARGE OF THE PREMISES OR PROPERTY.
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Read the first time and referred to the Committee on Judiciary.

S. 424 -- Senators Campbell, Talley, Scott, Reese, M. B. Matthews and Gambrell: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE

QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

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

S. 425 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-60 SO AS TO PROVIDE NO STUDENT-TEACHER CLASSROOM RATIO CREATED BY STATUTE, RESOLUTION, OR REGULATION MAY BE WAIVED OR OTHERWISE CHANGED TEMPORARILY OR PERMANENTLY BY ANY LEGISLATIVE MEASURE ABSENT A TWO-THIRDS VOTE OF APPROVAL BY THE MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES AND A TWO-THIRDS VOTE OF APPROVAL BY THE MEMBERSHIP OF THE SENATE.

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

S. 426 -- Senator Goldfinch: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

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

S. 427 -- Senator Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 12 SO AS TO ENACT THE "SOUTH CAROLINA AGRIBUSINESS, RURAL, AND OPPORTUNITY ZONE JOBS ACT", TO PROVIDE DEFINITIONS, TO PROVIDE THE DEPARTMENT OF REVENUE SHALL ACCEPT APPLICATIONS FOR APPROVAL AS A GROWTH FUND, TO PROVIDE FOR CRITERIA FOR THE DEPARTMENT TO EITHER GRANT OR DENY AN APPLICATION, TO PROVIDE FOR CERTAIN INCOME TAX CREDITS, TO PROVIDE FOR CRITERIA FOR THE DEPARTMENT TO REVOKE A TAX CREDIT CERTIFICATE, TO PROVIDE THAT A GROWTH FUND MAY REQUEST FROM THE DEPARTMENT CERTAIN WRITTEN OPINIONS, TO PROVIDE FOR THE SUBMITTAL OF REPORTS, TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE RULES AND ISSUE FORMS AND NOTICES, AND TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY THE DEPARTMENT OF INSURANCE OF THE NAME OF ANY INSURANCE COMPANY ALLOCATED CERTAIN TAX CREDITS.
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Read the first time and referred to the Committee on Finance.

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

S. 429 -- Senator Malloy: A SENATE RESOLUTION TO SUPPORT THE TOWN OF PAGELAND'S BID TO BE SELECTED FOR THE TELEVISION PROGRAM SMALL BUSINESS REVOLUTION - MAIN STREET AND TO RECOGNIZE JANUARY 24, 2019, AS "MY PAGELAND DAY" IN SOUTH CAROLINA IN RECOGNITION OF THE TOWN'S OUTSTANDING CAMPAIGN.
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The Senate Resolution was adopted.

S. 430 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 10-16, 2019, AS "MEDICAL ASSISTANTS WEEK" IN SOUTH CAROLINA AND TO RECOGNIZE THE VITAL AND VALUABLE WORK OF MEDICAL ASSISTANTS IN THE HEALTHCARE PROFESSION.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 431 -- Senators Hutto and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-112-45 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR STATE-SUPPORTED SCHOLARSHIPS AND GRANTS; AND BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.
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Read the first time and referred to the Committee on Education.

S. 432 -- Senators Hutto and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-7-47 SO AS TO PROHIBIT MINORS FROM USING SOURCES OF NONIONIZED RADIATION WHICH ARE USED IN COMMERCIAL ESTABLISHMENTS FOR THE TANNING OF HUMAN SKIN, TO REQUIRE IDENTIFICATION OF AGE FOR CUSTOMERS WHO UTILIZE TANNING DEVICES, TO REQUIRE POSTING AND WRITTEN STATEMENTS OF WARNING INFORMATION REGARDING THE HEALTH RISKS AND EFFECTS OF TANNING, AND TO ESTABLISH A CIVIL PENALTY

FOR REGISTRANTS WHO FAIL TO ADHERE TO THESE PROVISIONS.

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

S. 433 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 52 TO TITLE 12 SO AS TO PROVIDE DEFINITIONS; TO PROVIDE THAT EACH COUNTY SHALL DESIGNATE A TAX COLLECTOR FOR THE COLLECTION OF PROPERTY TAXES AND PREPARE A TAX COLLECTION NOTICE; TO PROVIDE FOR CERTAIN PENALTIES; TO PROVIDE FOR A DELINQUENT TAX SALE IN CERTAIN INSTANCES; TO PROVIDE THAT A PROPERTY ADVERTISED FOR SALE MUST BE SOLD AT PUBLIC AUCTION; TO PROVIDE FOR AN INITIAL BID TO BE PLACED ON BEHALF OF THE FORFEITED LAND COMMISSION AND PROVIDE A PROCEDURE TO VOID A BID IN THE CASE OF CONTAMINATED PROPERTY; TO PROVIDE FOR CERTAIN CANCELLATIONS OF BIDS WHEN THE SUCCESSFUL BIDDER FAILS TO REMIT THE FULL AMOUNT OF THE BID; TO PROVIDE FOR REQUIREMENTS FOR PROVIDING A RECEIPT TO A SUCCESSFUL BIDDER; TO PROVIDE FOR REQUIREMENTS FOR A SUCCESSFUL BIDDER WHO ASSIGNS HIS INTERESTS; TO PROVIDE FOR A NOTICE REQUIREMENT BEFORE THE END OF THE REDEMPTION PERIOD TO THE DEFAULTING TAXPAYER; TO PROVIDE THAT THERE IS NO REDEMPTION PERIOD FOR PERSONAL PROPERTY; TO PROVIDE THAT IF A PROPERTY IS REDEEMED THEN THE TAX COLLECTOR SHALL CANCEL THE SALE; TO PROVIDE FOR THE REDEMPTION OF MOBILE HOMES; TO PROVIDE THAT IN ORDER FOR AN OWNER OF A MOBILE HOME TO REDEEM HIS PROPERTY, THE MOBILE HOME MAY NOT BE REMOVED FROM ITS LOCATION; TO PROVIDE FOR THE ADOPTION OF CERTAIN PROVISIONS RELATING TO CERTAIN NOTICES TO MORTGAGEES; TO PROVIDE FOR THE VOID OF A TAX SALE IN CERTAIN INSTANCES; TO PROVIDE FOR CERTAIN OVERAGES FROM A TAX SALE AND PROVIDE NOTICE OF THE OVERAGES; TO PROVIDE THAT THE TAX COLLECTOR SHALL MAINTAIN PROOF THAT THE LAW GOVERNING TAX SALES HAS BEEN COMPLIED WITH; TO PROVIDE THAT A MUNICIPALITY MAY

CONTRACT WITH A COUNTY FOR THE COLLECTION OF MUNICIPAL TAXES BY THE COUNTY; TO PROVIDE WHO MAY BRING AN ACTION TO SET ASIDE A TAX SALE; TO PROVIDE THAT THE EXISTENCE AND PRIORITY OF CERTAIN EASEMENTS ARE NOT AFFECTED BY THIS CHAPTER; AND TO REPEAL CHAPTER 51, TITLE 12 RELATING TO THE PROCEDURE FOR THE COLLECTION OF PROPERTY TAXES.
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Read the first time and referred to the Committee on Finance.

H. 3012 -- Reps. McDaniel, S. Williams, Moore, Brawley and Gilliard: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT THE SCHOOLS AND SCHOOL DISTRICTS OF THIS STATE SHOULD UTILIZE THE EDUCATION RATE PROGRAM OF THE FEDERAL COMMUNICATIONS COMMISSION (E-RATE) ESTABLISHED BY THE TELECOMMUNICATIONS ACT OF 1996 WHICH PROVIDES DISCOUNTS ON INTERNET ACCESS AND TELECOMMUNICATIONS SERVICES FOR SCHOOLS AND SCHOOL DISTRICTS WITH HIGHER POVERTY LEVELS IN THEIR STUDENT POPULATION THAT WOULD BE OF GREAT BENEFIT TO THESE STUDENTS.

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

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

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

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO

STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, February 5, 2019 - 5:30pm-7:00pm
Members Only, Reception, Marriott Hotel, 1200 Hampton Street, by the **MUNICIPAL ASSOCIATION OF SOUTH CAROLINA**

Tuesday, February 5, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, The Palmetto Club, 1231 Sumter Street, by the **SC FUNERAL DIRECTORS ASSOCIATION (SCFDA)**

Wednesday, February 6, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA WATER UTILITY COUNCIL**

Wednesday, February 6, 2019 - 12:00pm-2:00pm
Members Only, Luncheon, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT (SCACED)**

Wednesday, February 6, 2019 - 12:00pm-2:00pm
Members Only, Luncheon, The Palmetto Club, by the **SC OPTOMETRIC PHYSICIANS ASSOCIATION**

Wednesday, February 6, 2019 - 5:30pm-7:30pm
Members and Staff, Reception, Columbia Museum of Art, 1515 Main Street, by **RICHLAND COUNTY GOVERNMENT**

Thursday, February 7, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

Tuesday, February 12, 2019 - 5:00pm-7:00pm
Members and Staff, Reception, Hilton Columbia Center, Palmetto Ballroom, by the **SOUTH CAROLINA ASSOCIATION OF REALTORS**

Tuesday, February 12, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, The Grand on Main Street, downtown Columbia, by the **CITY OF COLUMBIA**

Wednesday, February 13, 2019 - 8:00am-10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA ARTS ALLIANCE**

Wednesday, February 13, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, Columbia Museum of Art, by **FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP AND FLORENCE COUNTY PROGRESS**

Thursday, February 14, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA SPEECH LANGUAGE AND HEARING ASSOCIATION**

Tuesday, February 19, 2019 - 6:00pm-8:00pm
Members Only, Reception, Columbia Metropolitan Convention Center, by the **LEXINGTON COUNTY NIGHT COMMITTEE**

Wednesday, February 20, 2019 - 8:00am-10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATION OF PROBATE JUDGES**

Wednesday, February 20, 2019 - 12:00pm-2:00pm
Members and Staff, Luncheon, 112 Blatt Building, by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

Wednesday, February 20, 2019 - 5:00pm-7:00pm
Members and Staff, Reception, The Palmetto Club, by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

Wednesday, February 20, 2019 - 5:00pm-7:30pm
Members and Staff, Reception, Nelson Mullins Offices - 1320 Main Street, 17th Floor ABC Room, by the **SOUTH CAROLINA RESEARCH AUTHORITY (SCRA)**

Thursday, February 21, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA CONSERVATION COALITION**

Tuesday, February 26, 2019 - 5:30pm-8:00pm
Members, 300 Senate Street, by the **THE NATURE CONSERVANCY, DUCKS UNLIMITED AND THE SC LAND TRUST NETWORK**

Tuesday, February 26, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, Hall at Senate's End, 320 Senate Street, by **CLEMSON UNIVERSITY AND THE CLEMSON UNIVERSITY FOUNDATION**

Tuesday, February 26, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, Columbia Metropolitan Convention Center, by the **ELECTRIC COOPERATIVES OF SC**

Wednesday, February 27, 2019 - 8:00am-10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS**

Wednesday, February 27, 2019 - 12:00am-2:00pm
Members Only, Luncheon, State House Grounds, by the **SOUTH CAROLINA BAPTIST CONVENTION**

Wednesday, February 27, 2019 - 6:00pm-9:00pm
Members and Staff, Reception, Columbia Metropolitan Convention Center, by the **MYRTLE BEACH AREA CHAMBER OF COMMERCE**

Thursday, February 28, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services polled out S. 12 favorable:

S. 12 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS "BARBERS' DAY" IN SOUTH CAROLINA.

Poll of the Committee on Family and Veterans' Services
Polled 15; Ayes 15; Nays 0; Abstain 0; Not Voting 2

AYES

Shealy	Sheheen	Young
Johnson	McElveen	Turner
Climer	Fanning	Gambrell
Cash	Verdin	Cromer
Gregory	*Matthews, Margie*	Harpootlian

Total--15

NAYS

Total--0

NOT VOTING

McLeod	Talley

Total--2

Ordered for consideration tomorrow.

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

S. 35 -- Senators Grooms and Campsen: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH

STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 75 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT

AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38, TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH

CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 382 -- Senators Alexander, Rankin and Hutto: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, FEBRUARY 6, 2019, IMMEDIATELY FOLLOWING THE ELECTIONS FOR THE POSITIONS NAMED IN THE CONCURRENT RESOLUTION IN WHICH CANDIDATES SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.

Returned with concurrence.

Received as information.

S. 409 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LAMAR RICHARDS, A SENIOR IN THE DUAL ENROLLMENT PROGRAM AT RICHLAND ONE MIDDLE COLLEGE, FOR HIS OUTSTANDING ACADEMIC ACHIEVEMENT AND TO CONGRATULATE HIM FOR WINNING THE TENTH ANNUAL LOUISIANA STATE UNIVERSITY UNDERGRADUATE RESEARCH CONFERENCE.

Returned with concurrence.

Received as information.

S. 411 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BENNIE MCMURRAY FOR HIS THIRTY-EIGHT YEARS OF DEDICATED SERVICE AS A COACH IN THE PALMETTO STATE, PREPARING YOUNG PEOPLE TO BECOME PROFESSIONAL ATHLETES, AND TO EXPRESS GRATITUDE FOR HIS ROLE IN PREPARING YOUNG PEOPLE TO TAKE THEIR PLACES AS PRODUCTIVE CITIZENS.

Returned with concurrence.

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. 94 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 24-21-710 OF THE 1976 CODE, RELATING TO FILM, VIDEOTAPE, OR OTHER ELECTRONIC INFORMATION THAT MAY BE CONSIDERED BY THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IN PAROLE DETERMINATION, TO PROVIDE THAT THE VICTIM OF A CRIME'S IMMEDIATE FAMILY MAY SUBMIT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION, TO PROVIDE THAT ANY FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OR THE VICTIM'S IMMEDIATE FAMILY MUST BE RETAINED BY THE BOARD AND MUST BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS UNLESS THE SUBMITTING PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION NO LONGER REPRESENTS THE PRESENT POSITION OF THE PERSON, AND TO PROVIDE THAT FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE PROSECUTING SOLICITOR'S OFFICE OR THE PERSON WHOSE PAROLE IS BEING CONSIDERED MAY BE SUBMITTED AT SUBSEQUENT PAROLE HEARINGS EACH TIME THE SUBMITTING OFFICE OR PERSON PROVIDES A WRITTEN STATEMENT DECLARING THAT THE INFORMATION REPRESENTS THE PRESENT POSITION OF THE OFFICE OR PERSON; AND TO AMEND SECTION 30-4-40(a) OF THE 1976 CODE, RELATING TO MATTERS EXEMPT FROM DISCLOSURE, TO PROVIDE THAT A PUBLIC BODY MAY EXEMPT FROM DISCLOSURE FILM, VIDEOTAPE, OR WRITTEN OR OTHER ELECTRONIC INFORMATION SUBMITTED BY THE VICTIM OF A CRIME FOR WHICH A PRISONER HAS BEEN SENTENCED OR BY THE VICTIM'S IMMEDIATE FAMILY.

S. 227 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2019, OR A MUNICIPALITY THAT

INCORPORATES AFTER JANUARY 1, 2019, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

Recorded Vote

Senator VERDIN desired to be recorded as voting against the third reading of the Bill.

READ THE SECOND TIME

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Motion Under Rule 26B

Senator MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 16 -- Senators Rankin and Cash: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (16R003.SP.DBV), which was adopted:

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

/ SECTION 1. Section 40-43-86(P) of the 1976 Code is amended to read:

"(P) If a pharmacist receives a request for a prescription refill and the pharmacist is unable to obtain refill authorization from the prescriber, the pharmacist may dispense, once within a twelve-month period, an emergency refill of up to a ~~ten-day~~ fourteen-day supply of the prescribed medication if:

(1) the prescription is not for a controlled substance;

(2) the medication is essential to the maintenance of life or to the continuation of therapy;

(3) in the pharmacist's professional judgment, continuing the therapy for up to ~~ten~~ fourteen days will produce no undesirable health consequences or cause physical or mental discomfort;

(4) the pharmacist properly records the dispensing; and

(5) the dispensing pharmacist notifies the prescriber of the refill and the amount of the refill, not to exceed a ~~ten-day~~ fourteen-day supply, within a reasonable time, but no later than ten days after the once in twelve months refill dispensing." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the committee amendment.

The amendment was adopted.

Senators CASH and RANKIN proposed the following amendment (16R006.SP.RJC), which was adopted:

Amend the bill, as and if amended, by inserting after item (5):

/ In the event that a pharmacist is unable to dispense an emergency refill for the time period specified in this subsection due to the medication's packaging, the pharmacist is permitted to dispense up to a thirty-day quantity of the medication so long as the requirements contained in this subsection are otherwise met." /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill, as amended.

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

THURSDAY, JANUARY 24, 2019

Motion Under Rule 26B

Senator RANKIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0021.001), which was adopted:

Amend the bill, as and if amended, beginning on page 1, by striking lines 26 through 41 on page 1 and lines 1 through 8 on page 2, in Section 63-17-70, as contained in SECTION 1, and inserting therein the following:

/ "Section 63-17-70. (A)(1) Upon a finding that the putative father is the natural father of the child, the court must issue an order designating the putative father as the natural father and ordering that the birth certificate be amended to include the name of the father.

(2) The order ~~also shall~~ must:

(a) set forth the social security numbers, or the alien identification numbers assigned to resident aliens who do not have social security numbers, of both parents~~. The order shall~~;

(b) establish a duty of support and provide for child support payments in amounts and at a frequency to be determined by the court~~. The order also shall~~; and

(c) provide for other relief which has been properly prayed for in the pleadings and which is considered reasonable and just by the court.

(B) Upon a finding that the putative father is not the father of the child, the court shall issue an order which sets forth this finding.

(C) Upon entry of a court order or an administrative determination that the putative father is the legal father pursuant to subsection (A), the clerk of court shall send a report to the Registrar of the Division of Vital Statistics of the Department of Health and Environmental Control

showing such information as may be required on an amended certificate of birth to be furnished by the Division of Vital Statistics of the Department of Health and Environmental Control." /

Amend the bill further, as and if amended, page 2, by striking line 13, in Section 44-63-163, as contained in SECTION 2, and inserting therein the following:

/ "Section 44-63-163. Upon entry of a court order or an /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the committee amendment.

The amendment was adopted.

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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

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

READ THE SECOND TIME

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

READ THE SECOND TIME

S. 168 -- Senators Hembree, Setzler, Climer, Leatherman, Cromer, Johnson, Rice, Young, Verdin, Alexander and Campsen: A JOINT RESOLUTION TO PROVIDE THE STATE DEPARTMENT OF

EDUCATION SHALL DEVELOP RECOMMENDATIONS FOR REDUCING AND STREAMLINING THE AMOUNT OF PAPERWORK AND REPORTING REQUIREMENTS OF TEACHERS, SCHOOLS, AND SCHOOL DISTRICTS, TO PROVIDE REQUIREMENTS FOR THE CONTENT OF THESE RECOMMENDATIONS, AND TO PROVIDE THE DEPARTMENT SHALL REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 15, 2020.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

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

Motion Under Rule 26B

Senator MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0194.004), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 25-29 and inserting:

/ (C) It is an affirmative defense to a prosecution for a violation of this section subject to the requirements of Section 16-3-2020(F), that, during the commission of the offense, the defendant was a victim of trafficking in persons as defined by Section 16-3-2010(9).

(D) Notwithstanding the other provisions of this section, a minor under the age of eighteen at the time of the incident may not be prosecuted pursuant to this section." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

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
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

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

POINT OF ORDER

S. 196 -- Senators Shealy, Hutto, Jackson and Senn: A BILL TO REPEAL SECTION 20-1-300 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 228 -- Senator Gambrell: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT

OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

Senator M.B. MATTHEWS objected to the consideration of the Bill.

CARRIED OVER

S. 214 -- Senators Kimpson, Sheheen, Gregory and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

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

COMMITTEE AMENDMENT ADOPTED
ADOPTED

S. 169 -- Senators Hembree, Senn and Campsen: A CONCURRENT RESOLUTION TO URGE THE FEDERAL GOVERNMENT TO WORK EXPEDITIOUSLY TO REMOVE BARRIERS TO CONDUCTING RESEARCH ON THE USE OF CANNABIS TO TREAT MEDICAL CONDITIONS AND ILLNESSES.

The Senate proceeded to a consideration of the Resolution.

THURSDAY, JANUARY 24, 2019

The Committee on Medical Affairs proposed the following amendment (169R002.SP.DBV), which was adopted:

Amend the concurrent resolution, as and if amended, page 2, by striking line 14 and inserting:

/ urges the United States Attorney General and Congress to take immediate and additional steps to promote /

Amend the bill further, as and if amended, page 2, by striking line 21 and inserting:

/ the President of the United States, the United States Attorney General, the President and President Pro /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the committee amendment.

The amendment was adopted.

The question being the adoption of the Resolution, as amended.

The Resolution, as amended, was adopted and ordered sent to the House.

REPORT RECEIVED

College and University Trustee Screening Commission

Senator Harvey S. Peeler, Jr., Chairman
Senator Thomas C. Alexander
Senator John. L. Scott, Jr.
Senator Daniel B. "Danny" Verdin, III

Staff:
Martha Casto
Julie Price

Representative William R. Whitmire, Vice-Chairman
Representative John King
Representative Sylleste Davis
Representative Gary E. Clary

THURSDAY, JANUARY 24, 2019

213 Gressette Building
P.O. Box 142
Columbia, South Carolina 29202
Phone: (803) 212-6430
Email: President@scsenate.gov

College and University Trustee
Screening Commission
Report to the General Assembly
January 24, 2019

The Citadel
At-Large - expires 2023 (one seat)
CANDIDATES FOUND QUALIFIED AND NOMINATED
Walt H. Cartin -- *Columbia*
James E. Nicholson -- *Lexington*

Medical University of South Carolina
4th Congressional District - medical seat - expires 2020
COMMISSION CARRIED OVER ALL CANDIDATES
NO NOMINATIONS

College of Charleston
5th Congressional district- seat 10 - expires 2020
CANDIDATES FOUND QUALIFIED AND NOMINATED
R. Laurin Burch -- *Camden*
Adam J. Smith -- *Fort Mill*

Old Exchange Commission
At-Large - expires 2020 (two seats)
CANDIDATES FOUND QUALIFIED AND NOMINATED
Catherine M. Patterson -- *Lexington*
J. Tracy Power -- *Columbia*

STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION

SCREENINGS

Date: Monday, January 14, 2019
Time: 1:30 P.M.
Location: 209 Gressette Building
1101 Pendleton Street
Columbia, South Carolina 29201

THURSDAY, JANUARY 24, 2019

Committee Members Present:
Chairman Senator Harvey S. Peeler, Jr., Chairman
Representative William R. Whitmire, Vice-Chairman
Senator John L. Scott
Senator Daniel B. Verdin, III
Representative Richard C. King
Representative Sylleste H. Davis
Representative Gary E. Clary

Also Present:
Martha Casto, Staff
Julie Price, Staff

CHAIRMAN SENATOR PEELER: I'll call the meeting to order. College and University Trustees Screening Commission. I'd like to welcome everyone. I pray that God continues to bless us all.

Members and folks in the audience, I'd like the staff to publish the commission's schedule for February.

MS. CASTO: Yes, sir, Mr. Chairman.

Behind your agenda is the commission's schedule that we have. The screening is today. The transcript will be printed in the journal next Thursday, January 24, for these four entities. And then on Wednesday, January 30, at noon, the candidates will be released for commitments. And that's on Wednesday, January 30, at noon.

Then the election. Pending the adoption -- it's passed the Senate, it's sitting in the House -- of S14 to set the date, the election will be February 6 at 12 noon in the house chamber. That will include the judicial elections this election.

After that, you have 11 more seats, one for The Citadel, three Coastal Carolina, and three Wil Lou Gray seats that have not been advertised yet because the elections cannot be held until after April 1, so we were waiting to get through this round of screening.

CHAIRMAN SENATOR PEELER: I like to welcome Representative Clary, a new member of the commission.

REPRESENTATIVE CLARY: Thank you, sir.

CHAIRMAN SENATOR PEELER: Go Tigers!

Any questions or comments so far?

Hearing none, we'll get started with the agenda.

First up, The Citadel, At Large, expires 2023, one seat. We have two candidates. The first candidate is Walt H. Cartin from Columbia.

Mr. Cartin, would you come forward.

MR. CARTIN: Mr. Chairman.

MS. CASTO: Members of the committee, he is behind Tab A, his information, and then there is a skinny I've done on all the candidates on the inside jacket of your notebooks.

CHAIRMAN SENATOR PEELER: Mr. Cartin, let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. CARTIN: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement to the commission on why you'd like to serve on The Citadel board?

MR. CARTIN: I would, Mr. Chairman.

Mr. Chairman, members of the committee, my name is Walt Cartin. I'm from here in Richland County in Columbia. I am a 2002 graduate of The Citadel.

I graduated and immediately went to serve in the United States Army where I served as an infantry officer stationed at Schofield Barracks, Hawaii. I was deployed to Iraq where I served as an infantry rifle platoon leader, a scout platoon leader, and finally as an executive officer at the end of my 14-month tour in Iraq.

Following that time, I attended the University of South Carolina School of Law where I graduated in 2009. I have been practicing law here with Parker Poe Adams & Bernstein as a healthcare attorney representing a variety of corporate clients since 2009.

In 2017 I completed a master's in business administration at the University of North Carolina at Chapel Hill.

I believe and want to run for The Citadel because I believe I can add certain value. 2001, in particular September 11, 2001, was a watershed moment for our country. On September 11, our nation was attacked and subsequently launched us into two decades' worth of war. We are now to the point where soldiers who will serve in Afghanistan this year may not actually have been born on September 11.

In addition to the military changes that have occurred, there also been substantial changes to the way in which college is funded. When I graduated in 2002, I was right at the very bottom of the school debt bubble. It has subsequently, I believe, gotten a little bit out of hand. As tuition has risen far past the rate of inflation and far past the rate at which South Carolinians' paychecks have grown, it's created a substantial problem.

As someone who graduated post-2001, I believe I am uniquely situated. I dealt with some of these issues personally. I graduated from

law school in an economy that was terrible, so I'm familiar with some of the unique challenges that many of the millennials are facing.

So I don't want to take up too much of the committee's time. I think I've already gone a little bit longer that was intended. But I'll just wrap up and say I think that based on my life experience and unique time at which I graduated from The Citadel, I think I can be of service to the board, and I would like to do that.

CHAIRMAN SENATOR PEELER: Thank you for your willingness to serve.

Does the commission have any questions, comments?

REPRESENTATIVE WHITMIRE: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman, President, whatever else you are now.

Thank you for your service to our country. Infantry, speaking from experience, I wasn't quite as high up the chain as you were, so I can appreciate what you've done.

I notice you said that the biggest weakness of The Citadel is academic rigor to be improved. Could you expand on that a little bit and in what areas?

MR. CARTIN: Absolutely.

I graduated in 2002 and had some time before I started law school, but when I started law school at the University of South Carolina, right across the street here, I felt like I was not adequately prepared to meet the challenge, to get into the mix with a number of the students who had graduated from other state universities. That's a very honest, very canderous opinion that I can give to you.

And that's to say I graduated from The Citadel with departmental honors in the English department, but I found that my own analytical skills were lacking, and I felt like they had not been adequately developed. And as I look back now on the curriculum, I feel like it could have been a little bit more difficult. I feel like some of our core classes, some of the grading standards -- I feel like there was some checking the block that was going on.

So I would spend specific and special attention to ensuring that our curriculum is consistent with what other schools in South Carolina and the nation are preparing their students to deal with and to actively compete both in postgraduate education and in the workforce.

REPRESENTATIVE WHITMIRE: I'm kind of surprised because I just assumed The Citadel was already more academically rigorous than some

of our other state schools. So you're saying you would push to raise the bar or standard over what's happening now.

MR. CARTIN: I do. I believe you can always raise the bar on academic excellence. I think there's a question in there about how do we -- do we need to grow the student body population. I think we need to focus on recruiting the highest and most talented folks that we possibly can. And one of the ways that you do that is to raise the academic reputation.

REPRESENTATIVE WHITMIRE: How many students does The Citadel have now? Do you know?

MR. CARTIN: Twenty-three hundred.

REPRESENTATIVE WHITMIRE: And that's been pretty standard throughout the years?

MR. CARTIN: It grew just recently because they added another battalion. Because of geographically where The Citadel is, it really can't grow. There's not much room. It's kind of like, akin to VMI in that it's landlocked, VMI by the mountains and The Citadel, certainly, by the rivers that surround it, the wetlands.

So the ability to grow that student body much bigger I think is limited while still preserving some of the unique characteristics of The Citadel.

REPRESENTATIVE WHITMIRE: Do you favor keeping those characteristics as they are now as opposed to any change in the future for The Citadel?

MR. CARTIN: I do. I think that it is important to maintain that tradition, some of those traditional things that generations of Citadel folks who were there in the '50s, the '60s, the '70s can come back and have a common point of reference with many of the different age groups that have graduated in subsequent years.

And specifically, what I'm thinking about is the quad system where fourth classmen are required to go out, sweep the quad, to assemble on the quad. If you were to raise either the height of the buildings, you would start to pack that area too much. That's sort of a central area to campus life.

It's kind of like the Horseshoe at USC or something like or -- you know, I didn't go to Clemson, but I'd imagine there's some similar place like that that's unique. And I think our battalions are like that. So if you were to change the physical design, I think you would lose a little bit of sort of the traditional experience that binds generations of Citadel graduates together.

REPRESENTATIVE WHITMIRE: If you haven't been to Clemson recently, they are changing the landscape quite considerably up there, I don't know if for the better or not.

I will say one other thing, though. The Citadel barbecue every year, I am amazed at the closeness of the graduates going back to the '50s and '60s to recently. It's just a unique, unique school, and I appreciate your willingness to serve what I consider one of our crown jewels in the state.

MR. CARTIN: Thank you, Representative Whitmire.

CHAIRMAN SENATOR PEELER: Thank you.

Any other questions or comments?

Senator Scott.

SENATOR SCOTT: Yes, sir. Thank you.

And thank you so much for your willingness to serve.

I'm a little concerned about maintaining The Citadel in the same position, some of the same qualities it had in the '50s and '60s. You were there in 2002 when it underwent its change to allow women to come to The Citadel. Now you guys have got, what, five battalions, and two of the five are led by women.

And so I'm concerned about that along with trying to maintain the same status quo. And I'm just trying to, I guess, paraphrase what you meant --

MR. CARTIN: Oh. No.

SENATOR SCOTT: -- what you said, and I hope that's not what you meant, as we move the state, of course, to try to bring more South Carolinians into some of the schools and try to integrate some of the behavior with some of the schools.

Twenty-three hundred is a good-sized school. It's not a small school for a South Carolina school. And if I'm not reading you correctly, would you please, sir, correct me on that thought process because maybe I got lost in that thought process.

I've got a question coming after that one.

MR. CARTIN: Senator Scott, thank you very much for that question.

What I meant by maintaining some of the traditions is there are certain things, like the Citadel ring, for instance. Every generation that's graduated has the same ring. And these are sort of common points of reference that bind the group together. Some of the physical attributes of the school, the parade deck, things like that, are more what I was referencing.

The student body is certainly changed. I think right now we're at 8.6 percent female participation in the Corps. When I was there in 2002 Ms. Mace -- Representative Mace now -- was the first female graduate, in the Class of 1999.

I was there when -- I witnessed some of the challenges that she faced and have some sympathies for the folks and some deep admiration for

the very brave people that came after her to really establish a spot for female cadets in the Corps.

In addition, we've got about 25 percent minority participation. I'm not sure what the exact racial breakdown is there.

But, you know, one of the things that I think about and what I think would make me unique is I would be one of only two other millennials or one other millennial on the board. And why is that important for diversity? Because the way you appeal to different diverse groups, I think, is affected by their generation.

The generation coming up today doesn't consume information, and so when we're advertising to recruit more diverse candidates, we've got to make sure that we are advertising to them in such a way, reaching out to them in such a way that it's actually getting to them.

So how would that -- what would happen -- what would be an example of that? You know, if we are advertising in traditional print media or if we are advertising with pop-up ads on websites that are frequented by a particular demographic that might not be reaching some of the more diverse candidates, the good candidates that we want there to strengthen our institution.

So I absolutely do not believe at all that The Citadel should be static in certain respects, but there are wonderful traditions, as there at any school, that I think are important and are good for creating cohesion amongst the generations.

SENATOR SCOTT: My last question: What is your real thought process as it relates to diversity with faculty, students, administrators at The Citadel?

MR. CARTIN: So in my law firm I've been very involved with our diversity and inclusion committee. We have a very active program. So I've seen in a corporate setting how a successful program, an award-winning program -- a number of different chambers of commerce, both Charlotte and locally in Columbia, have given us accolades -- can work.

And I think what it really drills down to is making sure that we are paying special attention to ensure that we are doing what we can to recruit both diverse faculty and diverse student bodies -- sometimes they're overlooked groups, again -- and who we're reaching out to.

Where are we sending our representatives out to speak at different Rotary Clubs and so forth? Are we ignoring certain neighborhoods? Are we ignoring certain high schools when we send recruiters to go talk to students, participating in college fairs and so forth?

So I think it takes a deliberate, intentional process whereby we actively reach out to those groups to find qualified candidates, because they may

not be looking for a place like The Citadel, and they don't know they need to come there until we tell them about the school and what it can offer.

SENATOR SCOTT: Thank you, sir.

CHAIRMAN SENATOR PEELER: Thank you.

Any others?

REPRESENTATIVE KING: I have a question.

CHAIRMAN SENATOR PEELER: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman.

I just have a quick question just to follow up on Senator Scott. And what I've experienced at the university in my district, which is Winthrop, is that in trying to reach, I guess, quotas, if you would say it as a quota, minorities on staff or as instructors, they are sometimes put in places as adjunct instructors with no pathway of being tenured or a full-time instructor.

What would you do to ensure that people -- minorities would be advanced at The Citadel?

MR. CARTIN: I think you have to develop policies about how faculty is recruited and how faculty is hired, and I think you have to enforce those without regard to race and you have to make an intention that you're not.

I think you have to take a hard look at it every year. It's not something you can look at in a five-year strategic plan and then stick it on a shelf and not worry about it. It's the type of thing that you have to annually, if not quarterly, go back and look and see what we're doing.

Are we working to recruit them? And are the types of people that we're working to recruit the kinds that are going to be tenure-track professors versus adjuncts? If all we're looking to recruit is adjuncts, we shouldn't be surprised when all we're getting is adjuncts, you know.

I will tell you there is a lot of competition nationally for diverse, tenure-qualified professors. I mean, that's a fact. And so we are up against schools like Harvard, Chapel Hill, Clemson, USC, not to offend anybody. I'll make sure I include all the South Carolina schools.

There's a lot of competition for those diverse candidates, and we need to make sure that we're putting the resources in to get the types of folks that, A, meet the qualifications that we need for those professorships and, B, can provide value to our students through their unique experiences.

REPRESENTATIVE KING: And I guess my last comment to you is, I was just in a hearing last week when Winthrop came to the state capitol to talk about their budget, and on their team that came down, there was not one person of color. And I'm not just speaking of African Americans.

There was no person of color that was on their leadership team. And I think that's a shame on Winthrop, and I would hope that you would promote something different as a member of the board at The Citadel.

MR. CARTIN: Yes, sir.

REPRESENTATIVE CLARY: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Thank you, Mr. Chairman.

Mr. Cartin, I wanted to follow up on your comment about the academic rigor at The Citadel. I think back to my law school days, and when I came in, a lot of very good friends who attended The Citadel, I thought they were as well prepared as anyone who was there.

Is your comment about the academic rigor at The Citadel -- is that throughout the institution, or is it the fact that you received a bachelor's degree in English? I had a history major and an English minor at Clemson, which was kind of unheard of.

So tell me about that because that's something that is concerning to me when I look at The Citadel because I've always had such a high regard for the academic quality there. So explain that to me a little bit better.

MR. CARTIN: I do not think it's as evenly distributed. I think there are certain pockets of excellence there. I think that the civil engineering program at The Citadel is in the top 25 in the country, I have heard. Certainly in the Southeast, it's going to be up there.

As I recall from my time being at The Citadel, and certainly, again, as a candidate who's not privy to all the information, I can give you basically what my impressions are, what my anecdotal experiences was.

I started out there as a business major and quickly changed over to English when I found that I had, as a freshman, with all the demands of a knob, gotten a 3.9 GPA. And I knew something was wrong. I was not being challenged in that respect.

Business administration majors, I had noted, were -- had a lot of free time. My roommate my senior year was a business administration major. He had one book on his shelf, and it was called, Who Moved My Cheese? Now, that's sort of a classic business book, but I think there's a problem there when a senior at The Citadel can have one book on his desk called Who Moved My Cheese, not to denigrate that book.

But again, a lot of this is my subjective impression. A lot of this is seeing that my Citadel classmates in law school were not necessarily toward the top of the class. Things may have changed from -- over the years, but I know personally about the struggle I had to keep up. Ultimately I graduated in the top 10 percent of the class, though. I figured it out. I was able to overcome that.

But I feel very strongly that as a board member this would be something that I would spend considerable focus on, digging into it. Is there evidence to support what my anecdotal suspicion is? And then, if there is evidence to support that, I think we would look very hard and I would look very actively at working to solve that.

REPRESENTATIVE CLARY: I was going to say it seems that you recovered fairly nicely because you were on the Law Review, and that does not come easily.

And Mr. Chairman, for the record, I think I probably could have taken my first two semesters at Clemson and added them together and not had a 3.9.

CHAIRMAN SENATOR PEELER: Statute of limitations ran on you.

REPRESENTATIVE DAVIS: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chair.

I've got to chime in on the academic rigor discussion here. My son just graduated from The Citadel in May with a mechanical engineering degree. Based on my observation, it was a rigorous curriculum. And he and one other roommate were the only ones that survived the mechanical engineering program to graduate with a degree.

So it seemed to be, from the outside looking in, that the engineering school, at least, was sort of a -- there was a weeding process, and those top students were the ones that made it. And, in fact, he was able to pass his Engineer in Training exam the first time he took it.

So I would say from a parent's point of view, it was a good value for my money, and I feel like my son got a great education. So I would just add that to the discussion.

Thank you.

SENATOR VERDIN: (Raises hand.)

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman.

You really prompted our attention on the academic excellence. I, like Representative Davis, have just had a son -- well, in 2016 -- drag himself across the finish line down there.

And I'm looking at the timeline. I look at you and I think, Millennial, young man. And I have a constituent like you back home who will look 50 when he's 90. And I'm jealous of you.

But 2002 on your baccalaureate, and it's almost a decade since your first run for the board. I'm just curious about -- with the same observations -- and it's obviously poignant to you because I sense the

transition from undergraduate to law school was like a bell ringer, a wake-up call.

MR. CARTIN: (Nodding head.)

SENATOR VERDIN: But I'm also thinking that -- and I'm sure it was probably one of your observations and probably the most salient point of your run back in 2011, the academic excellence component.

And I'm going to salute you here and in perpetuity on that note because I, like Representative Davis, want to make sure that my son who's still working on his payments and/or any other cadet that comes through there gets the best return on their investment.

So I commend you for raising the matter even if it might not be as pertinent today as it was in your time frame, I would like to believe, and I think all of us are looking forward to digging deeper with The Citadel as it relates to academic standards.

Senator Scott, I know you still serve the education side on finance.

I am curious, though. And this will just kind of give us more insight. What's the most gratifying degree you have, The Citadel degree, the Carolina degree, or the Chapel Hill degree?

MR. CARTIN: The Citadel, by far. I made the best friends that I've ever had in my entire life there, lifelong friends. My roommate just came -- and he is a -- he works for the State Department -- came and stayed at my house for several weeks.

These are friends that you make forever, and it's part of those common traditions that you have that bind you together, some of the challenges in the fourth class system. Absolutely the most valuable degree.

The other point I'll mention about the academic rigor is my brother graduated in 2007 with a magna cum laude, I think, in accounting and struggled to pass the CPA exams. That's my other point of reference. Watching him struggle through that after having done so well, it just concerned me.

And so I don't mean to denigrate, certainly, at all. I love the school.

SENATOR VERDIN: Well, I don't take it that way, and I don't think any of us do. It's just, actually, the fact that you've given so much thought. And that is -- the Corps -- and I was going to ask you about ensuring cadet control of the Corps and things along those lines.

But I'm telling you, for those of us that invest a hundred grand, we want to make sure it is as best as it can possibly be. So I don't consider it denigration. I consider it a very merited point of focus.

SENATOR SCOTT: (Raises hand.)

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: I just wanted to make one comment.

I graduated from South Carolina State with a degree in accounting and a minor in economics, and I can assure you, him coming out in 2007, he was not going to sit for the CPA exam and pass it on the first go around. It takes some time. You come out of school with the theory. When you get the job, then you get the practicality. A lot of it is about audit and audit procedures, valuations, and so forth.

The other part, I'm more than sure that after 17 years from the time you graduated The Citadel has remained competitive with the other schools. And yes, those who are in the management portion of the program are not going to work as hard as those who are in the accounting portion of the program. They are just two different things.

Your friend who was a senior probably was just going on the field in that particular semester. That's probably why there were no books on the shelf. But if he had switched to accounting major, trust me, he would have struggled just as hard as you did.

And let's just be serious, some of the programs, no matter which school you go to, are going to be a lot easier than others. I started in the field of history and changed my major because history was too easy, just read and study. I went to accounting and discovered it was a lot more challenging.

It was just the individual, and that's why some fields pay a lot more than other fields, because they're a lot more challenging.

Thank you so much.

MR. CARTIN: Thank you.

CHAIRMAN SENATOR PEELER: Anyone else?

What's the desire of the committee?

REPRESENTATIVE WHITMIRE: Favorable.

CHAIRMAN SENATOR PEELER: Motion is a favorable report. Is there a second?

SENATOR VERDIN: Second.

CHAIRMAN SENATOR PEELER: Second's heard. Any other discussion?

Hearing none, we'll take it to a vote. All in favor, raise your right hand. Unanimous.

Thank you, again, for your willingness to serve, sir.

MR. CARTIN: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Next, Mr. James E. Nicholson from Lexington.

MR. NICHOLSON: Yes, sir.

CHAIRMAN SENATOR PEELER: Also a candidate at large.

Good afternoon, sir.

MR. NICHOLSON: Good afternoon, sir.

CHAIRMAN SENATOR PEELER: Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. NICHOLSON: Yes, sir.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. NICHOLSON: Yes, sir, I would.

Before I start, I'd like to give a shout-out to the Tigers too. I've got -- well, I had one trying to get out of school up here. He's 23, and he's making a career out of it, and I've got a junior up here right now. So I'm very happy for the Tigers.

You know, my story is a pretty simple one. In 1981 I graduated from Brookland-Cayce High School, and I was going to Clemson University to play baseball. And a week before school started, I made a decision that I needed to go to The Citadel.

It's probably the most mature decision I made even now, to go to The Citadel. I love what the school stands for, I love the discipline, I love the teamwork, and I appreciate what the school has done for the state of South Carolina, this country, and this world.

We've got a son that's a freshman down there, and I have not had a lifelong dream be on the board of visitors. With that said, I don't want anybody to think that I'm not one hundred percent committed to being on the board of visitors.

I had a classmate about a year ago say something to me time and time again about getting on the board of visitors, and I really didn't take it to heart, but with this opening that came up and then my son, who made the decision on his own to attend The Citadel, every time I drive through that gate now, the hair on the back of my neck stands up.

And so I'm at a point in time right now, my wife and I that I've got time to serve. I'm a hundred percent committed to doing it.

I've worked at SCANA for 31 years. I hope you all don't hold that against me. Senator Scott, I know you were on the review committee.

But the company has been great to me. I've been on the natural gas side for 31 years, and in all two years, I've been in a position of leadership on the natural gas side.

And the things I've learned about relationships and communication and people, the things I've learned about risk management and assessing risks, about making decisions, finances, human resources, strategic planning -- we've referred already to diversity and inclusions -- the

training we've done on that I really think will make me a good candidate for the board of visitors.

CHAIRMAN SENATOR PEELER: Thank you, sir.

Questions or comments?

REPRESENTATIVE KING: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman.

I have a question for you, Mr. Nicholson.

MR. NICHOLSON: Yes, sir.

REPRESENTATIVE KING: Can you explain to me what you think is the time commitment for a person on any college board of trustees here in South Carolina? What would be the time commitment?

MR. NICHOLSON: Well, I've talked to a number of people on the board, people I've known. And there's a quarterly meeting for a couple days at a time, but there's also probably 15 to 20 hours in anticipation of getting ready for those meetings. You're on, usually, three committees. And I believe it's going to be a significant amount of time. And I am fully and definitely prepared to serve and do what I need to do.

REPRESENTATIVE KING: What do you believe is your most important obligation to the citizens of South Carolina when it comes to your representation on that?

MR. NICHOLSON: Well, The Citadel was founded to help underprivileged South Carolinians, and I think The Citadel -- even though we're known throughout this nation and throughout the world, The Citadel serves the state of South Carolina. And I think that needs to be its biggest mission.

I think we're pretty low percentage-wise on the number of South Carolinians that go to The Citadel compared to some other state institutions. I think we need to do a better job of attracting more people from South Carolina.

Diversity and inclusion was mentioned a while ago. I think we've got to cast a wider net to get diverse candidates in there. And we're looking for the best people. And when I talk about diversity and inclusion, some of our training at work has been around not just the vessel that you see me in or I see you in but it's about diversity of thought and diversity of personality and diversity of background and that sort of thing.

But we need to be looking for the best people, regardless of who they are, to help make The Citadel a better place.

REPRESENTATIVE KING: We've heard in the past from some board members that the reason why they select out-of-state students is because

of the money that they can get from those students versus what they can get from in-state students.

How do you weigh on both of those--?

MR. NICHOLSON: Yes, sir.

REPRESENTATIVE KING: -- to ensure that the institution is not looking at the student out of state before they're looking at in-state students?

MR. NICHOLSON: That's a good question, Representative King. And I felt the same way and heard some of the same things at Clemson. Our oldest son got directly into Clemson, but our youngest -- our middle daughter went into the bridge, which, quite frankly, was a great program. And I kind of like the tuition there versus going straight into Clemson.

But I do think that probably one of the biggest things not just The Citadel but higher education in South Carolina and this nation faces is the cost of education. And I'm concerned about -- I don't know if the business model that's there now and what it's taking for people to go to college and spend that kind of money is going to last.

So I can understand the universities -- if they do lean towards out-of-state people because of budget and finance issues, I understand that, but I really believe that we've got to stay focused on the state of South Carolina.

REPRESENTATIVE KING: Thank you.

Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you.

Others?

Hearing none, what's the desire of the committee?

REPRESENTATIVE WHITMIRE: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable.

SENATOR SCOTT: Second.

CHAIRMAN SENATOR PEELER: Second. Any other discussion?

Hearing none, we'll take it to a vote. All in favor, raise your right hand.

Unanimous.

There's a plus in coming second rather than first. Thank you for your willingness to serve, sir.

MR. NICHOLSON: Thank you.

CHAIRMAN SENATOR PEELER: All right. Now we'll move to College of Charleston, Fifth Congressional District, Seat 10, R. Laurin Burch from Camden.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. BURCH: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. BURCH: Yes, sir. Thank you.

Mr. Chairman, members of the commission, I appreciate the opportunity to appear before you today. I'll try to keep this brief.

My name is Laurin Burch. I'm a Spring 2000 graduate of the College of Charleston with an undergraduate degree in accounting. I currently live with my wife and three daughters in Camden. I'm a South Carolina licensed CPA and the controller for the Pepsi-Cola Bottlers based out of Florence, Greenville, and Cheraw.

I'm here quite simply because I want to serve my alma mater as a member of the board of trustees. I come from a C of C family. I was the first of three siblings to graduate from the school. I also met my wife there as well as many great friends. I care about the college and want to give back.

As the father of those three elementary-aged daughters, I'm extremely concerned about the ever-increasing cost of a four-year degree. I don't believe that that trend is sustainable, and I'm confident that my finance and accounting background would serve the board well when navigating those issues.

My goal is simple: to do whatever I can to improve the school in all areas, academics, athletics, finances, student life, and so on. I'm proud of the college and its rich history and would love an opportunity to serve.

Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

Questions? Comments?

SENATOR SCOTT: (Raises hand.)

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you for your willingness to serve.

My first question: Did you pass the CPA on the first go-around?

MR. BURCH: I passed three out of four on the first try.

SENATOR SCOTT: We got that part out of the way.

MR. BURCH: Yes, sir.

SENATOR SCOTT: Tell me a little bit about your thoughts with diversity, especially at the College of Charleston. I know when President McConnell was there, I think they hired a diversity officer, and they were going through some changes, trying to put some things together to create a decent format for bringing in new students and trying to bring some balance to the college.

MR. BURCH: We do have the Office of Institutional Diversity.

SENATOR SCOTT: Right.
MR. BURCH: And I don't have the numbers in front of me --
SENATOR SCOTT: That's okay.
MR. BURCH: -- but I do think that over the last three or four years we've seen a steady increase in the percentage of minority students as a whole. I'm a big fan of diversity even in the corporate world where I see the huge benefits of broadening your scope and your experiences and the resources available, the thoughts and intellectual capital. So I'm a big fan of that.

I think we're moving in the right direction. And, obviously, I also believe that you can always improve. As you all are probably very well aware, we have a new president that's a minority, so that sort of sets the tone at the top there for that. But I'll always be big on diversity and try to improve and do better wherever we can.
SENATOR SCOTT: I know the College of Charleston is trying to expand from downtown Charleston I guess into North Charleston because they're planning the location. Are you up to date on what's going on with that? I know downtown you have a lot of facilities that need it also.
MR. BURCH: The downtown peninsula has been crowded for years, even when I was there in 2000. There's been a sort of butting heads between the school and the residents around the school, around the campus, as far as -- parking has always been an issue. Student life, residents' housing is a problem.

And then, again, when you add ever-increasing tuition and fees on top of the cost of living in downtown Charleston that continues to increase, those students get hit more than others.

So from my point of view, I would just like -- if we are going to -- if we're in a budget crunch and have to increase revenue or either -- it's either is increase revenue or cut costs, I don't want the first reaction to be, let’s just raise tuition. Let's take a hard look at our costs and what we're spending money on before we make that decision.
SENATOR SCOTT: Thank you, Mr. Chairman.
CHAIRMAN SENATOR PEELER: Thank you.
REPRESENTATIVE CLARY: (Raises hand.)
CHAIRMAN SENATOR PEELER: Representative Clary.
REPRESENTATIVE CLARY: Mr. Burch, that last question that Senator Scott asked you, coming from a college town where there is a tremendous amount of pressure between the city and the university and the growth that we've had there, we're not as -- well, I won't say that.

The university has a certain amount of land that they have and the ability to develop and other external factors that create living opportunities for students that allows the college to expand its student body.

And we talk about the term town and gown relationships. What do you see that you could bring to the College's board in regard to the relationship that exists between the community, the city of Charleston, and the university? Could you elaborate on that?

MR. BURCH: Well, the school -- even if we bought -- acquired other property in the downtown area, we are land -- not landlocked, but we're on that peninsula. And so the only growth is West Ashley, North Charleston, James Island, and up the I-26 Corridor.

They have a North Campus, so this has been a problem that they've dealt with for years. We just need to be more engaged with the local residents or continue that engagement, potentially offer them benefits of the facilities, you know, try to partnership within the city, you know, just to ease their concerns and do whatever we can to make a -- we need a partnership between the city and the residents in the school.

REPRESENTATIVE CLARY: I don't disagree with you, and I think that Charleston has a different situation from the standpoint that it's not the only game in town. You've got the tourism and other factors that we don't have up in my areas.

But I think that it's very important for anyone who offers to serve as a trustee for one of our state institutions to always be mindful of the relationship that exists between the university, the municipality or town or city that is there, but even more importantly, the residential and business community because you can have this town gown relationship that sounds good on its face, but if the residents/businesses are left out, then that's the third leg of that three-legged stool that's missing, and it creates a lot of friction.

So thank you very much for your answer.

REPRESENTATIVE DAVIS: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chairman.

I graduated from the College of Charleston in 1983. That was a while ago. And I'm a member of the alumni board there and have been involved in the College on and off since I graduated.

I see -- with your background in finance and accounting, I'm assuming that you believe that that is one of the primary things you can bring to the board of trustees is your experience.

MR. BURCH: Yes, ma'am.

REPRESENTATIVE DAVIS: So given that that is your background and your experience and sort of your view of the world, what specifically would you do if you were elected to the board of trustees that would reflect and use that experience to make the College better?

MR. BURCH: I like to look at data, analytics. And we need to determine what is the appropriate balance of more revenue generated or more tuition income generated on out-of-state students. You know, there's a balancing act of, what does that ratio need to be? If we allow more out-of-state students, can we alleviate some of the financial pressures on the in-state students?

So I'd look at that, you know, and then do everything that we -- if we can get more grant money, more scholarships from corporate private donors and other entities, that's a bonus too.

So those would be the areas that I would try to focus on and see if I could help.

REPRESENTATIVE DAVIS: Okay.

Have you been involved in the College since you graduated?

MR. BURCH: We have -- I was extremely involved earlier on in my career, but after raising three daughters, we had to step back. I do stay involved in the contact with a lot of the staff that are still there. My wife worked in the admissions office and the alumni services when we were first out of school. So we still do have a lot of connections. And then I try to make it to a basketball game or two when I can.

REPRESENTATIVE DAVIS: Okay. Thank you very much.

CHAIRMAN SENATOR PEELER: Anyone else?

Hearing none, what's the desire of the committee?

SENATOR SCOTT: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable. Is there a second?

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Second. All in favor raise your right hand.

Seven to nothing.

Thank you for your willingness to serve, sir.

MR. BURCH: Thank you.

CHAIRMAN SENATOR PEELER: Next, under Tab H, Adam J. Smith from Fort Mill.

Good afternoon, sir. Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. SMITH: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. SMITH: Yes, sir.

Thank you, Mr. Chairman and the committee for allowing me the opportunity to be screened today.

I grew up in Anderson, South Carolina. I went to TL Hanna. I graduated in '98 from high school. I got recruited by a lot of colleges across the country to play sports, and I went on a visit down to Charleston. And the first time I stepped foot on campus was when I knew that this was where I was going to go. I knew I wanted to go there the moment I stepped foot on campus. I'm in love with the history of it. I'm infatuated with it, really. I love everything about that campus. That's the reason why, from someone that had multiple opportunities to go multiple locations, I chose Charleston, and I feel like I'm in debt.

I graduated in '02, and I think that the liberal arts side of my degree is what prepared me and is what has made me so successful in my career up until this point.

It allowed me to kind of discover my strengths as I -- I'm kind of the accidental salesperson. I didn't know what I wanted to be when I grew up, and I accidentally fell into that, but because of the education that the College of Charleston gave me, it allowed me to progress.

I felt because of that education and because I graduated debt-free that I'm forever indebted to Charleston, and whatever I can do to help them help preserve the rich history, I'm up for it.

And now I have three children, nine, seven, and four, and it's become more important to me that I want to give my kids and their generation every bit of the opportunity to experience what I experienced when I went to school back there from '98 to '02.

Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

Questions?

REPRESENTATIVE KING: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative King.

REPRESENTATIVE KING: Thank you.

Can you tell me, as a board member, how would you tackle the issue of diversity on the campus?

MR. SMITH: I believe that everybody deserves the same opportunities that I have had, and from what I've seen with the College of Charleston, you know, over the last five years, they've become more diverse. I believe 20 percent of the students now are minorities. Eight percent are African American. And it's up in the last five years' timeframe.

I would think that -- somebody said it earlier today. I think it also starts with leadership, and as you can see, you know, our new president is a minority. You kind of practice what you preach is what I've always been told. And I think that as leadership and the board and people behave that way and show that it's important, then I think else will follow over time. And I'm a believer in that.

REPRESENTATIVE KING: Thank you.

CHAIRMAN SENATOR PEELER: Any other questions?

REPRESENTATIVE DAVIS: I have a question.

CHAIRMAN SENATOR PEELER: Representative Davis.

REPRESENTATIVE DAVIS: Mr. Smith, thank you for being here with us today.

I do have a question, your concern about the four-year graduation rate. It looks like in your notes -- because my question was the current four-year graduation rate. And it's 56 percent. Is that correct?

MR. SMITH: Yes.

REPRESENTATIVE DAVIS: What would you do to improve that?

MR. SMITH: I would have to learn a little bit more, but what struck me with that number is we talked about debt for the last hour here, and that's why -- I'm not so sure how we rank with all the other state schools, but 56 only graduating in four years -- I was lucky enough to have baseball that kind of kept me in line and made sure that my grades and everything were in line, so I was on a four-year program. I was in and out.

I've also had a lot of friends that were on the five- and six- and six-and-a-half-year programs, and they're coming out of school with a lot more debt. And so I think from a board perspective, being able to sit down and have conversations with, how can we educate the financial implications of our students taking five and six years to finish their degree and look at processes and things that we could do on the front end to show people that getting in and out in four years puts you at a lower debt coming out and there's a benefit there?

And I was just surprised when I saw that percentage, but maybe that's in line with everybody else.

REPRESENTATIVE DAVIS: I don't know. I was surprised by that number as well. So thank you. I appreciate your efforts in that regard.

MR. SMITH: Thank you, Representative Davis.

REPRESENTATIVE CLARY: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: I know Senator Peeler and I were on the four-year plan because I think both of us knew when we went to Clemson that's all there was there. You better be out in four years.

The idea of these percentages -- you know, I've heard in other meetings and other discussion that sometimes these graduation rates are affected by the ability of the school to offer courses at particular times for students to be able to meet that four-year deadline. That becomes an issue. And just to throw that out there for you.

But I want to follow with you the question that I asked Mr. Burch. You're a fairly recent graduate of the College. And insofar as the relationship between the College and the Charleston community and the growth that you have that's kind of normal, what is that relationship? What would you do to try to improve it?

MR. SMITH: I think there's a lot that I would need to -- I mean, it's a great question, Representative Clary. I think there's a lot that I would need to read up on to fully understand that relationship as it stands today.

I do know that, like, one of the biggest things when I went to school there was I didn't know whether or not my car would be in front of the house that I parked at when I went to school.

So something as simple as give us a parking area in North Charleston where we can ride a tram in or something along those lines because, I mean, that seems to be -- I can remember that. Everyone's cars were getting booted, towed, ticketed. And it was because we were parking in front of peoples' homes and blocking their driveways and things like that.

The other thing that would be interesting, going back to your telemedicine, I think online classes or recorded online classes for people that are, you know, working parents or that may otherwise not be able to come in for a 9:00 class, but they could watch a recorded class later on that evening and be expected to do the same type of work. I think that the biggest thing is we need to have conversations about it to see what it looks like.

The other thing that stuck out to me with C of C is -- I'm only ranking it against the other state schools, but the endowment's the lowest out of a lot of them, compared to, you know, your USCs, your Clemsons, The Citadel.

And I'm wondering if, you know, with Charleston being the number one city, tourist destination in the country and number one place to vacation and things like that, you would think that -- the school's getting ready to celebrate the 250th anniversary. You would think that the town and the people that live downtown could coincide or come together and realize that they can have that town and gown positive relationship.

REPRESENTATIVE CLARY: Well, I will also tell you that the problems with parking are not singular to Charleston. It's the same thing that I hear from students at Clemson too.

But thank you for your answer.

MR. SMITH: Yes, sir. Thank you.

CHAIRMAN SENATOR PEELER: Anyone else?

Other questions or comments? What's the desire of the committee?

REPRESENTATIVE KING: Favorable report.

SENATOR SCOTT: Second.

CHAIRMAN SENATOR PEELER: Motion is favorable. Any other discussion?

Hearing none, we'll take it to a vote. All in favor raise your right hand.

Seven to nothing.

Thank you for your willingness to serve.

MR. SMITH: Thank you for your time.

CHAIRMAN SENATOR PEELER: Now we'll take Old Exchange Building Commission, At Large, Expires 2020, two seats. Under Tab I, Catherine M. Patterson from Lexington.

How do you do, ma'am?

MS. PATTERSON: Fine. How are you?

CHAIRMAN SENATOR PEELER: Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MS. PATTERSON: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement.

MS. PATTERSON: Yes, sir. I don't know that I can follow that, but I was born in North Carolina and raised in Moncks Corner. And I went to Winthrop for a year. Back when I went in 1966, it was ranked fourth academically in the nation is what they told us then.

And then I also attended the College of Charleston for three years at night while I worked when President Carter was president and we had the BEOG grant. And so I was able to go with everything paid. And, of course, then when he was not re-elected, that went with it too.

But then, eventually, I started working for the City of Charleston in 1991 and retired in July 2017. In 1996, I became the director of special facilities for the city. And the facilities I was responsible for were the -- and throughout my career, were the Dock Street Theatre, the original Gaillard Auditorium before the Gaillard Center, the Charleston Visitor Center, Charleston Maritime Center, Angel Oak Tree Park, the Old Slave Mart Museum, and the Old Exchange.

So I'm here today seeking the position on the commission for the Old Exchange, primarily because when the Old Exchange was put into my department in 2003, I had to work very closely with the commission

because the building was struggling them, and because we were revenue generating facilities, that was the primary reason it was put into my department.

But I saw the work that the commission did, the members of the commission, the dedication and the hard work that they put in for that building to make sure that it was preserved financially and physically as the historic treasure of South Carolina that it is.

And then when I retired in 2017, I realized I really missed the involvement with that building and wanted to be a part of it again. So that's why I am seeking this position on the commission.

CHAIRMAN SENATOR PEELER: Questions or comments?

REPRESENTATIVE DAVIS: (Raises hand.)

CHAIRMAN SENATOR PEELER: Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chairman.

I'm making sure that I'm caught up here on what we're discussing. The Old Exchange Commission is, as it relates to the Old Exchange building that's in Charleston, downtown Charleston?

MS. PATTERSON: Right. Right.

REPRESENTATIVE DAVIS: I had -- excuse me.

SENATOR VERDIN: Foot of Broad.

REPRESENTATIVE DAVIS: Yeah.

I understood that a portion of that building was owned by the Rebecca Motte Chapter of the Daughters of the American Revolution. I'm a member of that chapter, by the way.

MS. PATTERSON: Okay.

It's not just the Rebecca Motte Chapter, the state DAR organization. The Rebecca Motte Chapter is the chapter in residence there, and they have been.

But in 1913, the Daughters of the American Revolution, the state chapter, won the Old Exchange building in a quit claim -- a quit deed sale from the federal government, and then the Rebecca Motte Chapter was housed in the Old Exchange from that time on.

And then in 1976, when the state -- the Bicentennial committee for the state wanted the project to restore the Old Exchange building because nothing really had been done with it, and so they entered into a 100-year lease with the state DAR, and we're in the second 25 years of that 100-year lease.

But the state entered into it then. The state ran it from '76 until 1989, and then the commission at the time wanted to investigate different management procedures and new ways to attract visitors and increase revenue.

So that's when they put out a management bid. And the City of Charleston and the College of Charleston both put in a bid, and the City won the management agreement. And so the City has managed it since 1989, and it's renewed through the commission, through city council, every November.

But the Rebecca Motte Chapter is -- they live there. They're housed there, and they always will be there.

REPRESENTATIVE DAVIS: So the building is owned by --

MS. PATTERSON: It's owned -- it privately -- the way the put it is it's privately owned by the state DAR, and the Rebecca Motte Chapter and the DAR, the state DAR, are trustees of the building. And then the state doesn't own it but they lease it.

REPRESENTATIVE DAVIS: Okay. So, then, the state leases it and then the city maintains --

MS. PATTERSON: The city manages it.

REPRESENTATIVE DAVIS: -- manages it. Okay. All right. That is sort of a convoluted relationship there.

MS. PATTERSON: It is.

SENATOR VERDIN: Well, is the state not the lessee -- excuse me, the lessor?

MS. PATTERSON: The state is the -- the state and the South Carolina Daughters of the American Revolution entered into a 100-year lease agreement. And the state oversees it. We go -- the day-to-day work, anything that is to be done, we'll go through the commission as a representative of the state. That's how it does. It is complicated, but it works.

REPRESENTATIVE DAVIS: Well, thank you. Thank you for clarifying that for me. And I would encourage my fellow members of the committee to go and visit the building because it's a historical treasure and has a good number of historical artifacts housed there.

MS. PATTERSON: Well, and I'm going to toot the staff's horn there because when we took over in my department, Special Facilities, when we started managing it in 2003, the building was struggling financially and, quite frankly, was about $2- or $300,000 in the red.

And then we hired a different director, Tony Youmans, who is there now, and by the end of 2004, we were $1800 in the black. And the building has been self-sufficient ever since. And right now, we're over a million in the black in that building.

And with help from the state -- we've had financial help from the state along the way -- and then just over 65,000 visitors last year -- over 6,000 schoolchildren come through with tours -- evening events, gift shop...

We entered into an agreement in 2004, I believe it was, with Little Dog Tours there, and they do ghost tours in the dungeon at night. That's a $100,000 contract that the building gets each year.

So the commission has done very well working with the staff there. And that's -- it's such an important building, and it needs to be taken care of.

REPRESENTATIVE DAVIS: It does. I agree. Thank you for your willingness to serve.

MS. PATTERSON: Thank you.

CHAIRMAN SENATOR PEELER: Any other questions or comments?

SENATOR VERDIN: I'd like to ask about --

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman.

I'd like to ask about the evening event. I was wondering about -- that's a dramatic revenue turnaround. I can -- I took my dad's elderly sisters around Charleston a year or two back, and the only reason we didn't ascend those steps on East Bay was the steep nature of them. And I didn't have the time to go seek an alternative.

MS. PATTERSON: It is in the back. There's a handicapped entrance in the back.

SENATOR VERDIN: Well, I'm glad it's in the back because it would mess up the aesthetics otherwise.

MS. PATTERSON: And there's no place to put it.

SENATOR VERDIN: I'm curious about those evening -- okay. So you have the contract with the ghost tours. What about somebody wanting a major event?

MS. PATTERSON: Evening rentals. They rent for wedding receptions or parties, dances.

SENATOR VERDIN: Were you doing that before '03, '04.

MS. PATTERSON: Yeah, they were. Before '04? Yeah. They'd always done them.

SENATOR VERDIN: That's when you had the 300,000 red to black.

MS. PATTERSON: Yeah. But they weren't -- they weren't being done as much as it could have been.

SENATOR VERDIN: Off the top of your head, do you know what those rent fees are?

MS. PATTERSON: What the rental fees are now?

SENATOR VERDIN: Yes, ma'am.

MS. PATTERSON: I don't know. I've been retired now since 2017.

SENATOR VERDIN: Two hours in the Old Exchange if you're on the main floor.

MS. PATTERSON: When I left, it seems to me like it was a couple thousand dollars to rent it for an evening. It's probably more than that now.

SENATOR VERDIN: Well, you don't want to sell short on those wedding rates because I've got these magazines laying around all over my house that says you can't find a place in Charleston to get married.

MS. PATTERSON: Well, we don't really like to do much weddings because they tear up the building, so we don't much like weddings. But it's -- in Charleston, good grief, you pay $5,000 for a two-by-four.

SENATOR VERDIN: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Second. Any other discussion?

Hearing none, we'll take it to a vote. All in favor raise your right hand.

Senator Scott asked to be recorded favorable.

Thank you, ma'am.

MS. PATTERSON: Thank you.

CHAIRMAN SENATOR PEELER: We appreciate your willingness to serve.

Next, R. Tracy Power from Columbia. We saved the best for last, right?

MR. POWER: Good afternoon.

CHAIRMAN SENATOR PEELER: Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. POWER: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. POWER: Yes. Thank you.

Senator Peeler and members of the screening commission, I am delighted to be here, honored to be asked. My name is Tracy Power. I tell people when they introduce me for talks that I'm a Georgian by birth but a South Carolinian by choice.

I came to Columbia in 1981 for graduate school in history at the University of South Carolina, received my masters and Ph.D. there. I am now a professor of history, an assistant professor of history, and a college archivist at Newberry College. I've been there for the last five years.

But for 28 years before that, I was a historian in the South Carolina State Historic Preservation Office at the Department of Archives and History.

I worked with the National Register of Historic Places, the federal program that recognizes historic properties, for all 28 years of the time I was at Archives and History, first on Senate Street and then on Parklane Avenue, and then for 19 1/2 of those years, I was also the coordinator of the South Carolina Historical Marker Program.

And so my experience is with telling stories about South Carolina history from 1670 to the 20th century to the 21st century in every county, in every locale, working with local organizations and local historians.

So I have a vast experience in history and what is called public history, that is historic preservation, historic site interpretation, archives and records management. And so I am vitally interested in the history of my adopted state and would welcome the opportunity to serve on this commission.

CHAIRMAN SENATOR PEELER: Thank you.

Questions or comments?

SENATOR VERDIN: I'll just comment --

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: -- that I've known Tracy a long time -- thank you, Mr. Chairman -- and he is a consummate professional. The stuff that he can find out digging back into the archives. Of course, his interpretive skills for relating it to us here in the 21st century are par excellence.

I'm glad to make a motion for a favorable report.

CHAIRMAN SENATOR PEELER: The motion is favorable. Second?

REPRESENTATIVE WHITMIRE: No. I want to say something.

CHAIRMAN SENATOR PEELER: All right. Open for discussion. Representative Whitmire.

REPRESENTATIVE WHITMIRE: Well, as a former history teacher, way back when, I really appreciate what you've done for our state.

I just wanted to say that I've got kind of a Charleston connection. My grandmother was a Rutledge, so I really care about the Charleston area and stuff.

So if we're ready for the favorable, Senator, I'm ready to go. I second the motion.

CHAIRMAN SENATOR PEELER: Ready for the vote?

All in favor, raise your right hand.

Thank you.

MR. POWER: Thank you, very much.

CHAIRMAN SENATOR PEELER: Senator Scott wanted to be recorded voting "aye."

MS. CASTO: Yes, sir.

CHAIRMAN SENATOR PEELER: Thank you, sir.

MR. POWER: Thank you.

CHAIRMAN SENATOR PEELER: That completes our agenda for today. Thank you for your attendance and your participation.

(The meeting was concluded at approximately 3:37 p.m.)

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Motion Adopted

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

ADJOURNMENT

At 12:13 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, January 25, 2019
(Local 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 ACTING PRESIDENT, Senator MASSEY.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 171 Sen. Turner
S. 259 Sen. Campsen

MOTION ADOPTED

On motion of Senator SHEHEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Grady G. Newman of Bethune, S.C. Mr. Newman served our country in the United States Navy from 1956-1960. Grady was a retired maintenance supervisor from the Kershaw County School District. He was a faithful member of Mt. Pisgah Baptist Church, Bethune Lion's Club, Woodman of the World, Lodge #757 and Lynchwood Lodge #197 AFM. Grady served on the Kershaw County Election Commission, Kershaw County Red Cross Board of Directors and Bethune Town Council. Grady was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William F. Sullivan of Chapin, S.C. Mr. Sullivan graduated from Newberry College and taught math for 46 years at Chapin High School. He also served as a defensive coordinator and girls basketball coach. W.F. was a skilled musician, former Teacher of the Year and Coach of the Year. W.F. was a loving husband, devoted uncle and cherished friend who will be dearly missed.

FRIDAY, JANUARY 25, 2019

ADJOURNMENT

At 11:05 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, January 29, 2019, at 2:00 P.M.

* * *

Tuesday, January 29, 2019
(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 55:22

"Cast Your burden upon the Lord, and he shall sustain you; He will never allow the righteous to be shaken."

Let us pray. Almighty and eternal God, as we begin another day there are many personal pressures that weigh heavily upon our hearts. It is difficult to carry these burdens alone.

Your Word, O God, assures us that we can cast our burdens upon You with the full assurance that You will walk with us and uphold us on each part of our life's journey. Therefore this day, we step out in faith knowing that You love us and will not leave us or forsake us.

Open our hearts to Your peace that passes all understanding. Strengthen our minds and renew our spirit with the presence of Your power. As we open our hearts to You, O God, we pray that you will hear the silent, unuttered daily prayers of each Senator in this Chamber. For it is in Your holy name that we pray. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2018, and to expire May 19, 2025

Chairman: Charles M. Condon, 835 Middle Street, Sullivans Island, SC 29482

VICE W. Leighton Lord

Referred to the Committee on Judiciary.

Initial Appointment, Director of Department of Health and Environmental Control, with term coterminous with Governor

Director: Rick Toomy, 3 Lucy Creek Drive, Beaufort, SC 29907-2222

VICE Catherine Heigel

Referred to the Committee on Medical Affairs.

Initial Appointment, Director of the State Accident Fund, with a term to commence June 11, 2016, and expire June 11, 2022.

Director: Amy Virginia Cofield, 121 Driftwood Drive, Lexington, SC 29072-9729

VICE Harry Gregory

Referred to the Committee on Judiciary

Local Appointment

Reappointment, Clarendon County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Nannette Frye, 1775 Summerton Highway, Sumter, SC 29148

Doctor of the Day

Senator GOLDFINCH introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

At 2:52 P.M., Senator JOHNSON requested a leave of absence for Senator McELVEEN of the day.

Leave of Absence

At 4:49 P.M., Senator GREGORY requested a leave of absence for the balance of the week.

Expression of Personal Interest

Senator McLEOD, with unanimous consent, rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 18 Sen. Young
S. 32 Sen. Climer
S. 35 Sen. Verdin
S. 89 Sen. Setzler

S. 196 Sen. Climer
S. 214 Sen. Scott
S. 415 Sen. Hembree
S. 419 Sen. Campsen
S. 424 Sen. Williams

OBJECTION

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

Senator CAMPSEN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

Senator CAMPSEN explained the Joint Resolution.

Senator M.B. MATTHEWS objected.

OBJECTION

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

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

Senator MASSEY objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 434 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MAC CREDILLE UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FORTY-SIX YEARS OF DEDICATED SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA AND GAMECOCKS ATHLETICS, AND TO

WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 435 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE KEVIN YON OF YON FAMILY FARMS AND TO CONGRATULATE HIM ON BEING NAMED THE 2018 SOUTHEASTERN FARMER OF THE YEAR.
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The Senate Resolution was adopted.

S. 436 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE CORPORAL CONNIE FLEMING STRICKLAND, THE FIRST WOMAN PROMOTED TO THE RANK OF CORPORAL IN THE HISTORY OF THE SOUTH CAROLINA HIGHWAY PATROL, FOR HER OUTSTANDING SERVICE TO THE STATE OF SOUTH CAROLINA AND FOR HER NOTABLE ROLE IN PAVING THE WAY FOR WOMEN'S LEADERSHIP WITHIN THE SOUTH CAROLINA HIGHWAY PATROL.
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The Senate Resolution was adopted.

S. 437 -- Senator Nicholson: A SENATE RESOLUTION TO SALUTE THE NINETY SIX HIGH SCHOOL MARCHING BAND, BAND DIRECTORS, AND SCHOOL OFFICIALS FOR A SENSATIONAL SEASON AND TO CONGRATULATE THEM ON WINNING THE 2018 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE.
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The Senate Resolution was adopted.

S. 438 -- Senators Corbin and Gambrell: A BILL TO AMEND SECTIONS 56-5-1210(A), 56-5-1220(A) AND (B), AND 56-5-1230 OF THE 1976 CODE, RELATING TO THE DUTIES OF A DRIVER OF A MOTOR VEHICLE INVOLVED IN AN ACCIDENT, TO REVISE THE PENALTIES IMPOSED FOR VIOLATIONS OF THESE PROVISIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 439 -- Senators Leatherman, Grooms, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.
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Read the first time and referred to the Committee on Finance.

S. 440 -- Senator Talley: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.
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Read the first time and referred to the Committee on Finance.

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

S. 442 -- Senators Verdin, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Williams and Young: A SENATE RESOLUTION TO EXPRESS THE

PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF ROBERT ADAMS VI, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 443 -- Senators Hutto and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 22-3-350 SO AS TO PROVIDE AN ASSESSMENT ON ALL CIVIL FILINGS IN MAGISTRATES COURT AND TO PROVIDE FOR THE COLLECTION AND ALLOCATION OF THE ASSESSMENT; AND TO AMEND SECTION 22-8-40, RELATING TO THE SALARIES OF FULL-TIME AND PART-TIME MAGISTRATES, SO AS TO PROVIDE SPECIFIC SALARIES FOR MAGISTRATES IN COUNTIES WITH CERTAIN POPULATIONS, TO PROVIDE FOR SUPPLEMENTS FOR FULL-TIME ASSOCIATE CHIEF MAGISTRATES, AND TO PROVIDE THAT IN CERTAIN CIRCUMSTANCES MAGISTRATES ARE TO BE CONSIDERED STATE EMPLOYEES.
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Read the first time and referred to the Committee on Judiciary.

S. 444 -- Senators Hembree, Davis, Shealy, Young, Climer, Gregory, Fanning, Harpootlian and Bennett: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO PROVIDE THAT THE ABILITY OF THE CIRCUIT SOLICITOR TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S RIGHT TO A SPEEDY TRIAL; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL CRIME VICTIMS' CONSTITUTIONAL RIGHTS.
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Read the first time and referred to the Committee on Judiciary.

S. 445 -- Senators Gambrell and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE, TO DEFINE NECESSARY TERMS, TO ESTABLISH REQUIREMENTS FOR A DIRECT PRIMARY CARE AGREEMENT, AND TO REQUIRE A DIRECT PRIMARY CARE PROVIDER TO REPORT ITS PARTICIPATION IN A DIRECT PRIMARY CARE PRACTICE TO THE DEPARTMENT OF CONSUMER AFFAIRS.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 446 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-19-455 SO AS TO PROHIBIT CERTAIN ENUMERATED ACTIVITIES AT LAKE WILLIAM C. BOWEN, LAKE BLALOCK, AND SPARTANBURG MUNICIPAL RESERVOIR #1 IN SPARTANBURG COUNTY; AND TO REPEAL ACT 465 OF 2002 RELATING TO THE ESTABLISHMENT OF THE SAFETY AND SECURITY DEPARTMENT WITHIN THE COMMISSION OF PUBLIC WORKS FOR THE CITY OF SPARTANBURG.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 447 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT", TO DEFINE NECESSARY TERMS, TO PROVIDE PROCEDURES FOR ELECTRONIC NOTARIAL ACTS, ESTABLISH FEES THAT MAY BE CHARGED FOR CERTAIN ELECTRONIC NOTARIAL ACTS, TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS OF THE ELECTRONIC NOTARIAL ACT, TO ALLOW THE SECRETARY OF STATE TO PROMULGATE AND ENFORCE RELATED REGULATIONS, AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 1, TITLE 26 AS ARTICLE 1 AND ENTITLE IT "GENERAL PROVISIONS".
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 448 -- Senators Davis, McLeod, Shealy, Jackson, Hutto, J. Matthews, McElveen and Campbell: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 138, TO PROVIDE THAT QUALIFIED LICENSED PHARMACISTS MAY PRESCRIBE AND ADMINISTER INJECTABLE HORMONAL CONTRACEPTIVES AND PRESCRIBE AND DISPENSE SELF-ADMINISTERED HORMONAL CONTRACEPTIVES UNDER A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE FOR WRITTEN JOINT PROTOCOL PROVISIONS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 449 -- Senator Campbell: A BILL TO AMEND SECTION 4-10-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECT SALES TAX, SO AS TO ALLOW THE TAX TO BE USED FOR CERTAIN INFRASTRUCTURE FOR ECONOMIC DEVELOPMENT PROJECTS.
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Read the first time and referred to the Committee on Finance.

S. 450 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AUSTIN GEER, A SENIOR AT THE SOUTH CAROLINA GOVERNOR'S SCHOOL OF SCIENCE AND MATHEMATICS, FOR OUTSTANDING ACADEMIC ACHIEVEMENT AND TO CONGRATULATE HIM FOR WINNING THE TENTH ANNUAL LOUISIANA STATE UNIVERSITY UNDERGRADUATE RESEARCH CONFERENCE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 451 -- Senator Senn: A SENATE RESOLUTION TO COMMEMORATE AND CELEBRATE THE COMMISSIONING CEREMONY OF THE USS CHARLESTON (LCS 18) TO BE HELD IN CHARLESTON, SOUTH CAROLINA, ON SATURDAY, MARCH 2, 2019.
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The Senate Resolution was adopted.

S. 452 -- Senator Scott: A BILL TO AMEND SECTION 12-37-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.
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Read the first time and referred to the Committee on Finance.

S. 453 -- Senator Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 30-4-40 RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT; AND SECTION 30-4-70 RELATING TO MEETINGS OF PUBLIC BODIES THAT MAY BE CLOSED TO THE PUBLIC.
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Read the first time and referred to the Committee on Judiciary.

S. 454 -- Senators Shealy, Turner, Cromer, Campbell, Young and Talley: A BILL TO AMEND SECTION 25-11-10 OF THE 1976 CODE, RELATING TO THE DIVISION OF VETERANS' AFFAIRS, TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20 OF THE 1976 CODE, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS' AFFAIRS, TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40 OF THE 1976 CODE, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, TO REVISE THE DEFINITION OF "VETERAN" FOR THE PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY

VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 455 -- Senator Alexander: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 456 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO LICENSURE BY REGISTRATION; AND LICENSURE BY ENDORSEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4851, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 457 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 458 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4821, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 459 -- Senator Harpootlian: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE AMERICA'S CLOGGING ALL*STARS FOR THEIR SHOW-STOPPING PERFORMANCES IN THE 2019 LONDON NEW YEAR'S DAY PARADE.
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The Senate Resolution was adopted.

S. 460 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS AND MARITAL AND FAMILY THERAPISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4862, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 461 -- Senators Sheheen and Gambrell: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM THE INDIVIDUAL INCOME TAX, SO AS TO INCREASE THE DEDUCTION FOR CERTAIN FIREFIGHTERS, LAW ENFORCEMENT OFFICIALS, AND MEMBERS OF THE STATE GUARD FROM THREE THOUSAND DOLLARS TO SIX THOUSAND DOLLARS.
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Read the first time and referred to the Committee on Finance.

H. 3747 -- Rep. Lucas: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE DONALD W. BEATTY, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 27, 2019.

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

H. 3773 -- Reps. Lucas, Funderburk and Wheeler: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY, UPON THE PASSING OF GRADY GLENN NEWMAN OF KERSHAW COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

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

Motion to Ratify Adopted

At 2:21 P.M., Senator MASSEY made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

REPORT OF STANDING COMMITTEE

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

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE,

RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN

ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 343 -- Senators Alexander and Martin: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR WINNING THE 2018 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER-ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 26, 2019, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.

Returned with concurrence.

Received as information.

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

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 335 -- Senator Massey: A BILL TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, AND TO CHANGE THE FILING PROCEDURE FOR COMMISSION CANDIDATES TO REQUIRE THEM TO FILE AN INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND TO SET A FILING DEADLINE.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (335R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 25 through 27 and inserting:

/ Elections shall cause to be advertised in ~~at least two newspapers~~ a newspaper of general circulation in the water and sewer districts herein specified, on at least ~~three~~ two different days during the week immediately /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

AMENDED, AMENDMENT PROPOSED, OBJECTION

S. 214 -- Senators Kimpson, Sheheen, Gregory, Campsen and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (214R001.KMM.VAS), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 7 through 13 by inserting:

/(4) to ensure retailers selling another person's tangible personal property on the Internet clearly understand and are informed of their requirements to remit the sales and use tax in the same manner as retailers selling another person's tangible personal property in a brick and mortar store.

(5) Nothing in this act shall be construed as a statement concerning the applicability of the Sales and Use Tax Act to any sales and use tax liability matters currently in litigation. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Senator CLIMER proposed the following amendment (214R004.SP.WC), which failed:

Amend the bill, as and if amended, page 3, by striking line 41 and inserting:

/ SECTION 7. As of the effective date of this act, the Director of the Department of Revenue shall segregate all sales tax and use tax remitted by marketplace facilitators to the State pursuant to this act into a designated fund. The director shall annually report the amount collected to the Revenue and Fiscal Affairs Office, which shall annually calculate the amount of a refundable sales tax credit factor to be used to reduce the amount of an individual's owed income tax.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator CLIMER continued to explained the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

Ayes 22; Nays 22

AYES

Alexander	Allen	Campbell
Fanning	Goldfinch	Harpootlian
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Reese	Sabb
Scott	Setzler	Sheheen
Williams		

Total--22

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Gregory
Grooms	Hembree	Martin
Massey	Peeler	Rankin
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--22

The motion to table the amendment failed.

The question then was the adoption of the amendment.

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

Ayes 22; Nays 22

AYES

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Gregory	Grooms	Hembree
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--22

NAYS

Allen	Cash	Fanning
Goldfinch	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Setzler	Sheheen
Williams		

Total--22

The amendment failed.

Senator MASSEY proposed the following amendment (214R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 41 and inserting:

/ SECTION 7. As of the effective date of this act, and for a total of five years after the effective date of this act, all sales tax and use tax remitted by marketplace facilitators to the State pursuant to this act must be used to offset the unfunded liability for the South Carolina Retirement System.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator SHEHEEN spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator SHEHEEN moved to lay the amendment on the table.

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

Ayes 22; Nays 22

AYES

Alexander	Allen	Campbell
Fanning	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Setzler	Sheheen
Williams		

Total--22

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Martin	Massey	Peeler

Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--22

The Senate refused to lay the amendment on the table.

The question then was the adoption of the amendment.

The amendment was adopted.

Having voted on the prevailing side, Senator SHEHEEN moved to reconsider the vote whereby the amendment was adopted.

The question then was the motion to reconsider the adoption the amendment.

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

Ayes 19; Nays 25

AYES

Allen	Campbell	Fanning
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Reese	Sabb
Scott	Setzler	Sheheen
Williams		

Total--19

NAYS

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Malloy	Martin
Massey	Peeler	Rankin
Rice	Senn	Shealy

Talley	Turner	Verdin
Young		

Total--25

The Senate refused to reconsider the adoption of the amendment.

Senator SETZLER proposed the following amendment (1NGS21), which was adopted:

Amend the bill as and if amended, page 3, by striking line 41 and inserting the following:

/ SECTION 7. As of the effective date of this act, all sales tax and use tax remitted by marketplace facilitators to the State pursuant to this act must be transferred to the Classroom Teacher Fund at the State Department of Education and distributed to school districts to increase equally the base salary of each classroom teacher.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

Point of Order

Senator CLIMER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

The question was adoption of the amendment.

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

Ayes 30; Nays 14

AYES

Alexander	Allen	Campbell
Climer	Cromer	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Rankin	Reese	Sabb

Scott	Senn	Setzler
Sheheen	Verdin	Williams

Total--30

NAYS

Bennett	Campsen	Cash
Corbin	Davis	Gregory
Hembree	Massey	Peeler
Rice	Shealy	Talley
Turner	Young	

Total--14

The amendment was adopted.

Senator RICE proposed the following amendment (214R005.SP.RFR):

Amend the bill, as and if amended, page 3, by striking line 41 and inserting:

/ SECTION 7. Any sales and use tax revenues awarded to the State as the result of a verdict in favor of the Department of Revenue in a case against any retailer that has utilized the provisions of Section 12-36-2691 must be used to offset the unfunded liability for the South Carolina Retirement System.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

Senator KIMPSON moved to lay the amendment on the table.

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

Ayes 19; Nays 25

AYES

Alexander	Allen	Campbell
Fanning	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Malloy	*Matthews, John*	McLeod
Nicholson	Reese	Sabb

Scott	Setzler	Sheheen
Williams		

Total--19

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Leatherman	Martin	Massey
Matthews, Margie	Peeler	Rankin
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--25

The Senate refused to lay the amendment on the table.

Senator KIMPSON spoke on the amendment.

Senator HUTTO objected to further consideration of the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 16 -- Senators Rankin and Cash: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

The Senate proceeded to a consideration of the Bill.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 168 -- Senators Hembree, Leatherman, Climer, Setzler, Young, Cromer, Verdin, Johnson, Rice, Alexander and Campsen: A JOINT RESOLUTION TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RECOMMENDATIONS FOR REDUCING AND STREAMLINING THE AMOUNT OF PAPERWORK AND REPORTING REQUIREMENTS OF TEACHERS, SCHOOLS, AND SCHOOL DISTRICTS, TO PROVIDE REQUIREMENTS FOR THE CONTENT OF THESE RECOMMENDATIONS, AND TO PROVIDE THE DEPARTMENT SHALL REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 15, 2020.

The Senate proceeded to a consideration of the Resolution.

Senators SETZLER and HEMBREE proposed the following amendment (WAB\168C001.AGM.WAB19), which was adopted:

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

/ SECTION 1. The State Department of Education shall develop recommendations for reducing and streamlining the amount of paperwork and reporting required of teachers, schools, and school districts. These recommendations must include information on required reporting and administrative paperwork at the classroom, school, district, and state levels, the entity requiring the data or report, the method of reporting, and frequency of the report. The department also must include information on federal reporting requirements and include information on the potential loss of funding at the state and district level if the reports are not completed. Before August 1, 2019, the department shall report its recommendations to the Chairman of the Senate Education Committee and the Chairman of the House Education and Public Works Committee.

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE explained the Resolution.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, Margie*	McLeod
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO

PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

AMENDMENT PROPOSED, OBJECTION

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

The Senate proceeded to a consideration of the Bill.

Senator ALLEN proposed the following amendment (176R001.SP.KBA), which was proposed:

Amend the bill, as and if amended, page 2, by striking lines 20 through 38 and inserting:

/ (B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

~~(B)~~(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by lethal injection, and it is available, in writing fourteen days before the execution date. The convicted person must sign and date this form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by electrocution regardless of the method elected by the person.

(E) The Department of Corrections must provide written notice to an inmate of his right of election under this section." /

Renumber sections to conform.

Amend title to conform.

Senator ALLEN explained the amendment.

Senator HEMBREE explained the Bill.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

READ THE SECOND TIME

S. 196 -- Senators Shealy, Hutto, Jackson, Senn and Climer: A BILL TO REPEAL SECTION 20-1-300 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, Margie*
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

READ THE SECOND TIME

S. 228 -- Senator Gambrell: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, Margie*
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

READ THE SECOND TIME

S. 12 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS “BARBERS’ DAY” IN SOUTH CAROLINA.

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 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, Margie*
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

POINT OF ORDER

S. 75 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES

INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

Point of Order

Senator HUTTO raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ODER

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND

CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND

38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Senator MARTIN objected to consideration of the Bill.

S. 35 -- Senators Grooms, Campsen and Verdin: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS,

AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Senator SCOTT objected to consideration of the Bill.

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

MADE SPECIAL ORDER

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE

WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

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

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

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

Ayes 26; Nays 13

AYES

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

Total--26

NAYS

Allen	Fanning	Harpootlian
Hutto	Johnson	Kimpson
Malloy	*Matthews, Margie*	McLeod
Nicholson	Sabb	Scott
Setzler		

Total--13

The Bill was made a Special Order.

TUESDAY, JANUARY 29, 2019

MOTION ADOPTED

At 4:41 P.M., on motion of Senator CAMPSEN, the Senate agreed to dispense with the balance of the Motion Period.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Clarendon County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Nannette Frye, 1775 Summerton Highway, Sumter, SC 29148

Motion Adopted

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

ADJOURNMENT

At 4:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 2:00 P.M.

* * *

Wednesday, January 30, 2019
(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:

Philippians 2:3,4

"Do nothing out of selfish ambition or vain conceit. Rather, in humility value others above yourselves, not looking to your own interests but each of you to the interests of others."

Let us pray. Almighty God, Creator of all things, giver of every good and perfect gift, hear our prayer as we seek Your blessing on our deliberations.

Hear us, O God, when we pray for those in places of influence and authority -- for our Governor as he unfolds his vision for this State, for our Senators as they create our laws, for our judges as they interpret these laws, for our officers as they enforce these laws; and for our military as they seek to protect us from harm and insure our right to make laws that uphold the concepts of justice and equality for all.

Forgive us when we have fallen short of Your will for our State and our nation. Renew in us the hope and faith and conviction that only comes from You.

In our differences may we be kind; in our agreements may we be proud, and in our accomplishments may we be humble. For it is through the gift of Your Holy Spirit that we pray, Amen.

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Adjutant General, with the term to commence January 13, 2019, and to expire January 13, 2021

Roy Van McCarty, 217 Silvercreek Dr., Lexington, SC 29072-8089 *VICE* Major General Robert E. Livingston

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large: Ben W. Satcher, Jr., 358 Catawba Court, Lexington, SC 29072-9500 *VICE* Richard A. Jones, Jr.

Referred to the Committee on Education.

The following appointment was transmitted by the South Carolina Conservation Bank Board:

Statewide Appointment

Initial Appointment, Executive Director of the South Carolina Conservation Bank, to serve at the pleasure of the Conservation Bank Board:

Michael A. Pitts, 372 Bucks Point Road, Laurens, SC 29360

Referred to the Committee on Agriculture and Natural Resources

Doctor of the Day

Senator McELVEEN introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ALEXANDER, at 2:32 P.M., Senator LEATHERMAN was granted a leave of absence until 4:45 P.M.

CO-SPONSORS ADDED

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

S. 89 Sen. Talley
S. 112 Sen. Cash
S. 160 Sen. Gambrell
S. 259 Sen. Kimpson
S. 296 Sen. Setzler
S. 298 Sen. Scott

S. 313 Sen. Jackson
S. 332 Sen. Talley
S. 363 Sen. Kimpson
S. 401 Sen. Scott
S. 408 Sen. Campbell
S. 424 Sen. Turner
S. 450 Sen. Gambrell

OBJECTION

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

Senator CAMPSEN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

Senator CAMPSEN explained the Joint Resolution.

Senator MASSEY objected.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on January 30, 2019, at 2:05 P.M. and the following Act was ratified:

(R1, S. 2) -- Senators Campsen, Massey, Malloy and Setzler: AN ACT TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30, 1-9-30, 1-11-425, 1-18-70, 1-23-280, 1-23-290, 2-1-230, 2-1-250, 2-2-30, 2-2-40, 2-3-20, 2-3-75, 2-3-105, 2-15-60, 2-17-90, 2-17-100, 2-19-10, 2-41-70, 2-59-10, 2-67-20, 2-69-20, 2-69-40, 2-75-10, 3-11-400, 5-1-26, 6-4-35, 6-29-1330, 8-13-540, 8-13-715, 8-13-1373, 9-4-10, 9-4-40, AS AMENDED, 9-16-90, 9-16-380, 10-1-168, 11-9-1140, AS AMENDED, 11-11-350, 11-43-140, 11-45-40, 11-50-50, 11-57-340, 13-1-25, 23-1-230, 24-22-150, 37-29-110, 38-3-110, 40-47-10, 41-27-710, 44-59-50, 44-128-50, 46-3-260, 48-52-440, 48-59-40, AS AMENDED, 51-13-720, 51-13-2120, 51-18-40, 51-18-115, 54-3-1300, 54-6-10, 59-6-10, 59-40-230, 59-46-40, 59-59-175, 59-150-40, 59-150-320, 59-150-325, 60-17-10, 63-1-50, 63-11-1720, AS AMENDED, 63-11-1930, AS AMENDED, 63-11-2110, AND 1-11-10, AS

AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, SO AS TO SUBSTITUTE THE "PRESIDENT OF THE SENATE" FOR THE "PRESIDENT PRO TEMPORE OF THE SENATE", "PRESIDENT PRO TEMPORE", OR "PRESIDENT OF THE SENATE PRO TEMPORE" IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; TO AMEND ACT 121 OF 2014, RELATING TO APPOINTMENTS MADE BY THE PRESIDENT PRO TEMPORE, SO AS TO MAKE THE SAME CONFORMING CHANGE; AND TO AMEND SECTIONS 1-17-20, 1-23-125, 2-3-30, 2-3-90, 7-11-30, 7-17-10, 10-1-40, 14-27-20, 14-27-30, 14-27-40, 14-27-80, 44-56-840, 54-7-100, AND 59-6-15, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, SO AS TO SUBSTITUTE "PRESIDENT OF THE SENATE" FOR "LIEUTENANT GOVERNOR" OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.
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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 462 -- Senator Davis: A BILL TO AMEND SECTION 44-53-520 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES AND FORFEITURE PROCEDURES FOR PROPERTY SEIZED ACCORDINGLY, TO PROVIDE FOR THE EXPEDITED RETURN OF CERTAIN PROPERTY AND MONIES SEIZED WHEN FORFEITURE PROCEEDINGS HAVE NOT BEEN INSTITUTED AND CHARGES HAVE NOT BEEN FILED WITHIN THIRTY DAYS OF SEIZURE, TO PROVIDE THAT A LAWFUL OWNER MAY NOT BE REQUIRED TO PROVE THAT PROPERTY OR MONIES SEIZED WERE LEGALLY ACQUIRED, TO PROHIBIT A SEIZING AUTHORITY FROM REQUIRING A LAWFUL OWNER OF PROPERTY OR MONIES TO SIGN A RELEASE ABSOLVING THE SEIZING AUTHORITY FROM CIVIL LIABILITY RELATING TO AN UNLAWFUL SEIZURE BEFORE PROPERTY OR MONIES ARE RETURNED, AND TO PROVIDE THAT CRIMINAL CHARGES MAY BE BROUGHT AT A LATER DATE IF EVIDENCE

WARRANTS; TO AMEND SECTION 44-53-530 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES AND FORFEITURE PROCEDURES FOR PROPERTY SEIZED ACCORDINGLY, TO ALLOW FORFEITURE PROCEEDINGS TO BE HELD IN THE MAGISTRATES COURT IF THE VALUE OF THE PROPERTY SEIZED DOES NOT EXCEED SEVEN THOUSAND FIVE HUNDRED DOLLARS, TO CHANGE THE METHOD OF ALLOCATING VARIOUS ASSETS OBTAINED THROUGH DRUG FORFEITURES SO THAT, AFTER THE FIRST ONE THOUSAND DOLLARS RETAINED BY THE APPROPRIATE LAW ENFORCEMENT AGENCY, THE REMAINING ASSETS MUST BE FORWARDED TO THE PROSECUTING AGENCY, AND TO MAKE TECHNICAL CHANGES REFLECTING THE NEW DISTRIBUTION OF THESE ASSETS; AND TO AMEND SECTION 44-53-586 OF THE 1976 CODE, RELATING TO THE RETURN OF SEIZED ITEMS UNDER DRUG FORFEITURE LAWS TO INNOCENT OWNERS, TO ALLOW PROCEEDINGS TO BE HELD IN THE MAGISTRATES COURT IF THE VALUE OF THE PROPERTY SEIZED DOES NOT EXCEED SEVEN THOUSAND FIVE HUNDRED DOLLARS.
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Read the first time and referred to the Committee on Judiciary.

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON

THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.
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Read the first time and referred to the Committee on Medical Affairs.

H. 3770 -- Reps. Jordan, Lowe, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Kimmons, King, Kirby, Ligon, Loftis, Long, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JUDGE A. E. "GENE" MOREHEAD III, FAMILY COURT JUDGE FOR THE TWELFTH JUDICIAL CIRCUIT, UPON THE OCCASION OF HIS RETIREMENT AS THE LONGEST SERVING FAMILY COURT JUDGE IN THE STATE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 3771 -- Reps. Mace, B. Cox, Murphy, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore,

Morgan, D. C. Moss, V. S. Moss, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SENIOR CADET SARAH ZORN ON BECOMING THE FIRST FEMALE REGIMENTAL COMMANDER IN THE HISTORY OF THE CITADEL AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS AS SHE GRADUATES IN MAY 2019.

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

H. 3772 -- Reps. Willis, Allison, Stavrinakis, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA ARTS ALLIANCE ON THE OCCASION OF THE FORTIETH ANNIVERSARY OF ITS FOUNDING, TO CELEBRATE THE ORGANIZATION FOR FOUR DECADES OF LEADERSHIP AND ADVOCACY IN THE ARTS, AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF SUCCESS IN PURSUIT OF ITS MISSION.

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

H. 3793 -- Reps. Parks, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE LIFE AND WORK OF WILLIE A. TOMPKINS AND TO COMMEMORATE THE CELEBRATION AT BETHANY MISSIONARY BAPTIST CHURCH ON FEBRUARY 17, 2019.

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

HOUSE CONCURRENCE

S. 450 -- Senators Fanning and Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AUSTIN GEER, A SENIOR AT THE SOUTH CAROLINA GOVERNOR'S SCHOOL OF SCIENCE AND MATHEMATICS, FOR OUTSTANDING ACADEMIC ACHIEVEMENT AND TO CONGRATULATE HIM FOR WINNING THE TENTH ANNUAL LOUISIANA STATE UNIVERSITY UNDERGRADUATE RESEARCH CONFERENCE.

Returned with concurrence.

Received as information.

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

AMENDMENT PROPOSED, CARRIED OVER

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY

PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

The Senate proceeded to a consideration of the Bill.

Senators MARTIN and DAVIS proposed the following amendment (309R003.SP.SRM):

Amend the bill, as and if amended, page 1, by striking lines 22 through 42, and page 2, by striking lines 1 through 6 and inserting:

/ "Section 12-6-3585. (A)(1) For each tax year beginning after 2018, a ~~A~~ taxpayer may claim as a credit against state income tax imposed by Chapter 6, Title 12, bank tax imposed by Chapter 11, Title 12, license fees imposed by Chapter 20 of Title 12, or insurance premiums imposed by Chapter 7, Title 38, or any combination of them, one hundred percent of an amount contributed to the Industry Partnership Fund at the South Carolina Research Authority (SCRA), or an SCRA-designated affiliate, or both, pursuant to Section 13-17-88(E), up to a maximum credit of ~~six hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of two million dollars for all taxpayers in tax year 2006; up to a maximum credit of one million three hundred thousand dollars for a single taxpayer, not to exceed an aggregate credit of four million dollars for all taxpayers in tax year 2007; and up to a maximum credit of two million dollars for a single taxpayer, not to exceed an aggregate credit of six million dollars for all taxpayers for each tax year beginning after December 31, 2007~~ two hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of twelve million dollars for all taxpayers. For purposes of determining a taxpayer's entitlement to the credit for qualified contributions for a given tax year in which more than the applicable aggregate annual limit on the credit is contributed by taxpayers for that year, taxpayers who have made contributions that are intended to be qualified contributions earlier in the applicable tax year than other taxpayers must be given priority entitlement to the credit. The SCRA shall certify to taxpayers who express a bona fide intention of making one or more qualified contributions as to whether the taxpayer is entitled to that priority.

(2) Notwithstanding the annual aggregate credit amount set forth in item (1), for each tax year beginning after 2024, the annual aggregate credit for all taxpayers is reduced from twelve million dollars to six million dollars. /

Amend the bill further, page 2, by striking lines 34 through 43, and page 3, by striking lines 1 through 3 and inserting:

/ SECTION 2. Section 12-6-3585 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( )(1) By March fifteenth of each year, the South Carolina Research Authority shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor detailing the amount contributed to the Industry Partnership Fund in the previous tax year that entitled the taxpayer to the credit allowed by this section, the taxpayers who received the credit, and the manner in which such contributions were expended or are expected to be expended. The report also must be posted in a conspicuous place on the website maintained by the South Carolina Research Authority.

(2) By February fifteenth of each year, each taxpayer who earned a credit allowed by this section in the preceding fiscal year that the taxpayer will claim in the current year must file a report with the South Carolina Research Authority detailing the specific manner in which the credit allowed by this section creates increased economic activity that causes a financial benefit to insure to the taxpayers of the State of South Carolina. The report shall provide a detailed comparison and accounting of how the taxpayer's economic activity and performance would exist without the credit versus receiving the credit. The report should notate any assumptions that the taxpayer made in calculating this comparison and an explanation of why the assumption was necessary. Any taxpayer who fails to provide the report required by this item is disallowed the credit. The South Carolina Research Authority shall include a summary of each report required by this item in the report the authority issues pursuant to item (1)." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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

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. 196 -- Senators Shealy, Hutto, Jackson, Senn and Climer: A BILL TO REPEAL SECTION 20-1-300 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A LICENSE TO AN UNMARRIED FEMALE AND MALE UNDER EIGHTEEN YEARS OF AGE WHEN THE FEMALE IS PREGNANT OR HAS BORNE A CHILD.

S. 228 -- Senator Gambrell: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

S. 12 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS "BARBERS' DAY" IN SOUTH CAROLINA.

AMENDED, READ THE SECOND TIME

S. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

Senator MASSEY proposed the following amendment (108R001.KMM.ASM), which was adopted:

Amend the bill, as and if amended, page 1, line 28, by adding:

/ SECTION 2. Section 10-11-330 of the 1976 Code is amended to read:

"Section 10-11-330. It shall be unlawful for any person or group of persons wilfully and knowingly: (a) to enter or to remain within the ~~capitol building~~ buildings on the capitol grounds unless such person is authorized by law or by rules of the House or Senate, or the Department of Administration regulations, respectively, when such entry is done for the purpose of uttering loud, threatening, and abusive language or to engage in any disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of any session of the legislature or the orderly conduct within ~~the~~ a building or of any hearing before or any deliberation of any committee or subcommittee of the legislature; (b) to obstruct or to impede passage within the capitol grounds or ~~building~~ buildings on the capitol grounds; (c) to engage in any act of physical violence upon the capitol grounds or within the ~~capitol building~~ buildings on the capitol grounds; or (d) to parade, demonstrate, or picket within the capitol building." /

Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (108R002.KMM.ASM), which was adopted:

Amend the bill, as and if amended, page 1, line 28, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 10-1-30 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( ) On the days that the General Assembly meets in statewide session, access to the State House by the general public or the press may not be restricted or prohibited without prior approval of the Senate sergeant at arms and the House of Representatives sergeant at arms. On the days that the General Assembly does not meet in statewide session, access to the State House by the general public or the press may not be restricted or prohibited without prior consultation with the Senate sergeant at arms and the House of Representatives sergeant at arms. The provisions contained in this section do not apply in exigent circumstances; however, when access to the State House is restricted or prohibited due to exigent circumstances, access must be restored as soon as practicable." /

Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (108R003.KMM.ASM), which was adopted:

Amend the bill, as and if amended, page 1, line 28, by adding an appropriately lettered new subsection to read:

/ SECTION __. Section 2-3-100 of the 1976 Code is amended to read:

"Section 2-3-100. (A) The sergeant at arms of the Senate and the sergeant at arms of the House of Representatives shall take exclusive care and charge of the Senate chamber and the hall of the House of Representatives and the committee rooms, respectively, and be held

responsible for their keeping and the keeping and protection of the furniture and furnishings belonging to them, packing such as may need packing and inspecting and caring for them during the recess of the General Assembly. The sergeant at arms of both houses shall employ such laborers and help as may be necessary to carry out the provisions of this section.

(B) The sergeant at arms of the Senate and the sergeant at arms of the House of Representatives are each the head of a law enforcement agency and are the primary law enforcement agency when acting within the scope of the duties of their respective offices. The sergeant at arms of the Senate and the sergeant at arms of the House of Representatives may request for temporary assistance from state, local, or federal law enforcement agencies on matters within the scope of their respective subject matter and territorial jurisdiction.

(C) The sergeant at arms of the Senate and the sergeant at arms of the House of Representatives shall employ deputies who shall be commissioned as constables. The sergeant at arms of the Senate, the sergeant at arms of the House of Representatives, and their respective deputies shall be entitled to enforce the laws of this State and exercise the duties of their offices throughout the State." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*

McLeod	Nicholson	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

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

READ THE SECOND TIME

S. 75 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT

AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Hembree	Hutto
Johnson	Kimpson	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Harpootlian

Total--1

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

CARRIED OVER

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC

HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\360C001.NBD.CZ19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 11 and inserting:

/ SECTION 11. Section 38-99-70(A) of the 1976 Code, as added by Act 171 of 2018, is amended to read:

"(A) The following licensees are exempt from the provisions of ~~this chapter~~ Section 38-99-20:

(1) a licensee with fewer than ten employees, including any independent contractors;

(2) an employee, agent, representative, or designee of a licensee, who is also a licensee, is exempt from the provisions of ~~this chapter~~ Section 38-99-20 and need not develop its own information security program to the extent that the employee, agent, representative, or designee is covered by the information security program of the other licensee; and

(3) a licensee subject to the Health Insurance Portability and Accountability Act, Pub.L. 104-191, 110 Stat. 1936, that has established and maintains an information security program pursuant to such statutes, rules, regulations, procedures, or guidelines established thereunder, will be considered to meet the requirements of ~~this chapter~~ Section 38-99-20, provided that the licensee is compliant with, and submits a written statement certifying its compliance with, the provisions of ~~this chapter~~ Section 38-99-20." /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The question then was adoption of the amendment.

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

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Martin	Massey

Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Total--0

The amendment was adopted.

The question then being the second reading of the Bill.

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

POINT OF ORDER

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED

CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

CARRIED OVER

S. 456 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO LICENSURE BY REGISTRATION; AND LICENSURE BY ENDORSEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4851, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 457 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 458 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4821, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 460 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS AND MARITAL AND FAMILY THERAPISTS, DESIGNATED AS REGULATION DOCUMENT

NUMBER 4862, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Motion Adopted

On motion of Senator MASSEY, the Joint Resolutions from Labor, Commerce and Industry Committee were carried over until February 7, 2019.

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

MOTION ADOPTED

At 2:52 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

S. 176 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE

WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1

Senator ALLEN proposed the following amendment (176R001.SP.KBA), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 20 through 38 and inserting:

/ (B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

~~(B)~~(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by lethal injection, and it is available, in writing fourteen days before the execution date. The convicted person must sign and date this form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by electrocution regardless of the method elected by the person.

(E) The Department of Corrections must provide written notice to an inmate of his right of election under this section."/

Renumber sections to conform.

Amend title to conform.

Senator ALLEN explained the amendment.

The amendment was adopted.

Senator MALLOY spoke on the Bill.
Senator M.B. MATTHEWS spoke on the Bill.
Senator HARPOOTLIAN spoke on the Bill.
Senator M.B. MATTHEWS spoke on the Bill.

ACTING PRESIDENT PRESIDES

Senator CROMER assumed the Chair.

Amendment No. 2

Senator MALLOY proposed the following amendment (176R002.SP.GM), which was carried over and subsequently withdrawn:

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

/ SECTION 1. Section 24-3-530 of the 1976 Code is amended to read:

"Section 24-3-530. (A) A person convicted of a capital crime and having imposed upon him the sentence of death shall suffer the penalty by electrocution or, at the election of the person, lethal injection, if it is available at the time of election, or by firing squad under the direction of the Director of the Department of Corrections. The election for death by electrocution ~~or~~, lethal injection, or firing squad must be made in writing fourteen days before ~~the~~ each execution date or it is waived. If the inmate receives a stay of execution or the execution date has passed for any reason, the election expires and must be renewed in writing fourteen days before a new execution date. If the person waives the right of election, then the penalty must be administered by ~~lethal injection~~ firing squad.

(B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

~~(B)~~(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by lethal injection, and it is available, or firing squad in writing fourteen days before the execution date. The convicted person must sign and date this form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain

a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by ~~electrocution~~ firing squad regardless of the method elected by the person.

(E) The Department of Corrections must provide written notice to an inmate of his right of election under this section."

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

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

PRESIDENT PRESIDES

At 4:23 P.M., the PRESIDENT assumed the Chair.

Amendment No. 3

Senator MALLOY proposed the following amendment (176R003.SP.GM), which was ruled out of order:

Amend the bill, as and if amended, page 2, line 39, by inserting:

/ SECTION 2. Section 16-3-20(C)(a) is amended by adding an appropriately numbered new subitem to read:

"( ) The offender committed the murder as the result of animus toward one or more of the victim's immutable characteristics." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

Senator MALLOY spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 4

Senator BRIGHT MATTHEWS proposed the following amendment (176R004.SP.MBM), which was not adopted:

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

/ SECTION 1. Section 24-3-530 of the 1976 Code is amended to read:

"Section 24-3-530. (A) A person convicted of a capital crime and having imposed upon him the sentence of death shall suffer the penalty by electrocution or, at the election of the person, lethal injection, if it is available at the time of election, or by hanging under the direction of the Director of the Department of Corrections. The election for death by electrocution ~~or~~, lethal injection, or hanging must be made in writing fourteen days before ~~the~~ each execution date or it is waived. If the inmate receives a stay of execution or the execution date has passed for any reason, the election expires and must be renewed in writing fourteen days before a new execution date. If the person waives the right of election, then the penalty must be administered by ~~lethal injection~~ hanging.

(B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

~~(B)~~(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by lethal injection, and it is available, or hanging in writing fourteen days before the execution date. The convicted person must sign and date this form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by ~~electrocution~~ hanging regardless of the method elected by the person.

(E) The Department of Corrections must provide written notice to an inmate of his right of election under this section."

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

Renumber sections to conform.
Amend title to conform.

Senator M.B. MATTHEWS spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 1; Nays 38

AYES

Matthews, Margie

Total--1

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

Having failed to receive the necessary votes, the amendment failed.

Amendment No. 5

Senator HEMBREE proposed the following amendment (176R006.SP.GH), which was adopted:

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

/ SECTION 1. Section 24-3-530 of the 1976 Code is amended to read:

"Section 24-3-530. (A) A person convicted of a capital crime and having imposed upon him the sentence of death shall suffer the penalty by electrocution or, at the election of the person, lethal injection, if it is available at the time of election, or by firing squad under the direction of the Director of the Department of Corrections. The election for death by electrocution ~~or~~, lethal injection, or firing squad must be made in writing fourteen days before ~~the~~ each execution date or it is waived. If the inmate receives a stay of execution or the execution date has passed for any reason, the election expires and must be renewed in writing fourteen days before a new execution date. If the person waives the right of election, then the penalty must be administered by ~~lethal injection~~ electrocution.

(B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

~~(B)~~(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by lethal injection, and it is available, or firing squad in writing fourteen days before the execution date. The convicted person must sign and date this form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by electrocution regardless of the method elected by the person.

(E) The Department of Corrections must provide written notice to an inmate of his right of election under this section."

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

On motion of Senator MALLOY, with unanimous consent, Amendment No. 2 was withdrawn.

The question then was second reading of the Bill.

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

Ayes 26; Nays 13

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Hembree	Leatherman	Martin
Massey	Peeler	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--26

NAYS

Allen	Fanning	Hutto
Johnson	Kimpson	Malloy
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Reese	Sabb
Scott		

Total--13

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Rudolph Mitchell of Saluda, S.C. Mr. Mitchell was the father of our beloved State Superintendent of Education, Molly Spearman. Mr. Mitchell was a veteran of World War II. He established Rudanks Farms, was elected to the House of Representatives in 1962, received the Order of the Palmetto from Governor David Beasley and was inducted into the S.C. Dairy Hall of Fame at Clemson University. Rudolph was a lifelong member of Hickory Grove Advent Christian Church where he served as Sunday School Superintendent and was a member of the choir. He was a self taught musician and enjoyed performing at the Capital Café. Mr. Mitchell was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 31, 2019
(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:

James 1:26

"If a person thinks that he is religious but can't control his tongue, he is fooling himself. That person's religion is worthless."

Let us pray. Gracious God, we pray that You will save this moment from being a mere gesture to tradition and make it a real experience for each of us in this Chamber as we call upon You for guidance and help.

Give us open minds, O God, to receive Your wisdom and be more deaf to whispers from those who would persuade us to do what is self-serving. Compel us to be just and honest in all of our dealings. Let our motives be above suspicion and our word be our bond. Help our Senators to weigh their words that their words may carry weight. Through the power of Your spirit we pray, Amen.

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

Point of Quorum

At 11:04 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Johnson	Leatherman
Martin	Massey	Nicholson
Peeler	Rankin	Rice

Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams		

A quorum being present, the Senate resumed.

Recorded Presence

Senator YOUNG recorded his presence subsequent to the Call of the Senate.

Doctor of the Day

Senator JOHNSON introduced Dr. Victoria Pollard, Columbia S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 89 Sens. Rankin and Kimpson
S. 176 Sen. Verdin
S. 369 Sen. Hembree
S. 370 Sen. Hembree
S. 371 Sen. Hembree
S. 407 Sen. Cash

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 464 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE

MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

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

S. 465 -- Senator Cromer: A SENATE RESOLUTION TO HONOR AND RECOGNIZE COACH MICHAEL KLEINFELDER OF LEXINGTON, TWO TIME CANCER SURVIVOR, FOR HIS COURAGEOUS FIGHT AGAINST THE DEBILITATING DISEASE, ON THE OCCASION OF THE AMERICAN CANCER SOCIETY AND THE AMERICAN CANCER SOCIETY CANCER ACTION NETWORK'S SUITS AND SNEAKERS DAY.

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The Senate Resolution was adopted.

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 467 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SUSAN S. LONG OF THE LEGISLATIVE AUDIT COUNCIL ON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR MANY YEARS OF DEDICATED PUBLIC SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

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. 108 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF “CAPITOL GROUNDS”, TO DEFINE “CAPITOL GROUNDS” AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA.

S. 75 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE

NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

READ THE SECOND TIME

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING

BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question then being the 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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	McElveen
Nicholson	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--37

NAYS

Total--0

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

READ THE SECOND TIME

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD;

TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	McElveen
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--38

NAYS

Total--0

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

CARRIED OVER

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

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

MOTION ADOPTED

At 11:19 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 176 -- Senators Hembree, Martin and Verdin: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED AND

CERTIFIES THAT THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The question then was third reading of the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives, with amendments.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators SETZLER, VERDIN and MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert Adams of Columbia, S.C. Mr. Adams was a lobbyist, conservationist and civic leader. Robert began his political career as a Republican campaign consultant for President George H. W. Bush and also worked on the campaigns of Senator Strom Thurmond, Governor David Beasley, Congressman Joe Wilson and others. He served on the as Board of Directors of the Congaree Land Trust and Kensington Plantation Foundation. Robert was President of the St. Andrews Society of Columbia and Town Club. He was an active member in various clubs including the Society of the Cincinnati, the Columbia Cotillion Club, the Society of Lower Richland and many others. Robert was a loving husband and devoted father who will be dearly missed.

THURSDAY, JANUARY 31, 2019

ADJOURNMENT

At 11:23 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, February 1, 2019
(Local 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 ACTING PRESIDENT, Senator SCOTT.

CO-SPONSORS ADDED

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

S. 18 Sen. Climer
S. 190 Sen. Rankin
S. 266 Sen. Cromer
S. 359 Sen. Johnson
S. 455 Sen. Climer

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, February 5, 2019, at 2:00 P.M.

* * *

Tuesday, February 5, 2019
(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:

Proverbs 29:18a

"Where there is no vision the people perish…"

Let us pray. Gracious God, You had a vision for Abraham, David, Solomon and Moses -- mighty men in the course of history. To fulfill our purpose in life is to fulfill the vision that You have for us to become more than we are.

For it is only through Your power that we can step out from who we are and become who You would have us to be. Helen Keller said, "The only thing worse than being blind is having sight but no vision."

Give us Your vision, O God, and the courage to get out of our comfort zone and reach out to others and up to You in a mighty way! In Your holy name we pray, Amen.

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

REGULATION RESUBMITTED

The following was received:
Document No. 4819
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-21-540(11), 59-33-20(c), and 59-33-30
SUBJECT: Medical Homebound Instruction
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Resubmitted February 1, 2019

TUESDAY, FEBRUARY 5, 2019

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4816
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-104-20
SUBJECT: Palmetto Fellows Scholarship Program
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted January 31, 2019

Document No. 4846
Agency: Department of Labor, Licensing and Regulation - Auctioneers' Commission
Chapter: 14
Statutory Authority: 1976 Code Section 40-6-40
SUBJECT: Auctioneers' Commission (Repeal Specific Regulations)
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted February 5, 2019

Document No. 4859
Agency: Department of Labor, Licensing and Regulation - Board of Veterinary Medical Examiners
Chapter: 120
Statutory Authority: 1976 Code Sections 40-1-70, 40-69-60, and 40-69 70
SUBJECT: Veterinary Medicine and Animal Shelters
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Agriculture and Natural Resources
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted February 5, 2019

Doctor of the Day

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

TUESDAY, FEBRUARY 5, 2019

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 32 Sen. Shealy
S. 89 Sen. Fanning
S. 131 Sen. Corbin
S. 160 Sen. Nicholson
S. 266 Sen. Alexander
S. 330 Sen. Climer
S. 397 Sen. Senn
S. 398 Sen. Scott
S. 444 Sens. Verdin and Campsen
S. 455 Sen. Davis

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:45 A.M. tomorrow for the purpose of attending the Joint Assembly, and the Senate will reconvene one hour after the conclusion of the Joint Assembly.

RECALLED

S. 402 -- Senator Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF SOUTH CAROLINA HIGHWAY 5 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 521 TO THE CATAWBA RIVER IN LANCASTER COUNTY "DENNIS C. STRAIGHT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

Senator CAMPSEN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

The Joint Resolution was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 468 -- Senator Shealy: A BILL TO AMEND SECTION 23-3-430 OF THE 1976 CODE, RELATING TO THE SEX OFFENDER REGISTRY, TO GIVE FAMILY COURTS THE DISCRETION WHETHER TO REQUIRE A JUVENILE FOURTEEN YEARS OF AGE OR OLDER TO BE PLACED ON THE REGISTRY AND TO PROHIBIT FAMILY COURTS FROM PLACING A JUVENILE UNDER FOURTEEN YEARS OF AGE ON THE REGISTRY; AND TO AMEND SECTION 23-3-490(D) OF THE 1976 CODE, RELATING TO THE PUBLIC INSPECTION OF SEX OFFENDER REGISTRY RECORDS, TO LIMIT PUBLIC ACCESS TO VICTIMS, WITNESSES, SCHOOLS, CHILDCARE FACILITIES, AND OTHER BUSINESSES THAT PRIMARILY SERVE CHILDREN, WOMEN, OR VULNERABLE ADULTS.

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

S. 469 -- Senator Shealy: A BILL TO AMEND SECTION 20-4-20 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE "PROTECTION FROM DOMESTIC ABUSE ACT", TO REVISE THE DEFINITION OF "HOUSEHOLD MEMBER" BY ADDING COHABITANTS, FORMER COHABITANTS, AND PERSONS WHO

ARE PRESENTLY IN OR HAVE FORMERLY BEEN IN A DATING RELATIONSHIP AND TO DEFINE "DATING RELATIONSHIP".
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Read the first time and referred to the Committee on Judiciary.

S. 470 -- Senators Hutto, Setzler, Massey and Young: A SENATE RESOLUTION TO CONGRATULATE JUDGE DOYET A. "JACK" EARLY III UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 471 -- Senator Shealy: A BILL TO AMEND SECTION 17-25-20 OF THE 1976 CODE, RELATING TO PUNISHMENT FOR A FELONY WHEN NOT SPECIALLY PROVIDED, TO PROVIDE THAT SOLITARY CONFINEMENT MAY NOT BE DIRECTED FOR A PERSON WHO IS YOUNGER THAN EIGHTEEN YEARS OF AGE; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 17 OF THE 1976 CODE, RELATING TO CONVICTIONS AND SENTENCES, BY ADDING SECTION 17-25-35 AND SECTION 17-25-40, TO PROVIDE THAT A COURT SHALL NOT SENTENCE A PERSON TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE IF THE PERSON WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING THE OFFENSE, TO PROVIDE THAT A COURT MAY ISSUE A SENTENCE LESS THAN THE MINIMUM TERM OTHERWISE REQUIRED BY LAW IF THAT PERSON WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING THE OFFENSE, AND TO PROVIDE PAROLE ELIGIBILITY FOR A PERSON CONVICTED AND SENTENCED FOR AN OFFENSE COMMITTED BEFORE HE WAS EIGHTEEN YEARS OF AGE; TO AMEND SECTION 17-25-45(E) OF THE 1976 CODE, RELATING TO THE LIFE SENTENCE FOR A PERSON CONVINCED FOR CERTAIN CRIMES, TO PROVIDE THAT A PERSON MAY BE PAROLED IF HE WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING AN OFFENSE; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-15, TO PROVIDE THAT A COURT SHALL NOT SENTENCE A PERSON TO DEATH OR TO LIFE

IMPRISONMENT WHO WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING THE OFFENSE; TO AMEND SECTION 16-11-311(B) OF THE 1976 CODE, RELATING TO BURGLARY IN THE FIRST DEGREE, TO PROVIDE THAT THE COURT SHALL NOT SENTENCE A PERSON TO LIFE WHO WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING THE OFFENSE; TO AMEND SECTION 24-13-100 OF THE 1976 CODE, RELATING TO THE DEFINITION OF A "NO PAROLE OFFENSE", TO PROVIDE AN EXCEPTION TO A "NO PAROLE OFFENSE" FOR AN OFFENSE COMMITTED BY A PERSON WHO WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME OF COMMITTING THE OFFENSE; TO AMEND ARTICLE 15, CHAPTER 19, TITLE 63 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S COMMITMENT RESPONSIBILITIES, BY ADDING SECTION 63-19-1690, TO PROVIDE FOR THE USE OF MECHANICAL OR CHEMICAL RESTRAINTS, ISOLATION, OR ROOM CONFINEMENT; AND TO PROVIDE THAT CERTAIN PROVISIONS APPLY RETROACTIVELY TO A PERSON WHOSE OFFENSE WAS COMMITTED BEFORE HE WAS EIGHTEEN YEARS OF AGE, REGARDLESS OF THE ORIGINAL SENTENCES THAT WERE IMPOSED.

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

S. 472 -- Senator Shealy: A BILL TO ENACT THE "MUSIC THERAPY PRACTICE ACT"; TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, BY ADDING CHAPTER 85, TO REGULATE THE PRACTICE OF MUSIC THERAPY, TO CREATE THE SOUTH CAROLINA MUSIC THERAPY BOARD TO ASSIST THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN THE REGULATION OF THE PROFESSION OF MUSIC THERAPY, TO PROVIDE CRITERIA FOR LICENSURE, TO PROVIDE FOR THE USE OF A PROFESSIONAL DESIGNATION, AMONG OTHER THINGS, TO PROHIBIT THE PRACTICE OF MUSIC THERAPY WITHOUT A LICENSE, AND TO DEFINE NECESSARY TERMS.

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

S. 473 -- Senator Grooms: A BILL TO AMEND CHAPTER 31, TITLE 56 OF THE 1976 CODE, RELATING TO THE RENTAL OF PRIVATE PASSENGER AUTOMOBILES, BY ADDING SECTION 56-31-70, TO PROVIDE THAT AN INSURANCE POLICY THAT COVERS A PERSON OPERATING A RENTED OR LEASED VEHICLE, REGARDLESS OF THE LIMITATIONS OR EXCLUSIONS IN THE OPERATOR'S POLICY, SHALL BE PRIMARY TO A MOTOR VEHICLE INSURANCE POLICY IN WHICH THE NAMED INSURED IS A RENTAL COMPANY OR AFFILIATE OF THE RENTAL COMPANY, A QUALIFIED SELF-INSURER, AND A BOND POSTED BY A RENTAL COMPANY OR AN AFFILIATE OF THE RENTAL COMPANY FOR THE PURPOSE OF COMPLYING WITH FINANCIAL RESPONSIBILITY.
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Read the first time and referred to the Committee on Transportation.

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO

TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 476 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 391 IN SALUDA COUNTY OVER THE LITTLE SALUDA RIVER AT MILE MARKER 9.30 "CORPORAL DALE HALLMAN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 477 -- Senators Talley and Gambrell: A BILL TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, BY ADDING ARTICLE 14, TO PROVIDE FOR THE PERMITTING OF REGULATED SHOOTING AREAS FOR MALLARDS, TO PROVIDE THAT CAPTIVE-RAISED MALLARDS THAT ARE REARED AND RELEASED ON THE PROPERTY DESIGNATED AS A REGULATED SHOOTING AREA FOR MALLARDS MAY ONLY BE HUNTED DURING THE OPEN SEASON FOR MALLARDS, TO PROVIDE MARKING REQUIREMENTS FOR CAPTIVE-RAISED MALLARDS, TO PROVIDE THAT CAPTIVE-RAISED MALLARDS MAY BE TAKEN BY SHOOTING ON PERMITTED REGULATED SHOOTING AREAS FOR MALLARDS WITHOUT REGARD FOR BAG OR POSSESSION LIMITS AND TO PROVIDE EXCEPTIONS, TO REQUIRE CERTAIN LICENSES FOR HUNTING ON A REGULATED SHOOTING AREA FOR MALLARDS, TO PROVIDE THAT A PERMITTEE SHALL MAKE AN ANNUAL REPORT OF OPERATIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF PERMITTING AND MARKING REQUIREMENTS.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 478 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 16, 2019, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 479 -- Senator Peeler: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE BRETT REISTAD, TO SOUTH CAROLINA AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2019.
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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN

APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

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

S. 481 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE DIVISION OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS AND PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE "SOUTH CAROLINA FIRE ACADEMY", TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY

COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3135 -- Reps. G. M. Smith, Erickson, Yow, Funderburk, Huggins, Wheeler, Clemmons, Anderson and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO REMOVE CERTAIN LIMITS.

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

H. 3136 -- Reps. G. M. Smith, G. R. Smith, Erickson, Clyburn, B. Newton, V. S. Moss, Yow, W. Newton, Clemmons, Moore and Gilliard: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS TAX CREDIT, SO AS TO PROVIDE THAT THE CUMULATIVE MAXIMUM ANNUAL CREDIT AMOUNTS ARE INCREASED TO PROVIDE A SCHOLARSHIP TO ANY EXCEPTIONAL NEEDS CHILD OF A MEMBER OF THE ARMED FORCES OF THE UNITED STATES AND WHO IS EITHER ON ACTIVE DUTY OR WAS KILLED IN THE LINE OF DUTY.

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

H. 3137 -- Reps. G. M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and

Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

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

H. 3369 -- Reps. Bernstein, Erickson, Collins, Brawley, Henegan, Rose, Caskey, Clary, Pope, Bryant, Fry, Wheeler and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 20-1-300 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO MINORS WHEN THE FEMALE IS PREGNANT OR HAS GIVEN BIRTH TO A CHILD.

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

H. 3411 -- Reps. G. R. Smith, W. Newton, Funderburk, Willis, Anderson, Weeks, Erickson, Elliott, R. Williams, Wheeler, Young and Clemmons: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

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

H. 3446 -- Reps. Pitts, G. M. Smith, Crawford, Caskey, Pope, Bryant and Fry: A BILL TO AMEND SECTION 2-69-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE STANDING COMMITTEES TO ISSUE SUBPOENAS AND SUBPOENAS DUCES TECUM, SO AS TO AUTHORIZE THE STANDING COMMITTEES TO ISSUE SUBPOENAS OR SUBPOENAS DUCES TECUM TO PRIVATE ENTITIES OR INDIVIDUALS AS REQUIRED BY LAW, INCLUDING, BUT NOT LIMITED TO, FINANCIAL INSTITUTIONS, AND TO DEFINE THE TERM "FINANCIAL INSTITUTION".

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

H. 3472 -- Reps. Murphy, Caskey, Pope, Bryant, Fry, B. Newton, McCoy, Stavrinakis, Ligon, Clemmons and Anderson: A BILL TO AMEND SECTION 23-31-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE THE ATTORNEY GENERAL AND ASSISTANT ATTORNEYS GENERAL IN THE PURVIEW OF THE STATUTE.

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

H. 3576 -- Reps. White, Cobb-Hunter, Garvin, Rose, Loftis, Gilliard, Moore, Clemmons and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS), TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

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

REPORTS OF STANDING COMMITTEE

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

S. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS

WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

Ordered for consideration tomorrow.

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

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

Ordered for consideration tomorrow.

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

S. 398 -- Senators Alexander and Scott: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

Ordered for consideration tomorrow.

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

S. 426 -- Senator Goldfinch: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN

COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

Ordered for consideration tomorrow.

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, Adjutant General, with the term to commence January 13, 2019, and to expire January 13, 2021

Roy Van McCarty, 217 Silvercreek Dr., Lexington, SC 29072-8089 *VICE* Major General Robert E. Livingston

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

AMENDED, CARRIED OVER

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

The Senate proceeded to a consideration of the Bill.

Senators MARTIN, DAVIS and SETZLER proposed the following amendment (309R004.SP.SRM), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 22 through 42, and page 2, by striking lines 1 through 6 and inserting:

/ "Section 12-6-3585. (A)(1) For each tax year beginning after 2018, a ~~A~~ taxpayer may claim as a credit against state income tax imposed by Chapter 6, Title 12, bank tax imposed by Chapter 11, Title 12, license fees imposed by Chapter 20 of Title 12, or insurance premiums imposed by Chapter 7, Title 38, or any combination of them, one hundred percent of an amount contributed to the Industry Partnership Fund at the South Carolina Research Authority (SCRA), or an SCRA-designated affiliate, or both, pursuant to Section 13-17-88(E), up to a maximum credit of ~~six hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of two million dollars for all taxpayers in tax year 2006; up to a maximum credit of one million three~~

~~hundred thousand dollars for a single taxpayer, not to exceed an aggregate credit of four million dollars for all taxpayers in tax year 2007; and up to a maximum credit of two million dollars for a single taxpayer, not to exceed an aggregate credit of six million dollars for all taxpayers for each tax year beginning after December 31, 2007~~ two hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of twelve million dollars for all taxpayers. For purposes of determining a taxpayer's entitlement to the credit for qualified contributions for a given tax year in which more than the applicable aggregate annual limit on the credit is contributed by taxpayers for that year, taxpayers who have made contributions that are intended to be qualified contributions earlier in the applicable tax year than other taxpayers must be given priority entitlement to the credit. The SCRA shall certify to taxpayers who express a bona fide intention of making one or more qualified contributions as to whether the taxpayer is entitled to that priority.

(2) Notwithstanding the annual aggregate credit amount set forth in item (1), for each tax year beginning after 2024, the annual aggregate credit for all taxpayers is reduced from twelve million dollars to six million dollars. /

Amend the bill further, page 2, by striking lines 34 through 43, and page 3, by striking lines 1 through 3 and inserting:

/ SECTION 2. Section 12-6-3585 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( )(1) By March fifteenth of each year, the South Carolina Research Authority shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, and the Governor detailing the amount contributed to the Industry Partnership Fund in the previous tax year that entitled the taxpayer to the credit allowed by this section, the taxpayers that received the credit, and the manner in which such contributions were expended or are expected to be expended.

(2) The report shall also include, by county, the number of taxpayers who express a bona fide intention to contribute to the Industry Partnership Fund, the number of taxpayers whom the SCRA certified as entitled to receive the Industry Partnership Fund tax credit, and the amount of Industry Partnership Fund contributions that received such certification from SCRA.

(3) The report also must be posted in a conspicuous place on the website maintained by the South Carolina Research Authority."/

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

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

OBJECTION

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO

EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

Senator MALLOY objected to the consideration of the Bill.

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

TUESDAY, FEBRUARY 5, 2019

MOTION ADOPTED

At 2:33 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Irene K. Rudnick of Aiken, S.C. Ms. Rudnick served in the South Carolina House of Representatives for 14 years. Irene graduated from the University of South Carolina Law School and practiced law before becoming a professor at USC Aiken where she taught for 50 years. Irene was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 2:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, February 6, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 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:

3 John 1:2

"Beloved, I pray that you may prosper in all things and be in good health, just as your soul prospers."

Let us pray. Loving and merciful God, You created us to be useful and prosper in all things. But our prosperity must not come at the expense of our souls. For what have we gained if we have all earthly riches yet lose our souls. Material worth and power are not bad in themselves -- unless we value these things above our relationship with You.

Give us all wisdom to know when we make wealth, or power or position an idol to be revered above You. May Your priorities be in the majority of what gives meaning to our lives. In Your holy name we pray, Amen.

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

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to recede at 11:50 A.M. for the purpose of attending the Joint Assembly and the Senate will reconvene one hour after the conclusion of the Joint Assembly.

RECESS

At 11:50 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Elections

At 12:00 P.M., the Senate appeared in the Hall of the House. The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 14 -- Senators Rankin, Young, Sabb, Peeler, Alexander, Verdin and Scott: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 6, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGES OF THE COURT OF APPEALS; TO ELECT A SUCCESSOR TO A CERTAIN JUDGES OF THE CIRCUIT COURT; TO ELECT A SUCCESSOR TO A CERTAIN JUDGES OF THE FAMILY COURT; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA; AND TO ELECT TWO AT-LARGE MEMBERS TO THE COMMISSION OF THE OLD EXCHANGE BUILDING.

Objection

Representative G. Murrell Smith, Jr. asked unanimous consent that all uncontested elections be considered *en banc* and that all candidates be acknowledged individually.

Representative Hill objected.

Election to the Position of Judge, Court of Appeals, Seat 1

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Blake A. Hewitt, the Honorable Alison Renee Lee and the Honorable Jerry Deese Vinson Jr. had been screened and found qualified to serve.

On motion of Senator LUKE RANKIN, the name of Jerry Deese Vinson Jr. was withdrawn from consideration.

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

The following named Senators voted for Blake Hewitt:

Alexander	Bennett	Campbell
Cash	Climer	Gambrell
Goldfinch	Gregory	Hembree
Leatherman	Martin	Massey

Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--21

The following named Senator voted No:
Corbin

The following named Senators voted for Alison Lee:

Allen	Campsen	Cromer
Fanning	Grooms	Harpootlian
Jackson	Johnson	Kimpson
Malloy	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--21

The following named Senator voted No:
Corbin

Total--1

The following named Senator abstained:
Davis

Total--1

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

The following named Representatives voted for Blake Hewitt:

Atkinson	Bailey	Bannister
Bennett	Blackwell	Bryant
Burns	Chellis	Chumley
Clemmons	Cogswell	Collins
B. Cox	W. Cox	Crawford
Davis	Elliott	Erickson
Felder	Forrest	Forrester

Fry	Gagnon	Gilliam
Hardee	Hayes	Hewitt
Hiott	Hixon	Huggins
Hyde	Johnson	Jordan
Kimmons	Ligon	Loftis
Long	Lowe	Lucas
Mace	Magnuson	Martin
McCoy	McCravy	McGinnis
Morgan	D. C. Moss	B. Newton
Ott	Pope	Ridgeway
Sandifer	G. R. Smith	Spires
Stringer	Tallon	Taylor
Thayer	Toole	Trantham
West	White	Whitmire
Wooten	Young	Yow

Total--66

The following named Representatives voted for Alison Lee:

Allison	Anderson	Bales
Ballentine	Bamberg	Bernstein
Bradley	Brawley	Brown
Calhoon	Caskey	Clary
Clyburn	Cobb-Hunter	Daning
Dillard	Funderburk	Garvin
Gilliard	Govan	Hart
Henderson-Myers	Henegan	Hill
Hosey	Howard	Jefferson
King	Kirby	Mack
McDaniel	McKnight	Moore
Murphy	W. Newton	Norrell
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
Simmons	Simrill	Sottile
Stavrinakis	Thigpen	Weeks
Wheeler	R. Williams	S. Williams
Willis		

Total--52

WEDNESDAY, FEBRUARY 6, 2019

RECAPITULATION

Total number of Senators voting 42
Total number of Representatives voting..... 118
Grand Total..... 160
Necessary to a choice 81
Of which Blake Hewitt received 87
Of which Alison Lee received 73

Whereupon, the PRESIDENT announced that the Honorable Blake A. Hewitt was elected to the position of Court of Appeals, Seat 1 for the term to expire June 30, 2023.

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Kimaka (Kim) Nichols-Graham and the Honorable Jessica Ann Salvini had been screened and found qualified to serve.

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

The following named Senators voted for Kimaka Nichols-Graham:

Allen	Davis	Fanning
Harpootlian	Jackson	Johnson
Kimpson	Malloy	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Verdin	Williams

Total--21

The following named Senators voted for Jessica A. Salvini:

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Gambrell

Goldfinch	Gregory	Hembree
Leatherman	Martin	Massey
Peeler	Rankin	Rice
Senn	Talley	Turner
Young		

Total--22

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

The following named Representatives voted for Kimaka Nichols-Graham:

Anderson	Atkinson	Bales
Bamberg	Bennett	Bernstein
Brawley	Brown	Clyburn
Cobb-Hunter	Daning	Davis
Dillard	Felder	Funderburk
Garvin	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hill	Hixon
Hosey	Howard	Jefferson
Kimmons	King	Kirby
Mack	Martin	McDaniel
McKnight	Moore	Norrell
Ott	Parks	Pendarvis
Ridgeway	Rivers	Robinson
Rose	Rutherford	Simmons
Sottile	Spires	Stavrinakis
Thigpen	Trantham	Weeks
Wheeler	R. Williams	S. Williams

Total--54

The following named Representatives voted for Jessica A. Salvini:

Allison	Bailey	Ballentine
Bannister	Blackwell	Bradley
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Cogswell
Collins	B. Cox	W. Cox

Crawford	Elliott	Erickson
Forrest	Forrester	Fry
Gagnon	Gilliam	Hardee
Herbkersman	Hewitt	Hiott
Huggins	Hyde	Johnson
Jordan	Ligon	Loftis
Long	Lowe	Lucas
Mace	Magnuson	McCoy
McCravy	McGinnis	Morgan
D. C. Moss	Murphy	B. Newton
W. Newton	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
Stringer	Tallon	Taylor
Thayer	Toole	West
White	Whitmire	Willis
Wooten	Young	Yow

Total--66

RECAPITULATION

Total number of Senators voting 43
Total number of Representatives voting..... 120
Grand Total..... 163
Necessary to a choice 82
Of which Kimaka Nichols-Graham received 75
Of which Jessica A. Salvini received 88

Whereupon, the PRESIDENT announced that the Honorable Jessica Ann Salvini was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6 for the term to expire June 30, 2022.

Election to the Position of Judge, Court of Appeals, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Court of Appeals, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable John D. Geathers had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable John D. Geathers in nomination, moved that the nominations be closed and, with

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

Whereupon, the PRESIDENT announced that the Honorable John D. Geathers was elected to the position of Court of Appeals, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Court of Appeals, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Court of Appeals, Seat 4.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Paula H. Thomas had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Paula H. Thomas in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Paula H. Thomas was elected to the position of Court of Appeals, Seat 4 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court
5th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, 5th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable DeAndrea Gist Benjamin had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable DeAndrea Gist Benjamin in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable DeAndrea Gist Benjamin was elected to the position of Judge, 5th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court
7th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, 7th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Joseph Derham Cole had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Joseph Derham Cole in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Joseph Derham Cole was elected to the position of Judge, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court 9th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Deadra L. Jefferson had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Deadra L. Jefferson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Deadra L. Jefferson was elected to the position of Judge, 9th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court, 9th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Meredith L. Coker, the Honorable Bentley Douglas Price and the Honorable Dale E. Van Slambrook had been screened and found qualified to serve.

On motion of Senator LUKE RANKIN, the names of Meredith L. Coker and the Honorable Dale E. Van Slambrook were withdrawn from consideration.

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

The following named Senators voted in the affirmative:

Alexander	Allen	Bennett
Climer	Corbin	Cromer
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Johnson
Malloy	Martin	Massey
Matthews, John	McElveen	Nicholson
Peeler	Rankin	Rice
Sabb	Senn	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--29

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

The following named Representatives voted in the affirmative:

Allison	Atkinson	Bailey
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Bryant	Burns
Calhoon	Caskey	Chellis
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Davis
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gilliam	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
Jefferson	Johnson	Kimmons
Kirby	Ligon	Loftis
Long	Lucas	Mace
Martin	McCoy	McCravy
McGinnis	Morgan	D. C. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks

Pope	Ridgeway	Rose
Rutherford	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Trantham
Weeks	West	Wheeler
White	Willis	Wooten
Young		

Total--82

RECAPITULATION

Total number of Senators voting 29
Total number of Representatives voting..... 82
Grand Total..... 111

Ayes 111
Nays 0

Whereupon, the PRESIDENT announced that the Honorable Bentley Douglas Price was elected to the position of Judge, 9th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election to the Position of Judge, Circuit Court
10th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, 10th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Rivers Lawton McIntosh had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Rivers Lawton McIntosh in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Rivers Lawton McIntosh was elected to the position of Judge, 10th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court, At-Large, Seat 2

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Ryan Kirk Griffin and John Patrick (Jack) Riordan had been screened and found qualified to serve.

On motion of Senator LUKE RANKIN, the name of John Patrick (Jack) Riordan was withdrawn from consideration.

Senator LUKE RANKIN placed the name of Ryan Kirk Griffin in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ryan Kirk Griffin was elected to the position of Judge, Circuit Court, at-large, Seat 2 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 14

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 14.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable R. Keith Kelly had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable R. Keith Kelly in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Keith Kelly was elected to the position of Judge, Circuit Court, at-large, Seat 14 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court, At-Large, Seat 15

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 15.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Maité Murphy had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Maité Murphy in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Maité Murphy was elected to the position of Judge, Circuit Court, at-large, Seat 15 for the term to expire June 30, 2025.

Election to the Position of Judge, Circuit Court, At-Large, Seat 16

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 16.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Donald Bruce Hocker had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Donald Bruce Hocker in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald Bruce Hocker was elected to the position of Judge, Circuit Court, at-large, Seat 16 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
1st Judicial Circuit, Seat 1

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ann Gué Jones had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Ann Gué Jones in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ann Gué Jones was elected to the position of Judge, Family Court, 1st Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
2nd Judicial Circuit, Seat 2

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Angela W. Abstance had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Angela W. Abstance in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Angela W. Abstance was elected to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
3rd Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Angela R. Taylor had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Angela R. Taylor in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Angela R. Taylor was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
3rd Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Gordon B. Jenkinson had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Gordon B. Jenkinson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Gordon B. Jenkinson was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
4th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 4th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that The Honorable Salley Huggins McIntyre had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Salley Huggins McIntyre in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Salley Huggins McIntyre was elected to the position of Judge, Family Court, 4th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
5th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that The Honorable Michelle M. Hurley had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Michelle M. Hurley in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michelle M. Hurley was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
5th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael Scott Rankin and Carrie Hall Tanner had been screened and found qualified to serve.

On motion of Senator LUKE RANKIN, the name of Carrie Hall Tanner was withdrawn from consideration.

Senator LUKE RANKIN placed the name of the Honorable Michael Scott Rankin in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable the Honorable Michael Scott Rankin was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
6th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 6th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Coreen B. Khoury had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Coreen B. Khoury in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Coreen B. Khoury was elected to the position of Judge, Family Court, 6th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
7th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Phillip Kendall Sinclair had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Phillip Kendall Sinclair in nomination, moved that the nominations be closed

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

Whereupon, the PRESIDENT announced that the Honorable Phillip Kendall Sinclair was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
7th Judicial Circuit, Seat 2

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Michael Todd Thigpen had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of Michael Todd Thigpen in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael Todd Thigpen was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
8th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Matthew Price Turner had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Matthew Price Turner in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Matthew Price Turner was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
8th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Joseph C. Smithdeal had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Joseph C. Smithdeal in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Joseph C. Smithdeal was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
9th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Alice Anne Richter had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Alice Anne Richter in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Alice Anne Richter was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
9th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Wayne M. Creech had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Wayne M. Creech in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Wayne M. Creech was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
10th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Edgar Henderson Long, Jr. had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Edgar Henderson Long, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Edgar Henderson Long, Jr. was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
11th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 11th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Huntley S. Crouch had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Huntley S. Crouch in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Huntley S. Crouch was elected to the position of Judge, Family Court, 11th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
11th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 11th Judicial Circuit, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Robert E. Newton had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Robert E. Newton in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert E. Newton was elected to the position of Judge, Family Court, 11th Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
12th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Timothy H. Pogue had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Timothy H. Pogue in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Timothy H. Pogue was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
12th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable FitzLee Howard McEachin had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable FitzLee Howard McEachin in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable FitzLee Howard McEachin was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Rochelle Y. Conits had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Rochelle Y. Conits in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Hill moved to reject the slate.

Representative Murphy moved to table the motion to reject the slate.

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

The following named Senators voted in the affirmative:

Alexander	Allen	Bennett
Campsen	Climer	Corbin
Cromer	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Johnson	Kimpson	Malloy
Martin	Massey	*Matthews, John*
Peeler	Rankin	Sabb
Senn	Shealy	Talley
Turner	Williams	Young

Total--27

The following named Senators voted in the negative:

Fanning	*Matthews, Margie*

Total--2

The following named Senator voted present:

Rice

Total--1

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

The following named Representatives voted in the affirmative:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Elliott	Erickson
Forrest	Forrester	Fry
Funderburk	Gilliam	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
Johnson	Jordan	Kimmons
Kirby	Ligon	Loftis
Long	Lucas	Mace
Martin	McCoy	McCravy
McGinnis	Morgan	D. C. Moss
Murphy	B. Newton	W. Newton
Ott	Pope	Ridgeway
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Trantham	Weeks

West	Wheeler	White
Whitmire	Willis	Wooten
Young	Yow	

Total--83

The following named Representatives voted in the negative:

Bamberg	Hill	King
McDaniel	McKnight	Pendarvis
Robinson		

Total--7

RECAPITULATION

Total number of Senators voting 29
Total number of Representatives voting..... 90
Grand Total..... 119

Ayes 110
Nays 9

The motion to reject the slate was tabled.

Senator M.B. MATTHEWS was recognized to speak.

Whereupon, the PRESIDENT announced that the Honorable Rochelle Y. Conits was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable W. Marsh Robertson had been screened and found qualified to serve.

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

The following named Senators voted in the affirmative:

Alexander	Allen	Bennett
Campsen	Climer	Corbin
Cromer	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Johnson	Kimpson	Malloy
Martin	Massey	*Matthews, John*
McElveen	Peeler	Rankin
Rice	Sabb	Shealy
Talley	Turner	Williams
Young		

Total--28

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

The following named Representatives voted in the affirmative:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Cogswell	Collins	B. Cox
Crawford	Daning	Davis
Elliott	Erickson	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Hayes	Henegan	Hewitt
Hiott	Hixon	Huggins
Hyde	Johnson	Jordan
Kimmons	Kirby	Ligon
Loftis	Long	Lowe
Lucas	Mace	Martin
McCoy	McCravy	McGinnis
Morgan	D. C. Moss	Murphy
B. Newton	W. Newton	Ott
Pope	Ridgeway	Rose
Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires

Stavrinakis	Stringer	Tallon
Taylor	Thayer	Trantham
Weeks	West	Wheeler
White	Whitmire	Willis
Wooten	Young	Yow

Total--84

The following named Representatives voted in the negative:
Hill

Total--1

RECAPITULATION

Total number of Senators voting 28
Total number of Representatives voting..... 85
Grand Total..... 113

Ayes 112
Nays 1

Whereupon, the PRESIDENT announced that the Honorable W. Marsh Robertson was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
14th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 14th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Gerald C. Smoak, Jr. had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Gerald C. Smoak, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Gerald C. Smoak, Jr. was elected to the position of Judge, Family Court, 14th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
14th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 14th Judicial Circuit, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Deborah Ann Malphrus had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Deborah Ann Malphrus in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Deborah Ann Malphrus was elected to the position of Judge, Family Court, 14th Judicial Circuit, Seat 3 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
15th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 15th Judicial Circuit, Seat 1.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jan B. Bromell Holmes had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Jan B. Bromell Holmes in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jan B. Bromell Holmes was elected to the position of Judge, Family Court, 15th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election to the Position of Judge, Family Court
16th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 16th Judicial Circuit, Seat 2.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David G. Guyton had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable David G. Guyton in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David G. Guyton was elected to the position of Judge, Family Court, 16th Judicial Circuit, Seat 2 for the term to expire June 30, 2025.

Election of a Family Court Judge, At-Large, Seat 2

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Tony M. Jones had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Tony M. Jones in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Tony M. Jones was elected to the position of Judge, Family Court, at-large, Seat 2 for the term to expire June 30, 2025.

Election of a Family Court Judge, At-Large, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 3.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable James G. McGee III had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable James G. McGee III in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James G. McGee III was elected to the position of Judge, Family Court, at-large, Seat 3 for the term to expire June 30, 2025.

Election of a Family Court Judge, At-Large, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 4.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Monét S. Pincus had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Ms. Monét S. Pincus in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Monét S. Pincus was elected to the position of Judge, Family Court, at-large, Seat 4 for the term to expire June 30, 2025.

Election of a Family Court Judge, At-Large, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 5.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Randall E. McGee had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable Randall E. McGee in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Randall E. McGee was elected to the position of Judge, Family Court, at-large, Seat 5 for the term to expire June 30, 2025.

Election of a Family Court Judge, At-Large, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 6.

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Earl Phillips had been screened and found qualified to serve.

Senator LUKE RANKIN placed the name of the Honorable David Earl Phillips in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David Earl Phillips was elected to the position of Judge, Family Court, at-large, Seat 6 for the term to expire June 30, 2025.

Election to the Position of Judge, Administrative Law Court, Seat 1

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

Senator LUKE RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ralph King (Tripp) Anderson III and Thomas Rosamond Smith had been screened and found qualified to serve.

On motion of Senator LUKE RANKIN, the name of Thomas Rosamond Smith was withdrawn from consideration

Senator LUKE RANKIN placed the name of the Honorable Ralph King (Tripp) Anderson III in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ralph King (Tripp) Anderson III was elected to the position of Judge, Administrative Law Court, Seat 1 for the term to expire June 30, 2024.

Immediately following the Joint Assembly called for the Election of Judicial Candidates, the PRESIDENT announced that the Joint Assembly would proceed to the Election of the Boards of Colleges and Universities and the Public Service Commission.

S. 382 -- Senators Alexander, Rankin and Hutto: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, FEBRUARY 6, 2019, IMMEDIATELY FOLLOWING THE ELECTIONS FOR THE POSITIONS NAMED IN THE CONCURRENT RESOLUTION IN WHICH CANDIDATES SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.

Election to the Board of Visitors for The Citadel, At-Large

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Visitors for The Citadel, at-large.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Walter H.

Cartin and James E. Nicholson, Jr. had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, the name of Walter H. Cartin was withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James E. Nicholson, Jr. was elected to the position on the Board of Visitors for The Citadel, at-large, for the term to expire June 30, 2023.

Election to the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 10

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that R. McLaurin Burch and Adam J. Smith had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire the name of Adam J. Smith was withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. McLaurin Burch was elected to the position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 10 for the term to expire June 30, 2020.

Election to the Old Exchange Building Commission Two At-Large Seats

The PRESIDENT announced that nominations were in order to elect successors to the two at-large positions on the Old Exchange Building Commission.

Representative Whitmire indicated that Catherine M. Patterson and J. Tracy Power had been screened and found qualified to serve and placed their names in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Catherine M. Patterson and the Honorable J. Tracy Power were elected to the two at-large positions on the Old Exchange Building Commission for the terms to expire June 30, 2020.

Election to the Public Service Commission, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to fill the position on the Public Service Commission, Seat 2.

Senator ALEXANDER, Chairman of the Screening Committee, indicated that Florence P. Belser and Elliott F. Elam, Jr. had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator ALEXANDER the name of Elliott F. Elam, Jr. was withdrawn from consideration.

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

The following named Senators voted in the affirmative:

Alexander	Bennett	Campsen
Cromer	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Malloy	Massey
Peeler	Rice	Senn
Shealy	Talley	Turner
Young		

Total--19

The following named Senators abstained:
Sheheen

Total--1

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

The following named Representatives voted in the affirmative:

Allison	Bailey	Bales
Ballentine	Bannister	Bennett

Bernstein	Blackwell	Bradley
Bryant	Burns	Calhoon
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Forrester
Funderburk	Gagnon	Garvin
Gilliam	Hardee	Hayes
Herbkersman	Hewitt	Hosey
Huggins	Hyde	Jordan
Kimmons	Ligon	Loftis
Long	Lucas	Mace
Martin	McCoy	McCravy
McDaniel	McGinnis	Morgan
D. C. Moss	Murphy	B. Newton
W. Newton	Ott	Pope
Ridgeway	Sandifer	Simrill
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Trantham	Weeks
West	Wheeler	White
Whitmire	Willis	Wooten
Young	Yow	

Total--80

The following named Representatives voted in the negative:
Hill

Total--1

RECAPITULATION

Total number of Senators voting 19
Total number of Representatives voting..... 81
Grand Total..... 100

Ayes 99
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Florence P. Belser was elected to the Public Service Commission, Seat 2 for the term to expire June 30, 2022.

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

At 3:02 P.M., the Senate resumed.

Point of Quorum

At 3:03 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Campsen	Cash	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	Nicholson	Peeler
Reese	Rice	Sabb
Senn	Setzler	Shealy
Sheheen	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:

Statewide Appointments

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754 *VICE* Tim M. Hofferth

Referred to the Committee on Education.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence June 30, 2018, and to expire June 30, 2020

Independent College:

Mark A. Smith, Columbia International University, 7435 Monticello Rd., Columbia, SC 29203-1599 *VICE* Evans P. Whitaker

Referred to the Committee on Education.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

2nd Congressional District:

Llewellyn Gregory Pearce, Jr., 810 Hampton Hill Rd., Columbia, SC 29209-1024 *VICE* James Buxton Terry

Referred to the Committee on Medical Affairs.

Doctor of the Day

Senator McLEOD introduced Dr. Helmut Albrecht, Columbia S.C., Doctor of the Day.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 313 Sen. McElveen
S. 332 Sen. Allen

S. 362 Sen. McElveen
S. 432 Sen. McElveen
S. 448 Sen. M.B. Matthews

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 482 -- Senators Campbell and Bennett: A BILL TO AMEND SECTION 7-7-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

S. 483 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PASTOR AND CONGREGATION OF TEMPLE OF FAITH BIBLE WAY CHURCH OF GADSDEN FOR FORTY YEARS OF SERVICE TO THEIR GOD AND THEIR COMMUNITY AND TO CELEBRATE WITH THEM THE CHURCH'S FORTIETH ANNIVERSARY.
l:\council\bills\gm\24060cm19.docx
The Senate Resolution was adopted.

S. 484 -- Senator Hembree: A BILL TO AMEND SECTION 12-37-2650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND THE DELEGATION OF COLLECTION OF TAXES, SO AS TO PROVIDE THAT THE TAX NOTICE MUST SET FORTH THE FAIR MARKET VALUE USED FOR THE VEHICLE.
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Read the first time and referred to the Committee on Finance.

S. 485 -- Senators Cash, Rice, Cromer, Gambrell and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 1 SO AS TO ENACT THE "PERSONHOOD ACT OF SOUTH CAROLINA", TO ESTABLISH THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION AND

THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY SECTION 3, ARTICLE I OF THE CONSTITUTION OF THIS STATE VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.
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Read the first time and referred to the Committee on Judiciary.

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF

TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 487 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS ELECTRONIC NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED ELECTRONICALLY, TO PROVIDE PROCEDURES AND RELATED REQUIREMENTS FOR PERFORMING NOTARIAL ACTS ELECTRONICALLY, TO PROVIDE A SCHEDULE OF FEES THAT ELECTRONIC NOTARIES PUBLIC MAY CHARGE FOR PERFORMING CERTAIN ELECTRONIC NOTARIAL ACTS AND TO ALLOW CERTAIN OTHER RELATED FEES, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF ELECTRONIC NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM ELECTRONIC NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO PROHIBIT CERTAIN CONDUCT AND PROVIDE THE CONDUCT CONSTITUTES A MISDEMEANOR SUBJECT TO CERTAIN PENALTIES, TO PROVIDE REQUIREMENTS FOR CERTIFYING ELECTRONIC NOTARIAL ACTS, AND TO PROVIDE ELECTRONIC NOTARY PUBLIC APPLICATIONS MAY NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 488 -- Senator Kimpson: A BILL TO ENACT THE "SOUTH CAROLINA INCLUSIONARY ZONING ACT"; TO AMEND CHAPTER 7, TITLE 6 OF THE 1976 CODE, RELATING TO PLANNING BY LOCAL GOVERNMENTS, BY ADDING ARTICLE 5, TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO USE INCLUSIONARY ZONING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.
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Read the first time and referred to the Committee on Judiciary.

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

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

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

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

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 279 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, SO AS TO CHANGE QUORUM REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.

Ordered for consideration tomorrow.

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

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

Ordered for consideration tomorrow.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 358 -- Senator Cromer: A BILL TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO

REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.

POINT OF ORDER

S. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

Point of Order

Senator SETZLER raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE

THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 398 -- Senators Alexander and Scott: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 426 -- Senator Goldfinch: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY

THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Senator MALLOY objected to the consideration of the Bill.

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO

ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

Senator MALLOY objected to the consideration of the Bill.

ADOPTED

S. 402 -- Senator Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF SOUTH CAROLINA HIGHWAY 5 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 521 TO THE CATAWBA RIVER IN LANCASTER COUNTY "DENNIS C. STRAIGHT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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 3:28 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

Thank you. Today is Personhood Day at the Capitol. If you are unaware, we had a rally in the first floor rotunda -- the Governor kicked it off speaking for us. We had quite a number of speakers, preachers, politicians and prayer leaders. It was the best church service I have been in for quite a while. Sorry if you were not able to be there. Today I introduced the Personhood Bill for this session. I hope to gain your support of it. I hope that some of you who have not been willing to consider it in the past would consider it this session. I want to try very briefly to answer the question, why is the idea of personhood important? What is it that makes it different from any other piece of pro-life legislation? What is the word personhood and what's that got to do with trying to bring an end to the killing of unborn babies? I want to read you a very brief quote from the Roe v. Wade ruling. Because this is kind of where personhood goes back to. In Roe v. Wade, the state of Texas argued that a fetus is a person within the language and the meaning of the 14th Amendment to which Justice Harry Blackmun responded if the suggestion of personhood is established, the appellant's case of course collapses -- for the fetus' right to life would be guaranteed specifically by the amendment. However, Justice Blackmun came to the conclusion that the word person as used in the 14th Amendment does not include the unborn. He was making a legal argument. He was basically just saying, I don't think that the unborn child is included in the word person in the 14th Amendment. Therefore, there's no constitutional protection of life. I hardly know what to call it -- amazing, ironic, perverse. It was the 14th Amendment that Justice Blackmun used to say that a whole class of people weren't persons. Without a civil war, without a 13th and 14th Amendment, people who had been slaves would not have been guaranteed due process and equal protection of the laws. That is what the 14th Amendment was all about. To guarantee the right of life, liberty and property for due process and stating that no state could deprive any person or deny to any person that equal protection of the laws.

What we are involved in here for the past 46 years is just a repetition of a different class of people of the gravest moral error this nation ever

made. The founders could not come to agreement in the Constitutional Convention about what to do about slavery. Those who were slaves were counted as three-fifths of a person but only for the purpose of proportional representation. Some of our founders held slaves -- Thomas Jefferson and George Washington both held slaves -- all of their adult life. Jefferson knew it was wrong. He was quite a philosopher. Jefferson said this, "Indeed I tremble for my country when I reflect that God is just and as just his patience cannot endure forever." He was talking about slavery -- 14th Amendment due process guaranteeing your right to life and mine -- equal protection of the laws -- guaranteed for every person -- regardless of race, socio-economic status, religion or age. So that's what personhood at its heart is all about. We are simply trying to say that that an unborn child deserves the same protection of the 14th Amendment that we all have. In fact, I would go so far as to say we are arguing for our own life. Each one of us was once an embryo. Each one of us was once two weeks, four weeks, six weeks in the womb when our heart began to beat. When I argue for the protection of the unborn I argue for your rights as well as my own, as well as those who have not yet been born. That's what personhood is all about. I hope this Bill will get a hearing in Judiciary. I wish this Bill could be debated on the floor of this Senate. I wish someone could show me where I am wrong in my contention that a human life begins at fertilization and deserves legal protection from that moment forward through every stage of biological development into old age and natural death. It's the most pressing issue. It is the most important issue. It is an issue we don't really want to take up. It is an issue we would prefer to ignore. It is an issue that I pray and hope we will have the courage to deal with in this session. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

Motion Adopted

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

ADJOURNMENT

At 3:36 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 7, 2019
(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:

Philippians 4:8

"Finally brethren, whatever things are true, whatever things are noble, whatever things are just…meditate on these things."

Let us pray. Almighty God, we constantly come to You praying for Your wisdom to guide and direct out thoughts and actions. Yet we so easily become distracted with negative thoughts. These negative thoughts are the software that corrupts our minds. Help us, O God, to reprogram our minds with what is true -- what is noble and what is just in Your sight.

Strengthen our faith so that we can minimize unhealthy negative thinking that corrupts our minds. As Martin Luther said, "We can't keep birds from flying over our heads, but we can keep them from nesting in our hair." We offer this prayer in Your holy name, Amen.

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

Point of Quorum

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

Call of the Senate

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

Alexander	Bennett	Campbell
Cash	Cromer	Davis
Fanning	Gambrell	Goldfinch
Harpootlian	Hembree	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	Nicholson
Peeler	Rankin	Rice

Sabb	Shealy	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senators CAMPSEN and McLEOD introduced Dr. Michael Finch, Columbia S.C., Doctor of the Day.

Leave of Absence

At 11:39 A.M., Senator GOLDFINCH requested a leave of absence for Senator VERDIN for the balance of the day.

Leave of Absence

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

CO-SPONSORS ADDED

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

S. 131 Sen. Turner
S. 318 Sen. Davis
S. 424 Sen. Rice
S. 426 Sen. Sabb
S. 468 Sens. Hutto and Jackson
S. 469 Sens. Hutto and Jackson
S. 471 Sens. Hutto and Jackson

RECOMMITTED

S. 456 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO LICENSURE BY REGISTRATION; AND LICENSURE BY ENDORSEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4851, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

S. 457 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

S. 460 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS AND MARITAL AND FAMILY THERAPISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4862, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 489 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-680 SO AS TO CREATE A COYOTE BOUNTY PROGRAM TO PROVIDE PAYMENTS FOR ADULT COYOTES LAWFULLY REMOVED FROM THIS STATE; BY ADDING SECTION 50-9-930 SO AS TO PROVIDE THE FUNDING TO BE USED TO ADMINISTER THE COYOTE BOUNTY PROGRAM; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REQUIRE A LICENSE TO SELL OR TAKE THE PELTS OF CERTAIN FUR-BEARING ANIMALS; TO AMEND SECTIONS 50-9-510 AND 50-9-515, BOTH RELATING TO HUNTING AND FISHING LICENSES, BOTH SO AS TO INCREASE CERTAIN FEES BY ONE DOLLAR; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO THE REVENUES FROM THE SALE OF LICENSES, SO AS TO REMOVE THE REQUIREMENT THAT FUNDS FROM ANTLERED DEER TAGS BE USED TO ADMINISTER THE COYOTE MANAGEMENT PROGRAM; TO

AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO ALTER A CODE REFERENCE; AND TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON FOR FUR-BEARING ANIMALS, SO AS TO ESTABLISH THAT IT IS LAWFUL TO TRAP CERTAIN FUR-BEARING ANIMALS AND TO PROVIDE THAT IT IS LAWFUL TO TRAP COYOTES YEAR ROUND.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 490 -- Senators Turner, Corbin, Bennett and Shealy: A BILL TO ENACT THE "TRANSPARENCY IN PRIVATE ATTORNEY CONTRACTS ACT", TO AMEND CHAPTER 7, TITLE 1 OF THE 1976 CODE, RELATING TO THE ATTORNEY GENERAL AND SOLICITORS, BY ADDING ARTICLE 2, TO PROVIDE THAT THE STATE MAY NOT ENTER INTO CONTINGENCY FEE CONTRACTS WITHOUT A WRITTEN DETERMINATION BY THE ATTORNEY GENERAL, TO SET THE MAXIMUM FOR CONTINGENCY FEE CONTRACTS, TO PROVIDE THAT CERTAIN REQUIREMENTS MUST BE MET DURING THE TERM OF THE CONTRACT, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ANNUALLY SUBMIT A REPORT TO THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR DESCRIBING THE USE OF CONTINGENCY FEE CONTRACTS WITH PRIVATE ATTORNEYS IN THE PRECEDING CALENDAR YEAR, TO PROVIDE FOR THE CONTENTS OF THAT REPORT, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 491 -- Senators Corbin, Davis, Gambrell and Climer: A BILL TO AMEND SECTION 11-9-110 OF THE 1976 CODE, RELATING TO THE REPORTING REQUIREMENTS FOR AN ORGANIZATION TO WHICH A CONTRIBUTION IS APPROPRIATED, TO PROVIDE THAT EACH NONPROFIT ORGANIZATION THAT RECEIVES A CONTRIBUTION FROM AN ENTITY THAT RECEIVES A GENERAL APPROPRIATION OF STATE TAXPAYER FUNDS MUST FILE A REPORT, TO PROVIDE THE CONTENTS OF THE REPORT, TO PROVIDE THAT A CONTRIBUTION MUST NOT BE MADE TO AN ORGANIZATION UNTIL IT AGREES IN WRITING

TO ALLOW THE STATE AUDITOR TO AUDIT OR CAUSE TO BE AUDITED THE CONTRIBUTED FUNDS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Finance.

S. 492 -- Senators Grooms, Massey, Gambrell, Shealy, Verdin, Campbell and Scott: A BILL TO AMEND CHAPTER 95, TITLE 44 OF THE 1976 CODE, RELATING TO THE CLEAN INDOOR AIR ACT, BY ADDING SECTION 44-95-45, TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO THE INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC CIGARETTES, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO JANUARY 1, 2019, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.
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Read the first time and referred to the Committee on Medical Affairs.

S. 493 -- Senator Senn: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE IS A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INJURY OR DAMAGE WAS CAUSED BY THE UNKNOWN VEHICLE, OR THE INSURED CAN PROVE THAT THE INJURY OR DAMAGE WAS CAUSED BY AN UNKNOWN VEHICLE BY AN ELECTRONIC OR OTHER RECORDING OR OTHER CLEAR AND CONVINCING EVIDENCE.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 494 -- Senator Fanning: A BILL TO AMEND SECTION 44-7-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO EXEMPTIONS FROM THE CERTIFICATE OF NEED PROCESS, SO AS TO ADD AN EXEMPTION FOR SUBSTANCE ABUSE TREATMENT FACILITIES ESTABLISHED AND

OPERATING ON THE GROUNDS OF CERTAIN CLOSED RURAL HOSPITALS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 495 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIFE AND WORK OF WILLIE A. TOMPKINS AND TO COMMEMORATE THE CELEBRATION AT BETHANY MISSIONARY BAPTIST CHURCH ON FEBRUARY 17, 2019.
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The Senate Resolution was adopted.

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.
Read the first time and referred to the Committee on Judiciary.

H. 3585 -- Reps. Spires, Sandifer, West and Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO

THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

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

H. 3587 -- Reps. Spires, Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON

WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD-PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10, RELATING TO INSURANCE HOLDING COMPANY REGULATORY ACT DEFINITIONS, SO AS TO DEFINE THE TERMS "DIRECTOR," "GROUP-WIDE SUPERVISOR," AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".

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

H. 3595 -- Reps. Elliott, G. M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

H. 3644 -- Reps. Clemmons, Huggins and Willis: A BILL TO AMEND SECTION 50-11-515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF WILD TURKEY FEATHERS IN ART, SO AS TO ALLOW FOR THE USE OF WILD TURKEY PARTS, TO ESTABLISH A LABEL REQUIREMENT, TO PROVIDE THAT THIS PROVISION DOES NOT AUTHORIZE THE

SALE OF WILD TURKEY MEAT AND TO DELETE PROVISIONS PROHIBITING THE SALE OF PARTS OF WILD TURKEYS.

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

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Operations and Management polled out S. 479 favorable:

S. 479 -- Senator Peeler: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE BRETT REISTAD, TO SOUTH CAROLINA AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2019.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Appointment Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director of Department of Health and Environmental Control, with term coterminous with Governor

Director:

Rick Toomey, 3 Lucy Creek Drive, Beaufort, SC 29907-2222 *VICE* Catherine Heigel

Received as information.

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

CARRIED OVER

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH

RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

OBJECTION

S. 458 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4821, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HUTTO objected to consideration of the Resolution.

S. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS

WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

Senator HEMBREE objected to consideration of the Resolution.

CARRIED OVER

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

Senator CROMER explained the Bill.

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

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

The Senate proceeded to the consideration of the Bill.

Committee on Finance proposed the following amendment (SA\ 323C001.RT.SA19), which was adopted:

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

/ SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

"Section 12-54-265. (A) Notwithstanding any other provision of law, the department may submit to a financial institution, as defined in Section 63-17-2310(A)(2), information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department or whose debt has been submitted to the department for collection under the provisions of Section 12-4-580. For purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the

agreement of the financial institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and form prescribed by the department, information concerning the debtor for purposes of collecting outstanding debts. The information provided to the department must include, but is not limited to, the information required pursuant to Section 63-17-2320(A). The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual cost.

(B) Notwithstanding any other provision of law, a financial institution is not liable to a person for disclosure of information to the department, its designee, or the department's or its designee's employees pursuant to subsection (A) or for encumbering or surrendering any deposits, credits, or other personal property in response to a notice of lien or levy by the department, or its designee, or for any other action taken in good faith to comply with the requirements of subsection (A)."

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

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (323R001.KMM.GH):

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

/ SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

"Section 12-54-265. (A) For the purposes of this section, 'financial institution' means a federal, state, commercial, or savings bank and loan association, cooperative bank, federal or state chartered credit union, benefit association, insurance company, safe deposit company, money market mutual fund, or investment company doing business in this State.

(B)(1) Notwithstanding any other provision of law, the department may submit to a financial institution information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department. For the purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the agreement of the financial

institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and on a form prescribed by the department, information concerning account holders for use in the collection of the debt associated with the warrant for distraint, including, but not limited to, the account holder's:

(a) full name;

(b) Social Security number, taxpayer identification number, or alien identification number, as applicable;

(c) address of record;

(d) account number; and

(e) assets and liabilities.

(2) Nothing contained in this section allows a financial institution to release information concerning accounts held jointly or in common by a person not subject to the debt.

(3) The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual costs.

(C) Notwithstanding any other provision of law, a financial institution is not liable to a person for:

(1) disclosure of information to the department, its designee, or the department's or its designee's employees pursuant to subsection (B);

(2) encumbering or surrendering any deposits, credits, or other personal property in response to a notice of lien or levy by the department or its designee; or

(3) any other action taken in good faith to comply with the requirements of subsection (B)."

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 398 -- Senators Alexander and Scott: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG\398C001.NBD.DG19), which was adopted:

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

/ SECTION 1. For the period beginning January 1, 2019, and ending October 1, 2019, unstamped packages of cigarettes subject to the provisions of Section 12-21-735 for which applicable taxes have been paid are not contraband goods subject to seizure by the Department of Revenue or any peace officer of the State, and any fines associated with such seizure.

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

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

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

READ THE SECOND TIME

S. 426 -- Senators Goldfinch and Sabb: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

The Senate proceeded to the consideration of the Resolution.

Senator GOLDFINCH explained the Resolution.

The question then being the second reading of the Resolution.

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

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--38

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSEN proposed the following amendment (DG\ 3630C001.NBD.DG19), which was adopted:

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

/ SECTION 1. (A) For property tax year 2018 for which property taxes are due on January 15, 2019, the penalty schedule for unpaid property taxes and assessments set forth in Section 12-45-180, including the commencement of a tax execution, must be delayed by three months in each portion of the schedule.

(B)(1) This section only applies if the owner of the real property is employed by the federal government and did not receive his federal

salary on the normal schedule during the shutdown that began on December 22, 2018. This section also applies if the owner of the real property contracts with the federal government and the federal shutdown has caused him to lose at least fifty percent of his income during the shutdown, as determined by the county treasurer.

(2) The burden of proof of eligibility for the delay is on the taxpayer. The taxpayer must provide the county treasurer with whatever proof the treasurer determines necessary to determine eligibility.

(C) Nothing in this section may be construed to mean that real property taxes and assessments are not still due on or before January 15, 2019, or thirty days after the mailing of tax notices, whichever occurs later. Also, nothing in this section may be construed to affect the procedure for appealing real property taxes and assessments.

SECTION 2. This joint resolution takes effect upon approval by the Governor. If penalties have been added before the effective date of this joint resolution, the auditor shall adjust the penalties in conformity with the provisions of this joint resolution. If penalties have been paid before the effective date of this act, the taxpayer is entitled to a refund of penalties paid. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being the second reading of the Resolution.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson

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

Total--40

NAYS

Total--0

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

POINT OF ORDER

S. 279 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, SO AS TO CHANGE QUORUM REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Rule 1

Under the provisions of Rule 1, Senator MASSEY moved that the Senate meet on Wednesday, February 13, 2019 and Wednesday, February 20, 2019, at 2:00 P.M.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Laura Hildenbrandt of Myrtle Beach, S.C. Laura enjoyed traveling and spending time with her family and friends. She was an active member of Ocean View Baptist Church. Laura was a loving mother and devoted friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators GROOMS, BENNETT, J. MATTHEWS, CAMPBELL and SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Hewlette Rozier, Jr. of Moncks Corner, S.C. James enjoyed announcing the Berkeley Stags High School football games, attending Clemson football games, traveling and fishing. He served as Berkeley County Supervisor for 16 years and most recently was a consultant for the RozierGroup, LLC. James served on numerous boards including Trident Medical Center, Berkeley and Charleston Chambers of Commerce and was the Chairman of Berkeley, Charleston and Dorchester Regional Transportation Authority to mention a few. He was an active member of Moncks Corner United Methodist Church. James was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:50 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, February 8, 2019
(Local 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 ACTING PRESIDENT, Senator SHEALY.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 131 Sen. Campsen
S. 362 Sens. McElveen and Reese

ADJOURNMENT

At 11:03 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, February 12, 2019, at 2:00 P.M.

* * *

Tuesday, February 12, 2019
(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 105:1

"O give thanks to the Lord, call on his name, make known his deeds among the peoples."

Let us pray. Gracious God, throughout the ages we have worshiped You and praised Your name as our Creator, our Redeemer and the Author of truth and wisdom. Yet recently there are voices that want to discredit You and discard You in our daily discourse as though You don't exist. Today we remember the birthday of our 16th President, Abraham Lincoln, who never wavered in his faith. When asked if he thought God was on his side, he responded, "I am not at all concerned about that for I know that the Lord is always on the side of right. But it is my constant anxiety and prayer that I…and this nation…should be on the Lord's side." Enable us, O God, in our thoughts and deliberations in this Chamber to never waver but always seek to be on the Your side. For it is in Your holy name that we pray, Amen.

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

Point of Quorum

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

Call of the Senate

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

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms

Harpootlian	Johnson	Leatherman
Malloy	Martin	Massey
Nicholson	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following message was transmitted by the Honorable Henry D. McMaster:

I am hereby informing the South Carolina Senate that I do not intend to reappoint Mr. John C. Benso, upon completion of his term of office, to the Magisterial Court of Georgetown County upon the recommendation of the Georgetown County Senatorial Delegation pursuant to Section 22-1-30 (B) of the South Carolina Code of Laws.

This message is sent to you for your ratification.

The question was shall the Senate ratify the Governor's request.

The message was ratified.

Leave of Absence

At 2:22 P.M., Senator McELVEEN requested a leave of absence for Senator M.B. MATTHEWS.

Leave of Absence

At 2:25 P.M., Senator TALLEY requested a leave of absence for Senator YOUNG.

CO-SPONSORS ADDED

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

S. 29 Sen. Verdin
S. 131 Sen. Verdin
S. 343 Sens. Talley and Turner
S. 362 Sen. Rice
S. 369 Sen. Rankin

S. 398 Sen. Gambrell
S. 419 Sen. Alexander

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 496 -- Senator Scott: A SENATE RESOLUTION TO CONGRATULATE EDDIE LUCIOUS CAIN ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 497 -- Senator Rice: A BILL TO AMEND SECTION 6-1-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON THE IMPOSITION OF LOCAL FEES, SO AS TO LIMIT THE AMOUNT OF A STORMWATER FEE TO FIFTEEN PERCENT OF THE AMOUNT OF AD VALOREM TAXES LEVIED ON THE PROPERTY BY THE LOCAL GOVERNING BODY IMPOSING THE FEE.
l:\council\bills\nbd\11231dg19.docx

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

S. 498 -- Senator Shealy: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.
l:\s-res\ks\029chil.kmm.ks.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 499 -- Senators Alexander, Turner, Shealy, Gambrell, Climer and Talley: A BILL TO AMEND SECTION 16-3-600 OF THE 1976 CODE, RELATING TO VARIOUS ASSAULT AND BATTERY OFFENSES, TO PROVIDE THAT A PERSON WHO UNLAWFULLY INJURES A HEALTH CARE PROFESSIONAL DURING THE COURSE OF HIS DUTIES OR INJURES A PERSON IN A HEALTH CARE FACILITY COMMITS THE OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE AND TO PROVIDE PENALTIES.
l:\s-res\tca\015viol.kmm.tca.docx
Read the first time and referred to the Committee on Judiciary.

S. 500 -- Senator McLeod: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 1 OF THE 1976 CODE, RELATING TO THE APPOINTMENT AND REMOVAL OF OFFICERS, BY ADDING SECTION 1-3-235, TO ESTABLISH A SOUTH CAROLINA AMBASSADOR OF JAZZ APPOINTED BY THE GOVERNOR.
l:\s-res\msm\002jazz.kmm.msm.docx
Read the first time and referred to the Committee on Judiciary.

S. 501 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA AND DARLA MOORE SCHOOL OF BUSINESS UPON THE CENTENNIAL ANNIVERSARY OF THE INITIAL STATE FUNDING THAT LAUNCHED THE SCHOOL OF COMMERCE IN 1919 AND TO CELEBRATE THE IMPACT THIS INSTITUTION HAS HAD THROUGH THE YEARS IN SOUTH CAROLINA AND BEYOND.
l:\council\bills\rt\17576sa19.docx
The Senate Resolution was adopted.

S. 502 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MRS. ROXANA FRAZIER, A WOMAN WHO LOVED GOD, HER CHURCH, HER FAMILY, AND HER COMMUNITY.
l:\council\bills\gm\24063cm19.docx
The Senate Resolution was adopted.

H. 3015 -- Reps. McDaniel, King and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.

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

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

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

H. 3563 -- Reps. Murphy, Bennett, Chellis, Jefferson, Kimmons, Mack and Pendarvis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF ORANGEBURG ROAD (S-18-22) AND DORCHESTER ROAD (SOUTH CAROLINA HIGHWAY 642) IN DORCHESTER COUNTY "BENJAMIN JAMES SINGLETON, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

H. 3572 -- Reps. Felder, Pope, B. Newton, Ligon, Bryant, King and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 21 AND SOUTH CAROLINA HIGHWAY 160

IN YORK COUNTY "KARSON BAILEY WHITESELL MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

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

H. 3791 -- Reps. Brown, Bamberg, Kimmons and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE CSX RAIL LINE ALONG THE ACE BASIN PARKWAY IN COLLETON COUNTY "MOLLY GRAHAM MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THIS DESIGNATION.

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

H. 3849 -- Reps. G. M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

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

H. 3912 -- Reps. Clemmons, Bernstein, Gilliard, Stavrinakis, Mack, Sottile, Cogswell, McCoy, Mace, Bennett, Daning, Davis, Chellis, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Collins, B. Cox, W. Cox, Crawford, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Magnuson, Martin, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Spires, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOE ENGEL, HOLOCAUST SURVIVOR AND COMMUNITY LEADER, FOR HIS ROLE IN HELPING THE WORLD TO REMEMBER; TO MEMORIALIZE YOM HASHOAH, HOLOCAUST MEMORIAL DAY; AND TO DESIGNATE MAY 1, 2019, AS "JOE ENGEL DAY" IN SOUTH CAROLINA.

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

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

TUESDAY, FEBRUARY 12, 2019

OBJECTION

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Senator MALLOY objected to the consideration of the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 426 -- Senators Goldfinch and Sabb: A JOINT RESOLUTION TO TRANSFER FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION FOR A BOAT RAMP IN GEORGETOWN COUNTY TO THE DEPARTMENT OF NATURAL RESOURCES AND TO CREDIT SUCH FUNDS AS WATER RECREATIONAL RESOURCE FUNDS FOR GEORGETOWN COUNTY.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments.

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

CARRIED OVER

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

Senator CROMER explained the Bill.

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

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

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

S. 398 -- Senators Alexander, Scott and Gambrell: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

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

AMENDED, READ THE SECOND TIME

S. 279 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, SO AS TO CHANGE QUORUM REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator TALLEY proposed the following amendment (JUD0279.001), which was adopted:

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

/ SECTION 1. Section 63-19-630 of the 1976 Code is amended to read:

"Section 63-19-630. The parole board shall elect from among its members a chairman who shall serve a one-year term and who may not succeed himself as chairman. The parole board may elect a vice-chairman and secretary and shall fix the time and place of meetings. Rules and procedures for parole board meetings, as considered advisable, must be adopted by the parole board. ~~Six~~ Five members of the parole board constitute a quorum for the transaction of business." /

Renumber sections to conform.
Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 39; Nays 2

AYES

Alexander	Allen	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	*Matthews, John*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams

Total--39

NAYS

Bennett	Massey

Total--2

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

TUESDAY, FEBRUARY 12, 2019

OBJECTION

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

Senator MALLOY objected to the consideration of the Bill.

ADOPTED

S. 479 -- Senator Peeler: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE BRETT REISTAD, TO SOUTH CAROLINA AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2019.

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 2:32 P.M., on motion of Senator MARTIN, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Lou Sossamon of Gaffney, S.C. Lou was a graduate of Gaffney High School and the University of South Carolina. While at USC, he was the student body president, member of the Blue Key Honor Society and was USC's first AP All-American football player. He served in the United States Navy from 1943-1945 and played football for the New York Yankees for several years. Lou was publisher of *The Gaffney Ledger* for 30 years. Lou was a champion for Gaffney and Cherokee Counties and served as Chairman of the Salvation Army Advisory Board, was an elder at Limestone Presbyterian Church and a trustee of Limestone College and the University of South Carolina. He enjoyed telling stories, playing golf and growing tomatoes. Lou was a loving father, devoted grandfather and faithful friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Junne "JR" Jones of McCormick, S.C. JR graduated from the South Carolina Criminal Justice Academy and was a dedicated member of the South Carolina Highway Patrol. He served as the Chief of Police for the town of McCormick and was a faithful member of New Hope Ministry Baptist Church. JR was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:33 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 2:00 P.M.

* * *

Wednesday, February 13, 2019
(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 27:14

"Wait for the Lord, be of good courage, and He shall strengthen your heart, wait I say, on the Lord."

Let us pray. Gracious and loving God, Your presence dwells within us, around us and through us. You are the source of our faith, our courage and most importantly our peace. Yet we live in a world of instant everything -- instant food, instant entertainment and instant gratification. We don't like to wait!

In spite of our blessings, we confess that we become impatient with long lines, poor service, delayed flights and slow computers. Slow us down Lord that we may hear more clearly those among us with differing opinions, those at home that need our time, and those beyond our land that see life through different eyes. But most of all, slow us down Lord, that we might hear Your voice speaking to us in our daily prayer. 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 2:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hutto

Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
McElveen	Peeler	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Turner
Verdin		

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, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Susan Anderson, 55 Simms Street, Barnwell, SC 29812-1953

Reappointment, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Lawson Holland, P. O. Box 929, Barnwell, SC 29812-0929

Reappointment, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jimmy Wade Gantt, 260 Meadow Lane, Barnwell, SC 29812-8135

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4831
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 5-7-12, 16-17-420, 59-5-60 and 59-5-65
SUBJECT: School Resource Officers
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted February 13, 2019

Document No. 4833
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 56-5-180, 56-5-190, 56-5-195, 56-5-196, 59-5-60, 59-67-10, 59-67-20, 59-67-30, 59-67-40, 59-67-160, 59-67-240, 59-67-410, 59-67-470, 59-67-520, 59-67-535, and 59-67-570
SUBJECT: Operation of Public Pupil Transportation Services
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted February 13, 2019

Doctor of the Day

Senator MARTIN introduced Dr. Jeffrey Cashman of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

At 2:24 P.M., Senator SCOTT requested a leave of absence for Senator NICHOLSON.

Leave of Absence

At 2:25 P.M., Senator FANNING requested a leave of absence for Senator M.B. MATTHEWS.

Leave of Absence

At 4:48 P.M., Senator FANNING requested a leave of absence for Senator HARPOOTLIAN for the balance of the day.

Leave of Absence

At 4:50 P.M., Senator HUTTO requested a leave of absence for Senator SHEHEEN for the balance of the day.

Leave of Absence

At 5:54 P.M., Senator GROOMS requested a leave of absence for Senator CAMPBELL for the balance of the day.

Leave of Absence

At 5:55 P.M., Senator MARTIN requested a leave of absence for Thursday, February 14 from 11:27 A.M. through Tuesday at 2:00 P.M.

WEDNESDAY, FEBRUARY 13, 2019

CO-SPONSORS ADDED

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

S. 35 Sen. Corbin
S. 112 Sens. Campsen, Shealy and Goldfinch
S. 493 Sens. Talley, Sabb, Sheheen, Kimpson, McElveen, Allen, Gregory, McLeod, Harpootlian and Hembree
S. 498 Sen. Climer

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 386 Sen. Climer
S. 444 Sen. Fanning

RECALLED

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator GAMBRELL 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

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator GAMBRELL 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 503 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF COLE WILSON OF RICHLAND COUNTY AND TO EXTEND DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.
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The Senate Resolution was adopted.

S. 504 -- Senators Hutto and M. B. Matthews: A BILL TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 505 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-497 SO AS TO PROVIDE A PROCESS WHEREBY THE DEPARTMENT OF ADMINISTRATION PROVIDES HEARING OFFICERS FOR ANY CASE INVOLVING THE STATE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION.
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Read the first time and referred to the Committee on Education.

S. 506 -- Senator Jackson: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 31 OF THE 1976 CODE, RELATING TO CITY HOUSING AUTHORITIES, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A COUNTY LEGISLATIVE DELEGATION MAY DECLARE A STATE OF EMERGENCY, TO PROVIDE THAT A STATE OF EMERGENCY RESULTS IN THE SUSPENSION OF HOUSING AUTHORITY COMMISSIONERS, TO PROVIDE FOR A REVIEW OF THE SUSPENSION BY THE MAYOR OF THE MUNICIPALITY IN WHICH THE HOUSING AUTHORITY EXISTS, TO PROVIDE FOR THE PERMANENT REMOVAL FROM OFFICE OF THE COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR NEW COMMISSIONERS WHEN NECESSARY.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 507 -- Senator Gregory: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 20 OF THE 1976 CODE, RELATING TO DIVORCES IN THIS STATE, BY ADDING SECTION 20-3-129, TO PROVIDE A PUBLIC POLICY OF THE STATE OF SOUTH CAROLINA REGARDING THE AWARD OF ALIMONY.
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Read the first time and referred to the Committee on Judiciary.

S. 508 -- Senator Gregory: A BILL TO AMEND SECTION 20-3-130(B) OF THE 1976 CODE, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, TO PROVIDE FOR TWO NEW FORMS OF ALIMONY AND TO CHANGE THE DEFINITION OF COHABITATION; AND TO AMEND SECTION 20-3-150 OF THE 1976 CODE, RELATING TO SEGREGATION OF ALLOWANCE BETWEEN SPOUSE AND CHILDREN AND THE EFFECT OF REMARRIAGE OF A SPOUSE, TO CHANGE THE DEFINITION OF COHABITATION.
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Read the first time and referred to the Committee on Judiciary.

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.
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Read the first time and referred to the Committee on Transportation.

S. 510 -- Senator Gregory: A BILL TO AMEND SECTION 20-3-170 OF THE 1976 CODE, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY, TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING THE EXISTENCE OF CHANGED CIRCUMSTANCES, TO PROVIDE THAT RETIREMENT BY THE SUPPORTING SPOUSE IS SUFFICIENT GROUNDS TO WARRANT A HEARING IF SO MOVED BY A PARTY, TO EVALUATE WHETHER ALIMONY SHOULD BE MODIFIED OR TERMINATED IN AMOUNT OR TERM AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER, AND TO PROVIDE THAT PAYMENT OF ALIMONY FOR A PERIOD THAT EXCEEDS THE DURATION OF MARRIAGE CONSTITUTES SUFFICIENT

GROUNDS FOR THE COURT TO MODIFY, TERMINATE, OR ESTABLISH A FIXED DURATION OF TIME FOR ANY FURTHER PAYMENT OBLIGATION, IF SUPPORTED BY THE EVIDENCE PRESENTED.

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

S. 511 -- Senator Gregory: A BILL TO AMEND SECTION 20-3-120 OF THE 1976 CODE, RELATING TO ALIMONY AND SUIT MONEY, TO PROVIDE FOR SEPARATE MAINTENANCE AND SUPPORT; TO AMEND SECTION 20-3-130 OF THE 1976 CODE, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, TO PROVIDE FOR NEW FORMS OF ALIMONY; TO AMEND SECTION 20-3-150 OF THE 1976 CODE, RELATING TO THE SEGREGATION OF ALLOWANCES BETWEEN A SPOUSE AND CHILDREN AND THE EFFECT OF THE REMARRIAGE OF A SPOUSE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-160 OF THE 1976 CODE, RELATING TO THE CARE, CUSTODY, AND MAINTENANCE OF CHILDREN, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-170 OF THE 1976 CODE, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY AND RETIREMENT BY A SUPPORTING SPOUSE, TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING THE EXISTENCE OF CHANGED CIRCUMSTANCES, TO PROVIDE THAT RETIREMENT BY A SUPPORTING SPOUSE IS SUFFICIENT GROUNDS TO WARRANT A HEARING, AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING WHETHER ALIMONY OR SEPARATE MAINTENANCE AND SUPPORT SHOULD BE MODIFIED, SUSPENDED, OR TERMINATED IN AMOUNT OR TERM; AND TO DEFINE NECESSARY TERMS.

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

S. 512 -- Senator Malloy: A BILL TO AMEND SECTION 24-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY PRISONERS, SO AS TO PROVIDE THAT A PRISONER MUST BE GIVEN TWO DAYS

OF CREDIT FOR EVERY ONE DAY SERVED IN CUSTODY PRIOR TO TRIAL AND SENTENCING.
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Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Corrections and Penology.

S. 513 -- Senators Verdin, Shealy, Grooms, Rice, Cash, Corbin, Gambrell, Campbell, Davis, Martin and Turner: A BILL TO AMEND SECTION 16-17-600 OF THE 1976 CODE, RELATING TO THE DESTRUCTION OF HUMAN REMAINS OR REPOSITORIES AND THE DESECRATION OF BURIAL GROUNDS, AMONG OTHER THINGS, TO PROVIDE THAT IT IS UNLAWFUL TO DEFACE, VANDALIZE, INJURE, OR REMOVE A HISTORICAL MONUMENT OR HISTORICAL MARKER ON PUBLIC PROPERTY, TO PROVIDE PENALTIES, TO PROVIDE PROCEDURES FOR CORRECTION TO THE PUBLIC PROPERTY, AND TO PROVIDE FOR THE RECOVERY OF CERTAIN COSTS ASSOCIATED WITH THE CORRECTIONS
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Read the first time and referred to the Committee on Judiciary.

S. 514 -- Senators Alexander and Peeler: A BILL TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.
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Read the first time and referred to the Committee on Transportation.

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND

COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 516 -- Senator Kimpson: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE JOSEPH KENDRICK CUNNINGHAM UPON HIS SWEARING IN AS UNITED STATES CONGRESSMAN FOR SOUTH CAROLINA'S FIRST CONGRESSIONAL DISTRICT AND TO WISH HIM THE VERY BEST AS HE UNDERTAKES THIS NEW ROLE SERVING OUR STATE AND NATION.
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The Senate Resolution was adopted.

H. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

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

H. 3359 -- Reps. Yow and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-151 SO AS TO PROVIDE THAT AN APPLICANT FOR A DRIVER'S LICENSE MAY APPLY TO OBTAIN A VETERAN DESIGNATION ON HIS DRIVER'S LICENSE; AND TO AMEND SECTION 56-1-3350, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS AND DRIVERS' LICENSES THAT CONTAIN A VETERAN DESIGNATION, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT AN APPLICANT FOR A

DRIVER'S LICENSE MAY APPLY TO OBTAIN A VETERAN DESIGNATION ON HIS DRIVER'S LICENSE.

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

H. 3388 -- Reps. Jordan, Cogswell and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-95 SO AS TO PROVIDE THAT THE MONTH OF APRIL OF EACH YEAR IS DECLARED "MOVE OVER AWARENESS MONTH" IN SOUTH CAROLINA AND REQUIRE THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PUBLIC SAFETY TO CONDUCT PROGRAMS DURING THIS MONTH THAT EMPHASIZE THE IMPORTANCE OF MOTOR VEHICLE DRIVERS MOVING OVER INTO AN ADJACENT LANE WHENEVER POSSIBLE WHEN APPROACHING OR PASSING THROUGH A HIGHWAY WORK ZONE, AN EMERGENCY SCENE, OR ANY OTHER HIGHWAY TRAFFIC INCIDENT; BY ADDING SECTION 56-5-1539 SO AS TO PROVIDE THAT CERTAIN STATE GOVERNMENTAL ENTITIES MUST ALLOW A DRIVER OF A WRECKER OR TOWING SERVICE VEHICLE TO TAKE TRAFFIC INCIDENT MANAGEMENT TRAINING FREE OF CHARGE; AND TO AMEND SECTION 56-5-1538, REGARDING EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL PRINT INFORMATION IN ITS DRIVER'S MANUALS RELATING TO THE STATE'S "MOVE OVER LAW".

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

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

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

H. 3488 -- Reps. Bernstein, Ballentine, Huggins and Bales: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 126 INTERCHANGE LOCATED AT ELMWOOD AVENUE AND HUGER STREET IN THE CITY OF COLUMBIA "THOMAS MOFFATT BURRISS INTERCHANGE" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

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

H. 3798 -- Reps. Clary, Hiott, Collins and W. Cox: A BILL TO AMEND SECTION 7-7-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

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

H. 3963 -- Rep. Davis: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE TEAM B.O.L.T. (BERKELEY'S OUTSTANDING LEGO TEAM), WHICH WON THE SOUTH CAROLINA FIRST(r) LEGO(r) LEAGUE EAST STATE CHAMPIONSHIP FOR THE 2018-2019 FIRST(r) ROBOTICS SEASON AND ADVANCED TO THE FIRST(r) CHAMPIONSHIP IN HOUSTON, TEXAS.

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

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 191 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE

RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR "NEAR FATALITY".

Ordered for consideration tomorrow.

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

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

Ordered for consideration tomorrow.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

Ayes 30; Nays 10

AYES

Alexander	Allen	Campbell
Climer	Cromer	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Matthews, John	McLeod	Peeler
Reese	Sabb	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams

Total--30

NAYS

Bennett	Campsen	Cash
Corbin	Davis	Grooms
Massey	Rice	Senn
Young		

Total--10

The Bill was read the third time and ordered sent to the House.

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. 279 -- Senator Talley: A BILL TO AMEND SECTION 63-19-630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE'S BOARD OF JUVENILE PAROLE, SO AS TO CHANGE QUORUM REQUIREMENTS TO CONFORM TO BOARD MEMBERSHIP CHANGES.

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

READ THE SECOND TIME

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Peeler	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

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

AMENDED, READ THE SECOND TIME

S. 398 -- Senators Alexander, Scott and Gambrell: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

The Senate proceeded to the consideration of the Resolution.

Senator MALLOY proposed the following amendment (398R002.SP.GM), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking line 26 and inserting:

/ fines associated with such seizure, provided, however, that such person files a report with the Department of Revenue by March 31, 2019, on a form established by the Department of Revenue, stating the quantity of such unstamped packages of cigarettes that were in the person's possession as of January 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then being the second reading of the Resolution.

Senator CROMER explained the Resolution.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Peeler	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE

OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0397.003), which was adopted:

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

/ SECTION 1. Chapter 4, Title 61 of the 1976 Code is amended by adding:

"Section 61-4-280. (A) Municipal police officers have the power of constables to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

(B) A county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State."

SECTION 2. Section 61-6-4510 of the 1976 Code is amended to read:

"Section 61-6-4510. <u>(A)</u> Municipal police officers have the power of constables to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce municipal ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the municipal limits, police officers may follow and arrest the suspect anywhere in the State.

<u>(B) A county sheriff has the power of a constable to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the county limits, including within municipal limits; and in addition, have all powers to enforce these provisions as they have to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county</u>

limits, police officers may follow and arrest the suspect anywhere in the State."

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

Senator HARPOOTLIAN explained the committee amendment.

The committee amendment was adopted.

The question then being the second reading of the Bill.

Senator HARPOOTLIAN explained the Bill.
Senator MALLOY spoke on the Bill.
Senator SENN spoke on the Bill.

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

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

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call S. 35 from the Contested Calendar.

The motion under Rule 32B was adopted.

MOTION ADOPTED

At 2:57 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

COMMITTEE AMENDMENT AMENDED AND ADOPTED AMENDED, READ THE SECOND TIME

S. 35 -- Senators Grooms, Campsen, Verdin and Corbin: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING

TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator GROOMS explained the Bill.

Amendment No. P1

Senator HUTTO proposed the following amendment (DG\ 35C004.NBD.DG19), which was carried over and subsequently withdrawn:

Amend the committee amendment, as and if amended, by striking SECTION 7 and inserting:

/ SECTION 7. A. The Commission on Higher Education shall submit the provisions of Section 59-29-130, as amended by this act, to the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and request an advisory opinion as to whether such provisions can be incorporated into degree requirements without infringing on the accredidation process, as required by Section 59-29-130(C)(2).

B. This SECTION takes effect upon approval by the Governor.

SECTION 8. This act takes effect one year after approval by the Governor and receipt of an affirmative advisory opinion pursuant to SECTION 7 of this act. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the perfecting amendment.

On motion of Senator HUTTO, the perfecting amendment was carried over and subsequently withdrawn.

Amendment No. P2

Senator SCOTT proposed the following amendment (AHB\35C001.BH.AHB19), which was tabled:

Amend the committee report, as and if amended, by deleting SECTION 7 and inserting:

/ SECTION 7. This act takes effect when the General Assembly has fully funded the requirements set forth in this act at each institution. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the perfecting amendment.

Senator GROOMS moved to lay the amendment on the table.

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

Ayes 25; Nays 13

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Leatherman
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Fanning	Hutto
Johnson	Kimpson	Malloy
McElveen	McLeod	Reese

Sabb Scott Setzler
Williams

Total--13

The amendment was laid on the table.

Amendment No. P3

Senator JOHNSON proposed the following amendment (35R004.SP.KLJ), which was carried over:

Amend the committee report, as and if amended, page [35-1], by striking line 34 and inserting:

/ Independence, the Emancipation Proclamation, African-American studies, and the Federalist /

Amend the committee report further, as and if amended, page [35-1], by striking line 40 and inserting:

/ Independence, the Emancipation Proclamation, African-American studies, and the Federalist /

Amend the committee report further, as and if amended, page [35-2], by striking line 9 and inserting:

/ Independence, the Emancipation Proclamation, African-American studies, and the Federalist /

Amend the committee report further, as and if amended, page [35-2], by striking line 29 and inserting:

/ Proclamation, African-American studies, and the Federalist Papers. /

Renumber sections to conform.

Amend title to conform.

Senator JOHNSON spoke on the perfecting amendment.

On motion of Senator GROOMS, the perfecting amendment was carried over.

Amendment No. P4

Senator SCOTT proposed the following amendment (35R005.SP.JS), which was tabled:

Amend the committee report, as and if amended, page [35-1], by striking line 42 and inserting:

/ ~~examining power of his loyalty thereto~~.

(2) This section does not apply to students attending a public high school on a student visa issued by the United States government." /

Amend the committee report further, as and if amended, page [35-3], by striking line 11 and inserting:

/ Higher Education.

(E) This section does not apply to students attending an institution of higher learning on a student visa issued by the United States government." /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the perfecting amendment.

Senator GROOMS moved to lay the amendment on the table.

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

Ayes 25; Nays 12

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Malloy
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Fanning	Hutto
Johnson	Kimpson	McElveen
McLeod	Reese	Sabb
Scott	Setzler	Williams

Total--12

The amendment was laid on the table.

Amendment No. P5

Senators HUTTO and CAMPSEN proposed the following amendment (35R006.SP.GEC), which was adopted:

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

/ SECTION __. A.The Commission on Higher Education shall submit the provisions of Section 59-29-130, as amended by this act, to the Southern Association of Colleges and Schools Commission on Colleges and request an advisory opinion as to whether such provisions can be incorporated into degree requirements without infringing on the accreditation process, as required by Section 59-29-130(C)(2).

B.This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the perfecting amendment.

The perfecting amendment was adopted.

Amendment No. P3

Senator JOHNSON proposed the following amendment (35R004.SP.KLJ), which was withdrawn:

Amend the committee report, as and if amended, page [35-1], by striking line 34 and inserting:

/ Independence, <u>the Emancipation Proclamation, African-American studies,</u> and the Federalist /

Amend the committee report further, as and if amended, page [35-1], by striking line 40 and inserting:

/ Independence, <u>the Emancipation Proclamation, African-American studies,</u> and the Federalist /

Amend the committee report further, as and if amended, page [35-2], by striking line 9 and inserting:

/ <u>Independence, the Emancipation Proclamation, African-American studies, and the Federalist</u> /

Amend the committee report further, as and if amended, page [35-2], by striking line 29 and inserting:

/ <u>Proclamation, African-American studies, and the Federalist Papers.</u> /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the perfecting amendment.

On motion of Senator JOHNSON, with unanimous consent, the amendment was withdrawn.

The Committee on Education proposed the following amendment (35R001.KMM.), which was adopted:

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

/ SECTION 1. This act is known and may be cited as the "Reinforcing College Education on America's Constitutional Heritage Act" or the "REACH Act".

SECTION 2. Section 59-29-120(A) of the 1976 Code is amended to read:

"Section 59-29-120. (A)(1) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds shall~~ must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, including the study of ~~and devotion to~~ American institutions and ideals~~, and no~~. No student in any such school~~, college, or university~~ may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~."

SECTION 3. Section 59-29-130 of the 1976 Code is amended to read:

"Section 59-29-130. (A) ~~The instruction provided for in Section 59-29-120 shall be given for at least one year of the high school, college and university grades, respectively.~~ All public institutions of higher learning, as defined in Section 59-103-5, and private institutions of higher learning must provide instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, including the study of American institutions and ideals. No public or private institution of higher learning may grant a certificate of graduation for any baccalaureate degree program to any student unless he successfully completes the requirements described in subsection (B).

(B)(1) Each public and private institution of higher learning must require each undergraduate student, except a student eligible for the

exemption provided in subsection (B)(2), to complete no fewer than three semester credit hours, or their equivalent, in the subject of American government. Each undergraduate student must be required to:

(a) read the United States Constitution in its entirety;

(b) read the Declaration of Independence in its entirety;

(c) read the Emancipation Proclamation in its entirety;

(d) read a minimum of five essays in their entirety from the Federalist Papers as selected by an instructor; and

(e) pass a comprehensive examination, testing for student proficiency in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers.

(2) A public or private institution of higher learning may exempt a student who has completed three semester credit hours, or their equivalent, in an Advanced Placement or dual-credit course with a passing grade in the subject of American government, provided that the completed three semester credit hours, or their equivalent, in an Advanced Placement or dual-credit course satisfy the requirements of subsection (B)(1).

(C) Public or private institutions of higher learning must ensure that the requirements of this section are incorporated into the degree requirements of all undergraduate degree programs in a manner that:

(1) does not add to the total number of credit hours for any degree; and

(2) does not conflict with any school accreditation process.

(D) The board of trustees of a public or private institution of higher learning must ensure the public or private institution of higher learning's compliance with all provisions of this section. The board must annually collect the information necessary to ensure that the public or private institution of higher learning is in compliance with this section. Such information must be reported annually to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, and the Chairman of the Commission on Higher Education."

SECTION 4. Section 59-29-140 of the 1976 Code, relating to the enforcement of the program of study of the United States Constitution by the State Superintendent, is repealed.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the

constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. Section 59-29-130 applies to the first incoming undergraduate freshman class entering a public institution of higher learning after the effective date of this act and each subsequent undergraduate class thereafter. Nothing contained in Section 59-29-130 may be construed to prevent an undergraduate student enrolled in a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 7. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The question then was the adoption of the committee amendment, as amended.

The committee amendment was adopted.

Amendment No. 1

Senator GROOMS proposed the following amendment (35R002.SP.LKG), which was adopted:

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

/ SECTION 1. This act is known and may be cited as the "Reinforcing College Education on America's Constitutional Heritage Act" or the "REACH Act".

SECTION 2. Section 59-29-120(A) of the 1976 Code is amended to read:

"Section 59-29-120. (A)(1) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds shall~~ must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, including the study of ~~and devotion to~~ American institutions and ideals~~, and no~~. No student in any such school~~, college, or university~~ may receive a certificate of graduation

without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~."

SECTION 3. Section 59-29-130 of the 1976 Code is amended to read:

"Section 59-29-130. (A) ~~The instruction provided for in Section 59-29-120 shall be given for at least one year of the high school, college and university grades, respectively.~~ All public institutions of higher learning, as defined in Section 59-103-5, must provide instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, including the study of American institutions and ideals. No public institution of higher learning may grant a certificate of graduation for any baccalaureate degree program to any student unless he successfully completes the requirements described in subsection (B).

(B)(1) Each public institution of higher learning must require each undergraduate student, except a student eligible for the exemption provided in subsection (B)(2), to complete no fewer than three semester credit hours, or their equivalent, in the subject of American government. Each undergraduate student must be required to:

(a) read the United States Constitution in its entirety;

(b) read the Declaration of Independence in its entirety;

(c) read the Emancipation Proclamation in its entirety;

(d) read a minimum of five essays in their entirety from the Federalist Papers as selected by an instructor; and

(e) pass a comprehensive examination, testing for student proficiency in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers.

(2) A public institution of higher learning may exempt a student who has completed three semester credit hours, or their equivalent, in an Advanced Placement or dual-credit course with a passing grade in the subject of American government, provided that the completed three semester credit hours, or their equivalent, in an Advanced Placement or dual-credit course satisfy the requirements of subsection (B)(1).

(C) Public institutions of higher learning must ensure that the requirements of this section are incorporated into the degree requirements of all undergraduate degree programs in a manner that:

(1) does not add to the total number of credit hours for any degree; and

(2) does not conflict with any school accreditation process.

(D) The board of trustees of a public institution of higher learning must ensure the public institution of higher learning's compliance with all provisions of this section. The board must annually collect the information necessary to ensure that the public institution of higher learning is in compliance with this section. Such information must be reported annually to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, and the Chairman of the Commission on Higher Education."

SECTION 4. Section 59-29-140 of the 1976 Code, relating to the enforcement of the program of study of the United States Constitution by the State Superintendent, is repealed.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. Section 59-29-130 applies to the first incoming undergraduate freshman class entering a public institution of higher learning after the effective date of this act and each subsequent undergraduate class thereafter. Nothing contained in Section 59-29-130 may be construed to prevent an undergraduate student enrolled in a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 7. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

The amendment was adopted.

Amendment No. 2

Senators HUTTO and CAMPSEN proposed the following amendment (35R007.SP.GEC), which was adopted:

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

/ SECTION __. A.The Commission on Higher Education shall submit the provisions of Section 59-29-130, as amended by this act, to the Southern Association of Colleges and Schools Commission on Colleges and request an advisory opinion as to whether such provisions can be incorporated into degree requirements without infringing on the accreditation process, as required by Section 59-29-130(C)(2).

B.This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

Amendment No. 3

Senator SCOTT proposed the following amendment (35R008.SP.JS), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-29-130(A) and inserting:

/ "Section 59-29-130. (A) ~~The instruction provided for in Section 59-29-120 shall be given for at least one year of the high school, college and university grades, respectively.~~ All public institutions of higher learning, as defined in Section 59-103-5, must provide instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, the Federalist Papers, and the study of American institutions and history, including African-American history, and ideals. No public institution of higher learning may grant a certificate of graduation for any baccalaureate degree program to any student unless he successfully completes the requirements described in subsection (B). /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the amendment.

The amendment was adopted.

Amendment No. 4

Senator CAMPSEN proposed the following amendment (35R003.SP.GEC), which was adopted:

Amend the bill, as and if amended, by striking Section 59-29-130(D) and inserting:

/ (D) The Commission on Higher Education must ensure the public institution of higher learning's compliance with all provisions of this section. The Commission on Higher Education must annually collect the information necessary to ensure that the public institution of higher learning is in compliance with this section. Such information must be reported annually to the Chairman of the House of Representatives Ways and Means Committee, the Chairman of the House of Representatives Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Education Committee." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN spoke on 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 29; Nays 7

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Johnson	Malloy
Martin	Massey	McElveen
Peeler	Reese	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--29

NAYS

Allen	Fanning	Hutto
Kimpson	McLeod	Sabb
Scott		

Total--7

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

LOCAL APPOINTMENTS
Confirmations

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

Reappointment, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Susan Anderson, 55 Simms Street, Barnwell, SC 29812-1953

Reappointment, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lawson Holland, P. O. Box 929, Barnwell, SC 29812-0929

Reappointment, Barnwell County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jimmy Wade Gantt, 260 Meadow Lane, Barnwell, SC 29812-8135

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. J. Virgil Hicks of Bamberg, S.C. Virgil served as the Mayor of Bamberg for nearly 30 years. He was a lifelong member and trustee of First Baptist Church of Bamberg. He was on the board of Home Federal Savings and Loan for 53 years. Virgil was the past president of the Orangeburg, Bamberg and Calhoun Counties Homebuilders Association. He was a Jaycee, a LION, a National Guardsman and member of Kappa Alpha at USC. Virgil was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:14 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 P.M.

* * *

Thursday, February 14, 2019
(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:

2 Chronicles 16:9

"The eyes of the Lord range throughout the entire earth, to strengthen those whose heart is true to him."

Let us pray. Almighty God, in all things You are faithful and true. Everything we know about love we have learned from You. Your love never changes. Today we pray that You will fill our minds with vision and our hearts with conviction. Give us boldness and courage to stand up for what is right and stay the course when we become discouraged. For we know that all things are possible through You who empowers us, sustains us and forgives us each day. For it is in Your blessed 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 SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Cash	Climer	Corbin
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Martin
Massey	*Matthews, Margie*	McElveen
Peeler	Rice	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

THURSDAY, FEBRUARY 14, 2019

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2017, and to expire June 30, 2021

5th Congressional District:

Richard V. Lee, Jr., 623 Meadowbrook Lane, Rock Hill, SC 29730-3730 *VICE* Ann B. Kirol

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Department on Aging, with term coterminous with Governor

Director:

Stephen F. Morris, 320 Country Club Drive, Columbia, SC 29296-3202

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2015, and to expire February 13, 2020

At-Large:

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909 *VICE* Cary Daniel Adams

Referred to the Committee on Transportation.

Doctor of the Day

Senator KIMPSON introduced Dr. Todd Schlesinger of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 11:09 A.M., Senator SETZLER requested a leave of absence for Senator FANNING for the day.

THURSDAY, FEBRUARY 14, 2019

Leave of Absence

At 11:09 A.M., Senator ALEXANDER requested a leave of absence for Senator CROMER for the day.

CO-SPONSORS ADDED

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

S. 74 Sen. Kimpson
S. 332 Sen. Johnson

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 363 Sen. Kimpson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 517 -- Senators Martin and Sheheen: A BILL TO AMEND TITLE 39 OF THE 1976 CODE, RELATING TO TRADE AND COMMERCE, BY ADDING CHAPTER 77, TO PROHIBIT THE SALE OF UNSAFE USED TIRES, TO IMPOSE A DUTY OF INSPECTION PRIOR TO THE INSTALLATION OF USED TIRES, TO PROVIDE FOR PENALTIES, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 518 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 519 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MEDICAL HOMEBOUND INSTRUCTION, DESIGNATED AS REGULATION DOCUMENT

NUMBER 4819, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 520 -- Senators Goldfinch, Young, Malloy, Campbell, Gambrell, Gregory, Talley, Rice, Grooms, Williams, Sabb, Cash, Climer and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3775 SO AS TO ENACT THE "LIVABLE HOMES TAX CREDIT ACT", TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT TO AN INDIVIDUAL WHO PURCHASES A NEW RESIDENCE OR RETROFITS AN EXISTING RESIDENCE, PROVIDED THAT THE NEW RESIDENCE OR THE RETROFITTING OF THE EXISTING RESIDENCE IS DESIGNED TO IMPROVE ACCESSIBILITY, TO PROVIDE A CUMULATIVE TOTAL FOR WHICH THE CREDIT MAY NOT EXCEED, AND TO PROVIDE CERTAIN DESIGN ELEMENT REQUIREMENTS AND ELIGIBLE COSTS.
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Read the first time and referred to the Committee on Finance.

S. 521 -- Senator Turner: A BILL TO AMEND CHAPTER 15, TITLE 42 OF THE 1976 CODE, RELATING TO NOTICES OF ACCIDENTS IN THE WORKPLACE, THE FILING OF CLAIMS, AND MEDICAL ATTENTION AND EXAMINATION, BY ADDING SECTION 42-15-75, TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES AN EMPLOYER MAY PAY UP TO TWO THOUSAND FIVE HUNDRED DOLLARS FOR MEDICAL TREATMENT FOR AN EMPLOYEE INJURED ON THE JOB WITHOUT HAVING TO REPORT THE INJURY.
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Read the first time and referred to the Committee on Judiciary.

S. 522 -- Senator Turner: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO

PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.
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Read the first time and referred to the Committee on Finance.

S. 523 -- Senators Massey, Bennett, Climer, Davis, Goldfinch, Grooms, Hembree, Rice, Talley and Turner: A BILL TO ENACT THE "EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACCOUNT ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE THAT PARENTS OF ELIGIBLE STUDENTS MAY ESTABLISH AND FUND ACCOUNTS FOR USE IN MEETING CERTAIN EDUCATION EXPENSES, TO PROVIDE GUIDELINES FOR THE USE OF SUCH FUNDS AND PENALTIES FOR MISUSE, TO PROVIDE CERTAIN RELATED POWERS AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, TO CREATE A PARENTAL REVIEW PANEL TO ASSIST IN DETERMINING WHETHER CERTAIN EXPENSES CONSTITUTE QUALIFIED EDUCATION EXPENSES, AMONG OTHER THINGS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Education.

S. 524 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 17 TO TITLE 27 SO AS TO ENACT THE "REVISED UNIFORM UNCLAIMED PROPERTY ACT OF 2019"; TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH ABANDONED AND UNCLAIMED PROPERTY, AS DEFINED IN THE ACT, MAY BE ESCHEATED BY THE STATE FOR SALE OR OTHER DISPOSITION, AND TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS; AND TO REPEAL CHAPTER 18, TITLE 27, RELATING TO THE 1988 UNIFORM UNCLAIMED PROPERTY ACT, INCLUDING SUBSEQUENT AMENDMENTS TO THE 1988 ACT.
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Read the first time and referred to the Committee on Judiciary.

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.
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Read the first time and referred to the Committee on Medical Affairs.

H. 3051 -- Reps. D. C. Moss, Chumley, Burns, Long, G. R. Smith, V. S. Moss, Yow, Hixon, Bryant, Clemmons, McGinnis, W. Newton, Hosey, Ligon and McCravy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, AND TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES.

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

H. 3312 -- Reps. W. Newton and R. Williams: A BILL TO AMEND SECTIONS 56-1-170, 56-1-390, 56-1-395, 56-1-400, 56-1-460, 56-1-550, 56-1-740, 56-1-746, 56-1-2080, 56-3-355, 56-3-1230, 56-3-1290, 56-3-1335, 56-3-2545, 56-3-3500, 56-3-3600, 56-3-3800, 56-3-3950, 56-3-4100, 56-3-4200, 56-3-4410, 56-3-4510, 56-3-4600, 56-3-4800, 56-3-5400, 56-3-6000, 56-3-7200, 56-3-7300, 56-3-7310, 56-3-7320, 56-3-7330, 56-3-7340, 56-3-7350, 56-3-7370, 56-3-7780, 56-3-7800, 56-3-7950, 56-3-8000, 56-3-8200, 56-3-8300, 56-3-8600, 56-3-8710, 56-3-9400, 56-3-9500, 56-3-9600, 56-3-9710, 56-3-10010, 56-3-10110, 56-3-10210, 56-3-10310, 56-3-11450, 56-3-12610, 56-3-13310, 56-5-750, AND 56-5-2942, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE APPLICATION OF RESTRICTIONS ON A PERSON'S DRIVER'S LICENSE, FEES ASSESSED FOR THE REINSTATEMENT OF A DRIVER'S LICENSE, THE SURRENDER OF A DRIVER'S LICENSE WHEN THE LICENSE IS SUSPENDED OR REVOKED, THE PLACEMENT OF AN INTERLOCK DEVICE ON THE VEHICLES OF CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF OPERATING A VEHICLE WHILE UNDER THE

INFLUENCE OF ALCOHOL OR ANOTHER SUBSTANCE, PENALTIES IMPOSED UPON A PERSON WHO OPERATES A VEHICLE WITH A LICENSE THAT HAS BEEN CANCELED, SUSPENDED, OR REVOKED, THE FEE IMPOSED FOR EXPEDITING A REQUEST FOR A COPY OF CERTAIN DEPARTMENT OF MOTOR VEHICLES' DOCUMENTS, THE SUSPENSION OF A DRIVER'S LICENSE AND THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, THE ISSUANCE OF A COMMERCIAL DRIVER'S LICENSE, THE PERIOD FOR PROCURING A LICENSE PLATE FOR A MOTOR VEHICLE, THE ISSUANCE OF TEMPORARY LICENSE PLATES, AND THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OR REVOCATION OF A COMMERCIAL VEHICLE REGISTRATION CARD AND LICENSE PLATE, THE FEE TO OBTAIN AN IDENTIFIER, LICENSE PLATE SPECIFICATIONS AND THE ISSUANCE OF NEW LICENSE PLATES, THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OF A MOTOR VEHICLE LICENSE PLATE WHEN ITS DRIVER FAILS TO PAY A TOLL, THE DISPERSEMENT OF FEES COLLECTED FROM THE ISSUANCE OF CONSERVE SOUTH CAROLINA SPECIAL LICENSE PLATES, PENN CENTER SPECIAL LICENSE PLATES, SOUTH CAROLINA NURSES SPECIAL LICENSE PLATES, AMERICAN LEGION SPECIAL LICENSE PLATES, KEEP SOUTH CAROLINA BEAUTIFUL SPECIAL LICENSE PLATES, SOUTH CAROLINA ELKS ASSOCIATION SPECIAL LICENSE PLATES, CAROLINA PANTHERS SPECIAL LICENSE PLATES, SHARE THE ROAD SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE SPECIAL LICENSE PLATES, SONS OF CONFEDERATE VETERANS SPECIAL LICENSE PLATES, FRATERNAL ORDER OF POLICE SPECIAL LICENSE PLATES, UNITED STATES ARMED SERVICES SPECIAL LICENSE PLATES, ARTS AWARENESS SPECIAL LICENSE PLATES, SALTWATER FISHING SPECIAL LICENSE PLATES, SUPPORT OUR TROOPS SPECIAL LICENSE PLATES, EMERGENCY MEDICAL SERVICE SPECIAL LICENSE PLATES, NATIVE AMERICAN SPECIAL LICENSE PLATES, SOUTH CAROLINA PEACH COUNCIL SPECIAL LICENSE PLATES, CAREER RESEARCH CENTERS OF THE CAROLINAS SPECIAL LICENSE PLATES, VIETNAM WAR VETERANS SPECIAL LICENSE PLATES, SOUTH CAROLINA AQUARIUM SPECIAL LICENSE

PLATES, HUNTING ISLAND STATE PARK SPECIAL LICENSE PLATES, NONPROFIT ORGANIZATION SPECIAL LICENSE PLATES, SPECIAL LICENSE PLATES PRODUCTION AND DISTRIBUTION GUIDELINES, ROTARY INTERNATIONAL SPECIAL LICENSE PLATES, MARINE CORPS LEAGUE SPECIAL LICENSE PLATES, DUCKS UNLIMITED SPECIAL LICENSE PLATES, NASCAR SPECIAL LICENSE PLATES, MORRIS ISLAND LIGHTHOUSE SPECIAL LICENSE PLATES, GOD BLESS AMERICA SPECIAL LICENSE PLATES, NO MORE HOMELESS PETS SPECIAL LICENSE PLATES, HERITAGE CLASSIC FOUNDATION SPECIAL LICENSE PLATES, PARROT HEAD SPECIAL LICENSE PLATES, OPERATION DESERT STORM - DESERT SHIELD VETERANS SPECIAL LICENSE PLATES, OPERATION ENDURING FREEDOM VETERANS SPECIAL LICENSE PLATES, OPERATION IRAQI FREEDOM VETERANS SPECIAL LICENSE PLATES, HISTORIC SPECIAL MOTOR VEHICLE SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE FEDERATION SPECIAL LICENSE PLATES, MOTORCYCLE AWARENESS ALLIANCE SPECIAL LICENSE PLATES, A MOTOR VEHICLE DRIVER'S FAILURE TO STOP WHEN SIGNALED BY A LAW ENFORCEMENT VEHICLE, AND THE IMMOBILIZATION OF CERTAIN VEHICLES, ALL SO AS TO SUBSTITUTE THE TERM "DEPARTMENT OF MOTOR VEHICLES" FOR THE TERM "COMPTROLLER GENERAL", AND TO MAKE TECHNICAL CHANGES.

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

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

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

REPORTS OF STANDING COMMITTEE

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

S. 260 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

Ordered for consideration tomorrow.

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

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

Ordered for consideration tomorrow.

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

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

S. 398 -- Senators Alexander, Scott and Gambrell: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

S. 35 -- Senators Grooms, Campsen, Verdin and Corbin: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Recorded Vote

Senator SHEHEEN desired to be recorded as voting against the third reading of the Bill.

SECOND READING BILL

S. 504 -- Senators Hutto and M.B. Matthews: A BILL TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

On motion of Senator HUTTO.

READ THE SECOND TIME

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Massey	*Matthews, John*

Matthews, Margie	McElveen	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

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

CARRIED OVER

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

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

POINT OF ORDER

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 191 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR “NEAR FATALITY”.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING

THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENT
Confirmation

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Adjutant General, with the term to commence January 13, 2019, and to expire January 13, 2021

Roy Van McCarty, 217 Silvercreek Dr., Lexington, SC 29072-8089 *VICE* Major General Robert E. Livingston, Jr.

On motion of Senator SHEALY, the question was confirmation of Roy Van McCarty.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer

Corbin	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Roy Van McCarty was confirmed.

Motion Adopted

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

ADJOURNMENT

At 11:37 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, February 15, 2019
(Local 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 ACTING PRESIDENT, Senator JACKSON.

MOTION ADOPTED

On motion of Senator REESE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ethan Frank Rubenzer of Boiling Springs, S.C. Ethan was a sixth grade student at High Point Academy. He loved to volunteer and spend time with family and friends. Ethan was a loving son, devoted brother and special friend who will be dearly missed.

ADJOURNMENT

At 11:03 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, February 19, 2019, at 2:00 P.M.

* * *

Tuesday, February 19, 2019
(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:

Luke 12:48b

"From everyone to whom much has been given, much will be required; from the one to whom much has been entrusted, even more will be demanded."

Let us pray. Gracious God, many are the gifts that You have bestowed upon us as a State and as individuals. However some of Your people seem to have received more talents and abilities than others.

Very few of our people could serve as these Senators serve. This is not an issue of favoritism or lack of fairness but rather an issue of responsibility, especially within this Chamber -- for "those to whom much has been given, much more is expected."

Grant, O God, to all these gifted servants, the strength and faith to stay the course, even when confronted with long hours spent in Session, time consuming committee meetings and seemingly endless public events and requests. Arm them, we pray, with conviction and resilience and make their way perfect, as only You can do. For it is in Your holy name that we make this request, Amen.

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

Point of Quorum

At 2:04 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	Cash	Climer
Cromer	Davis	Fanning

Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Malloy
Martin	Massey	McElveen
Peeler	Rice	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Recorded Presence

Senator CORBIN recorded his presence subsequent to the Call of the Senate.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

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

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742 *VICE* George N. Martin III

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409 *VICE* Kenneth W. Kinard

Referred to the Committee on Education.

Doctor of the Day

Senator SETZLER introduced Dr. Gregory Squires of Charleston, S.C., Doctor of the Day.

TUESDAY, FEBRUARY 19, 2019

CO-SPONSORS ADDED

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

S. 9 Sen. Turner
S. 15 Sen. Jackson
S. 74 Sen. M.B. Matthews
S. 82 Sen. Turner
S. 85 Sen. Turner
S. 119 Sen. Turner
S. 125 Sen. Turner
S. 131 Sen. Talley
S. 156 Sen. Turner
S. 175 Sen. Turner
S. 185 Sen. Alexander
S. 179 Sen. Turner
S. 191 Sen. Climer
S. 197 Sen. Turner
S. 298 Sens. Allen, Nicholson and Reese
S. 372 Sen. Talley
S. 439 Sen. Reese
S. 443 Sen. Alexander
S. 444 Sen. Turner
S. 454 Sen. Alexander

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 419 Sen. Campsen

RECALLED

S. 482 -- Senators Campbell and Bennett: A BILL TO AMEND SECTION 7-7-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO 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.

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. 526 -- Senator Shealy: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JENNIFER DIABY OF COLUMBIA AND TO COMMEND HER FOR HER MANY YEARS OF SIGNIFICANT CONTRIBUTIONS TO HUMAN SERVICES AND MINISTRY WORK.
l:\s-res\ks\030jenn.kmm.ks.docx
The Senate Resolution was adopted.

S. 527 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MS. BETTY LOU STEPHENS FOR HER SIGNIFICANT PARTICIPATION IN THE HORRY ELECTRIC COOPERATIVE, INC., AND TO CONGRATULATE HER UPON BEING NAMED THE COOPERATIVE'S 2019 RURAL LADY OF THE YEAR.
l:\council\bills\agm\19558wab19.docx
The Concurrent Resolution was adopted, ordered sent to the House.

S. 528 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARLISA SMALL, OWNER OF MARLISA'S WIG STUDIO & DAY SPA IN LITTLE RIVER, FOR HER SIGNIFICANT CONTRIBUTIONS TO HER COMMUNITY AND ENCOURAGEMENT OF MANY IN THEIR WALK WITH CANCER.
l:\council\bills\gm\24086sa19.docx
The Senate Resolution was adopted.

S. 529 -- Senators Young, Setzler and Massey: A BILL TO AMEND SECTION 44-66-30 OF THE 1976 CODE, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, TO REVISE THE LIST OF AUTHORIZED DECISION MAKERS; AND TO AMEND SECTIONS 44-26-40, 44-26-50, AND 44-26-60(C) OF THE 1976 CODE, ALL RELATING TO CLIENTS OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS WHO ARE INCOMPETENT TO MAKE THEIR OWN HEALTH CARE DECISIONS, TO MAKE CONFORMING CHANGES.
l:\s-res\try\021heal.kmm.try.docx
Read the first time and referred to the Committee on Medical Affairs.

S. 530 -- Senator Leatherman: A BILL TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY

AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATION, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALLY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY

OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO

AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHOD, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION

FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-

35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220, RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF "PUBLIC PROCUREMENT UNIT"; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC

PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS"; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.
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Read the first time and referred to the Committee on Finance.

S. 531 -- Senators Shealy, Young, Grooms, Turner and Campbell: A BILL TO AMEND SECTION 63-11-310(B)(3) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO PROVIDE THAT RECORDS RELEASED TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSES OF INVESTIGATION AND ASSESSMENT OF ALLEGATIONS OF CHILD ABUSE OR NEGLECT SHALL BE ACCOMPANIED BY AN ORDER OF PROTECTION ISSUED BY A MAGISTRATE OR FAMILY COURT JUDGE TO ENSURE THE CONFIDENTIALITY OF SUCH RECORDS, AND TO PROVIDE WHAT SHOULD BE INCLUDED IN SUCH AN ORDER OF PROTECTION.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 532 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 2019 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA IN ORDER TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 533 -- Senators Massey and Young: A SENATE RESOLUTION TO RECOGNIZE MAY 2019 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO

WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 535 -- Senator Jackson: A BILL TO AMEND SECTION 40-56-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP AND COMPOSITION OF THE STATE BOARD OF PYROTECHNIC SAFETY, SO AS TO INCREASE THE MEMBERSHIP FROM SEVEN SEATS TO NINE SEATS, AND TO PROVIDE THESE ADDITIONAL SEATS MUST BE HELD BY PYROTECHNICS RETAILERS.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 536 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCOUNTING AND REPORTING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4832, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

H. 3072 -- Reps. Murphy and Hosey: A BILL TO AMEND SECTION 17-22-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS NOT ELIGIBLE TO PARTICIPATE IN A PRETRIAL INTERVENTION PROGRAM, SO AS TO CLARIFY THAT PERSONS WHO PREVIOUSLY PARTICIPATED IN AN ALCOHOL EDUCATION PROGRAM ARE NOT PREVENTED FROM SUBSEQUENT PARTICIPATION IN A PRETRIAL INTERVENTION PROGRAM.

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

H. 3131 -- Reps. Bernstein, Thayer, Ligon, Cobb-Hunter, Henegan and Hewitt: A BILL TO AMEND SECTION 63-9-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, SO AS TO PROVIDE THAT

BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION ALSO MUST BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3784 -- Rep. Herbkersman: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

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

H. 3964 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen,

Toole, Trantham, Weeks, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE THE NARWHAL OF IDEAS ROBOTICS TEAM FOR WINNING THE SOUTH CAROLINA FIRST(r) LEGO(r) LEAGUE WEST STATE CHAMPIONSHIP FOR THE 2018-2019 FIRST(r) ROBOTICS SEASON AND FOR ADVANCING TO THE FIRST(r) LEGO(r) LEAGUE LEGOLAND(r) INTERNATIONAL OPEN IN CARLSBAD, CALIFORNIA.

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

H. 3997 -- Rep. Kirby: A CONCURRENT RESOLUTION TO COMMEMORATE THE DESIGNATION OF THE UNITED STATES POST OFFICE AS THE POSTMASTER FRAZIER B. BAKER POST OFFICE IN LAKE CITY, SOUTH CAROLINA, AND TO RECOGNIZE THE HISTORY THIS REPRESENTS.

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

Message from the House

Columbia, S.C., February 14, 2019

Mr. President and Senators:

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

H. 3630 -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.

and has ordered the Joint Resolution 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 Bill was read the third time and ordered sent to the House of Representatives:

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

OBJECTION, AMENDMENT PROPOSED

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

The Senate proceeded to the consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0397.004):

Amend the bill, as and if amended, page 1, by striking lines 32 through 39, in Section 61-4-280(B), as contained in SECTION 1, and inserting therein the following:

/ (B) In counties with a population in excess of two hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State." /

Amend the bill further, as and if amended, page 2, by striking lines 9 through 16, in Section 61-6-4510(B), as contained in SECTION 2, and inserting therein the following:

/ (B) In counties with a population in excess of two hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator SENN spoke on the amendment.

Senator SENN moved to lay the amendment on the table.

Senator MALLOY objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (181R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 28 through 33 and inserting:

/ (3) If a medical history is disclosed pursuant to item (1), then the medical history may be disclosed to the adoptee upon reaching the age of majority or under circumstances prior to the adoptee reaching the age of majority for good cause shown." /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the committee amendment.

The amendment was adopted.

The question then being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (191R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 35 and inserting:

/ significant relationship with the child or the child's family. /

Amend the bill further, as and if amended, page 4, by striking lines 26 through 29.

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the committee amendment.

The amendment was adopted.

On motion of Senator McELVEEN, the Bill, as amended, was carried over.

TUESDAY, FEBRUARY 19, 2019

READ THE SECOND TIME

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR "NEAR FATALITY."

The Senate proceeded to the consideration of the Bill.

Senator McELVEEN explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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

READ THE SECOND TIME

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO 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 the consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO 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 the consideration of the Bill.

Senator NICHOLSON explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese

Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question then being the second reading of the Resolution.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

S. 260 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

The Senate proceeded to the consideration of the Bill.

Senator SETZLER explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

CARRIED OVER

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR

OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

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

CARRIED OVER

S. 518 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over until February, 28, 2019.

CARRIED OVER

S. 519 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MEDICAL HOMEBOUND INSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4819, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over until February, 28, 2019.

TUESDAY, FEBRUARY 19, 2019

Motion to Ratify Adopted

At 3:01 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators ALLEN, ALEXANDER, BENNETT, CAMPBELL, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, RANKIN, REESE, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Otis Samuel Boan, Jr. of Greenville, S.C. Sammy was a graduate of Cheraw High School and the University of South Carolina. He retired in 2017 from the family business in the Consumer Finance Industry. Sammy was a board member of American Services, Inc., was a South Carolina State Senator for two years and a former president of the Greenville Touchdown Club. He enjoyed cooking, spending time on Lake Hartwell and Gamecock football. He was a member of St. Paul's Anglican Church. Sammy was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 2:00 P.M.

* * *

Wednesday, February 20, 2019
(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:

Jeremiah 29:11

"For surely I have plans for you, says the Lord, plans for your welfare and not harm, to give you a future with hope. Then when you call upon me and come and pray to me, I will hear you. When you search for me, you will find me; if you seek me with all your heart."

Let us pray. Almighty God, each day in this Chamber we face our country's flag, put our hand over our heart and proclaim our allegiance to our nation and our faith in You. The simple act of putting our hand over our heart reminds us that with every heart beat we are alive and that You, O God, have a plan this day for our welfare. And when we close our pledge, O God, with "justice for all," that You will empower us in our elected positions to seek that "justice" for all our people who reside here in our beloved South Carolina. Through the power of Your Holy Spirit we pray, Amen.

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2018, and to expire July 1, 2021

SC Chamber of Commerce:

Kippy Derrick Miller, 15 Calumet Court, Greenville, SC 29615-6005
VICE Laban D. Chappell

Referred to the Committee on Education.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2018, and to expire December 31, 2022

Director:

Theresa Mills - Floyd, 47 Love Valley Court, Chapin, SC 29036-8591 *VICE* Daniel F. Saad

Referred to the Committee on Medical Affairs.

Leave of Absence

On motion of Senator TURNER, at 2:38 P.M., Senator SHEALY was granted a leave of absence for today.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 523 Sen. Campsen

RECALLED

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

Senator HEMBREE asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

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

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 20, 2019, at 2:05 P.M. and the following Acts and Joint Resolutions were ratified:

(R2, S. 168) -- Senators Hembree, Leatherman, Climer, Setzler, Young, Cromer, Verdin, Johnson, Rice, Alexander and Campsen: A JOINT RESOLUTION TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RECOMMENDATIONS FOR REDUCING AND STREAMLINING THE AMOUNT OF PAPERWORK AND REPORTING REQUIREMENTS OF TEACHERS, SCHOOLS, AND SCHOOL DISTRICTS, TO PROVIDE REQUIREMENTS FOR THE CONTENT OF THESE RECOMMENDATIONS, AND TO PROVIDE THE DEPARTMENT SHALL REPORT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE AUGUST 1, 2019.
L:\COUNCIL\ACTS\168WAB19.DOCX

(R3, S. 228) -- Senator Gambrell: AN ACT TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TRI-COUNTY TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.
L:\COUNCIL\ACTS\228WAB19.DOCX

(R4, S. 335) -- Senator Massey: AN ACT TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM OF OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER THIRTY-FIRST OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER AND TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE PROCEDURES FOR ADVERTISING ELECTIONS FOR COMMISSIONERS IN A NEWSPAPER OF GENERAL CIRCULATION, TO REQUIRE COMMISSION CANDIDATES TO FILE STATEMENTS OF

INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, AND TO ESTABLISH THE FILING PERIOD FOR THE ELECTION OF COMMISSIONERS.
L:\COUNCIL\ACTS\335ZW19.DOCX

(R5, H. 3630) -- Reps. Stavrinakis, McCoy, Collins, W. Newton, Mace, Clary, Brown, Gilliard, King, Mack, Erickson, Bradley, McDaniel, Moore, Simmons, Funderburk and Norrell: A JOINT RESOLUTION TO DELAY THE PROPERTY TAX PENALTY SCHEDULE BY THREE MONTHS ON REAL PROPERTY OWNED BY CERTAIN INDIVIDUALS AFFECTED BY THE SHUTDOWN OF THE FEDERAL GOVERNMENT.
L:\COUNCIL\ACTS\3630DG19.DOCX

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 537 -- Senators Rice and Fanning: A BILL TO AMEND SECTION 8-13-1346 OF THE 1976 CODE, RELATING TO THE PROHIBITION ON THE USE OF PUBLIC FUNDS, PROPERTY, OR TIME TO INFLUENCE ELECTIONS AND EXCEPTIONS, TO PROVIDE THAT A MEMBER OF THE GENERAL ASSEMBLY IS PROHIBITED FROM THE USE OF OFFICIAL FUNDS FOR UNSOLICITED MASS COMMUNICATION OR THE USE OF OFFICIAL LETTERHEAD WITHIN NINETY DAYS OF ANY ELECTION IN WHICH THE MEMBER'S NAME OR ADVISORY REFERENDUM IS ON THE BALLOT; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 538 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE BENEDICT COLLEGE ON THE THIRTIETH ANNIVERSARY OF ITS FAMED HARAMBEE FESTIVAL AND TO WISH THE FESTIVAL MUCH SUCCESS BOTH AT THE 2019 CELEBRATION AND IN THE YEARS TO COME.
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The Senate Resolution was adopted.

S. 539 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, BOTH SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT

ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.
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Read the first time and referred to the Committee on Judiciary.

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - CONTRACTOR'S LICENSING BOARD, RELATING TO CONTRACTOR'S LICENSING BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4848, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION ADVISORY COMMITTEE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4864, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 545 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-335(A) OF THE 1976 CODE, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12-39-70 OF THE 1976 CODE, RELATING TO APPRAISING AND ASSESSING THE PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.
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Read the first time and referred to the Committee on Finance.

S. 546 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

H. 3092 -- Reps. Pitts, White, Kirby and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-1241 SO AS TO PROHIBIT THE PROPAGATION OF ANIMALS OTHER THAN THE AUTHORIZED SPECIES; BY ADDING SECTION 50-11-1305 SO AS TO ESTABLISH THAT WILDLIFE LAWS AND REGULATIONS ARE IN FULL FORCE AND EFFECT ON SHOOTING PRESERVES; TO AMEND SECTION 50-11-1200, RELATING TO OPERATING LICENSES FOR PRIVATELY OWNED SHOOTING PRESERVES, SO AS TO PROVIDE ADDITIONAL LICENSE REQUIREMENTS; TO AMEND SECTION 50-11-1280, RELATING TO HARVEST LIMITS ON SHOOTING PRESERVE SPECIES, SO AS TO PROVIDE THAT HARVEST LIMITS ON OTHER SPECIES APPLY ON SHOOTING PRESERVES; TO AMEND SECTION 50-11-1290, RELATING TO THE TAGGING OF HARVESTED DESIGNATED SHOOTING PRESERVE SPECIES, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR THE REMOVAL OF CERTAIN SPECIES FROM A SHOOTING PRESERVE; AND TO REPEAL SECTION 50-9-340 RELATING TO HUNTER EDUCATION REQUIREMENTS FOR SHOOTING PRESERVES.

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

H. 3157 -- Reps. Parks and McCravy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF GENETIC COUNSELORS; TO ESTABLISH THE BOARD OF GENETIC COUNSELOR EXAMINERS; TO PROVIDE THE POWERS AND DUTIES OF THE BOARD; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE PROCEDURES AND CRITERIA FOR LICENSURE BY THE BOARD; TO PROVIDE

RELATED DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE FOR THE INVESTIGATION OF VIOLATIONS AND IMPOSITION OF PENALTIES; AND TO PROVIDE CERTAIN EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, AMONG OTHER THINGS.

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

H. 3180 -- Reps. G. M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICE MEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICE MEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3253 -- Reps. Henegan, Yow, Brawley, King, McDaniel, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

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

H. 3750 -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING LICENSE

AND A BIG GAME PERMIT MUST RECEIVE AT LEAST TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

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

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 18 -- Senators Hutto, Young and Climer: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO

CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Ordered for consideration tomorrow.

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

S. 318 -- Senators Alexander and Davis: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

Ordered for consideration tomorrow.

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

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

Ordered for consideration tomorrow.

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

S. 362 -- Senators Verdin, Reese, McElveen and Rice: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 386 -- Senators Malloy, Goldfinch, Talley, Sabb and Harpootlian: A BILL TO AMEND CHAPTER 78, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT, SO AS TO AMEND AND

REORGANIZE THE EXISTING EXCEPTIONS AND MAKE OTHER RELATED CHANGES.

Ordered for consideration tomorrow.

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

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

Ordered for consideration tomorrow.

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

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON

ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

Ordered for consideration tomorrow.

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

S. 514 -- Senators Alexander and Peeler: A BILL TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.

Ordered for consideration tomorrow.

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

H. 3849 -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 527 -- Senator Hembree: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MS. BETTY LOU STEPHENS FOR HER SIGNIFICANT PARTICIPATION IN THE HORRY ELECTRIC COOPERATIVE, INC., AND TO CONGRATULATE HER UPON BEING NAMED THE COOPERATIVE'S 2019 RURAL LADY OF THE YEAR.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

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

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

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. 504 -- Senators Hutto and M.B. Matthews: A BILL TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR "NEAR FATALITY".

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

S. 260 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

OBJECTION

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE

DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER

STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

Senator CAMPBELL explained the Bill.

Senator WILLIAMS objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE proposed the following amendment (SA\ 160C001.RT.SA19), which was adopted:

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

/ SECTION 1. Section 12-54-122(G) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( )(a) Instead of filing a tax lien notice pursuant to item (1), the department may implement a statewide system of filing and indexing liens which must be accessible to the public over the Internet. The department shall notify all clerks of court and register of deeds upon the implementation of a statewide system. Upon implementation, the clerk of courts and register of deeds are relieved of any statutory obligations for filing and maintaining newly filed tax liens.

(b) A lien filed pursuant to item (1) has an affixed permanent date and time stamp reflecting the date and time the lien is available to the public on the Internet, the name of the taxpayer, and the amount of tax and penalties and remains effective from the date and time it was recorded. A lien filed pursuant to this item is effective statewide from the date and time it is recorded and available to the public over the Internet and encumbers all the taxpayer's property and rights to property as provided in Section 12-54-120, regardless of the property's location.

Nothing in this item may be construed so as to extend the effectiveness of a lien beyond ten years from the date of filing, as provided in Section 12-54-120.

(c) A notice must be posted in each county where liens are generally filed providing instructions on how to access the department's tax lien database."

SECTION 2. This act takes effect July 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, Margie	McElveen	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

OBJECTION

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The question then being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice

Sabb	Scott	Setzler
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

READ THE SECOND TIME

S. 482 -- Senators Campbell and Bennett: A BILL TO AMEND SECTION 7-7-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO 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 the consideration of the Bill.

The question then being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 536 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCOUNTING AND REPORTING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4832, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over until February 28, 2019.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators YOUNG and SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Tim Carlton of Aiken, S.C. Tim was a veteran who served as the Coroner for Aiken County since 2004 and was highly regarded for his professionalism. Tim was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 21, 2019
(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:

Today we will pray the prayer of President George Washington for the United States of America, in celebration of his birthday. This prayer is preserved on the chapel at Valley Forge.

Let us pray. "Almighty God; we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government, and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And finally that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and demean ourselves with that charity, humility and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion, and without whose example in these things we can never hope to be a happy nation. Grant our supplication we beseech Thee, through Jesus Christ, our Lord. Amen."

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

Point of Quorum

At 11:04 P.M., Senator CORBIN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Leatherman	Martin	Massey

Peeler	Rankin	Setzler
Sheheen	Talley	Turner
Verdin	Williams	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Local Appointments

Initial Appointment, Berkeley County Part-Time Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Martin J. Housand, 517 Housand Lane, St. Stephen, SC 29479-3170
VICE James W. Hinson

Reappointment, Berkeley County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Martin J. Housand, 517 Housand Lane, St. Stephen, SC 29479-3170

Leave of Absence

On motion of Senator TURNER, at 11:07 A.M., Senator SHEALY was granted a leave of absence for today.

CO-SPONSORS ADDED

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

S. 131 Sen. Climer
S. 187 Sen. Hembree

RECALLED

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 547 -- Senator Johnson: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 9 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT THE RETIREE EARNINGS LIMITATION DOES NOT APPLY TO A RETIRED MEMBER OF THE SYSTEM RETURNING TO ACTIVE SERVICE FOR A LAW ENFORCEMENT AGENCY IN CRITICAL NEED OF ADDITIONAL POLICE OFFICERS, AND TO REQUIRE A LAW ENFORCEMENT AGENCY TO PAY THE EMPLOYER CONTRIBUTION FOR RETIREES HIRED TO MEET A CRITICAL NEED.
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Read the first time and referred to the Committee on Finance.

S. 548 -- Transportation Committee: A BILL TO AMEND SECTION 56-1-146 AND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE.
l:\s-res\lkg\016driv.kmm.lkg.docx

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

S. 549 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE OPPORTUNITY ACT" BY ADDING SECTION 41-1-45 SO AS TO PROVIDE THAT THE STATE MAY NOT INQUIRE, CONSIDER, OR REQUIRE DISCLOSURE OF THE CRIMINAL RECORD OR CRIMINAL HISTORY OF AN APPLICANT FOR EMPLOYMENT UNTIL THE APPLICANT IS SELECTED FOR AN INTERVIEW BY THE EMPLOYER OR BEFORE A CONDITIONAL OFFER OF EMPLOYMENT IS MADE TO THE APPLICANT, TO

PROVIDE EXCEPTIONS, AND TO PROVIDE RELATED DEFINITIONS AND PROCEDURES, AMONG OTHER THINGS.
l:\council\bills\agm\19581wab19.docx

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

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

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

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

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

REPORTS OF STANDING COMMITTEES

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

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS;

BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE

COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE

IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Ordered for consideration tomorrow.

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

S. 199 -- Senator Turner: A BILL TO AMEND SECTION 56-1-140(B) OF THE 1976 CODE, RELATING TO A VETERAN DESIGNATION ON A DRIVER'S LICENSE, TO PROVIDE THAT AN APPLICANT FOR A NEW, RENEWED, OR REPLACEMENT DRIVER'S LICENSE MAY APPLY TO THE DEPARTMENT TO OBTAIN A VETERAN DESIGNATION ON THE FRONT OF HIS DRIVER'S LICENSE BY PROVIDING A UNITED STATES DEPARTMENT OF DEFENSE DISCHARGE CERTIFICATE, A NATIONAL GUARD BUREAU REPORT OF SEPARATION AND RECORD OF SERVICE, OR A UNITED STATES DEPARTMENT OF DEFENSE HONORABLE DISCHARGE CERTIFICATE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

Ordered for consideration tomorrow.

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

S. 298 -- Senators Sheheen, Peeler, Jackson, Williams, Talley, Setzler, Gregory, Campbell, Fanning, Scott, Allen, Nicholson and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 11 SO AS TO PROVIDE INCREASED FUNDING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THE SAME PERCENTAGE AS GENERAL FUND REVENUES INCREASE, TO PROVIDE ADDITIONAL FUNDING FOR CERTAIN SCHOLARSHIPS AND TO PROVIDE ELIGIBILITY CRITERIA FOR THE FUNDING, AND TO ESTABLISH THE HIGHER EDUCATION FACILITIES REPAIR AND RENOVATION FUND TO PROVIDE INFRASTRUCTURE FUNDING FOR INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-149-170, 59-149-180, 59-104-50, AND 59-104-60 SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY FOR CERTAIN SCHOLARSHIPS; TO AMEND SECTION 59-150-370, RELATING TO THE HOPE SCHOLARSHIP, SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY; BY ADDING SECTIONS 59-142-80 AND 59-143-40 SO AS TO APPROPRIATE ADDITIONAL FUNDING FOR THE NEED-BASED GRANT PROGRAM AND TO PROVIDE ELIGIBILITY CRITERIA FOR FUTURE FUNDING; TO AMEND SECTIONS 59-104-25 AND 59-149-15, RELATING TO CERTAIN STEM STIPENDS, SO AS TO PROVIDE THAT THE STIPEND IS AVAILABLE WHEN THE STUDENT BECOMES A JUNIOR INSTEAD OF A SOPHOMORE; BY ADDING SECTION 59-142-90 SO AS TO REQUIRE THAT THE FUNDING TO THE NEED-BASED TUITION GRANTS PROGRAM MUST BE THE SAME AS THE FUNDING TO THE NEED-BASED GRANTS; TO AMEND SECTION 2-47-40, RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE THAT CERTAIN INFORMATION BE GIVEN TO THE COMMITTEE THROUGH THE EXECUTIVE BUDGET OFFICE; BY ADDING SECTION 2-47-65 SO AS TO INDEX FOR INFLATION PROJECT COSTS FOR PURPOSES OF DETERMINING IF CERTAIN IMPROVEMENT PROJECTS ARE PERMANENT IMPROVEMENT PROJECTS; TO AMEND SECTION 2-47-55, RELATING TO A COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 59-103-110, RELATING TO APPROVAL FOR CONSTRUCTION

PROJECTS, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 59-103-175 SO AS TO REQUIRE THE COMMISSION ON HIGHER EDUCATION SUBMIT POLICY STATEMENTS AND RULES AS REGULATIONS.

Ordered for consideration tomorrow.

Appointment Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

2nd Congressional District:

Llewellyn Gregory Pearce, Jr., 810 Hampton Hill Rd., Columbia, SC 29209-1024 *VICE* James Buxton Terry

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. 160 -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: A BILL TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.

S. 482 -- Senators Campbell and Bennett: A BILL TO AMEND SECTION 7-7-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

CARRIED OVER

S. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

Senator CASH explained the Bill.

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

CARRIED OVER

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF

ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

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

AMENDMENT PROPOSED, OBJECTION

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

The Senate proceeded to the consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0397.004), which was carried over:

Amend the bill, as and if amended, page 1, by striking lines 32 through 39, in Section 61-4-280(B), as contained in SECTION 1, and inserting therein the following:

/ (B) In counties with a population in excess of two hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State." /

Amend the bill further, as and if amended, page 2, by striking lines 9 through 16, in Section 61-6-4510(B), as contained in SECTION 2, and inserting therein the following:

/ <u>(B) In counties with a population in excess of two hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State.</u>" /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, the amendment was carried over

Senator MALLOY proposed the following amendment (397R001.KMM.GM):

Amend the bill, as and if amended, page 1, by striking Section 61-4-280(B) and inserting:

/ (B) Upon the affirmative vote of a majority of the members of a county legislative delegation, a county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits, and, in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State."/

Amend the bill further, as and if amended, by striking Section 61-6-4510(B) and inserting:

/ (B) Upon the affirmative vote of a majority of the members of a county legislative delegation, a county sheriff has the power of a constable to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the county limits, including within municipal limits, and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, police officers may follow and arrest the suspect anywhere in the State." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment

Senator SENN moved to lay the amendment on the table.

Senator MALLOY moved to continue the amendment.

Senator MALLOY objected to further consideration of the Bill.

POINT OF ORDER

S. 18 -- Senators Hutto, Young and Climer: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE

AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE

RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 318 -- Senators Alexander and Davis: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED

MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 362 -- Senators Verdin, Reese, McElveen and Rice: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN

POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 514 -- Senators Alexander and Peeler: A BILL TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - CONTRACTOR'S LICENSING BOARD, RELATING TO CONTRACTOR'S LICENSING BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4848, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION ADVISORY COMMITTEE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4864, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3849 -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

THURSDAY, FEBRUARY 21, 2019

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:45 A.M. on Tuesday, February 26, 2019, for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will stand in recess for one hour and fifteen minutes.

LOCAL APPOINTMENTS

Confirmations

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

Reappointment, Berkeley County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Martin J. Housand, 517 Housand Lane, St. Stephen, SC 29479-3170

Initial Appointment, Berkeley County Part-Time Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Martin J. Housand, 517 Housand Lane, St. Stephen, SC 29479-3170 *VICE* James W. Hinson

Motion Adopted

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

ADJOURNMENT

At 11:54 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, February 22, 2019
(Local 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 ACTING PRESIDENT, Senator CROMER.

CO-SPONSORS ADDED

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

S. 379 Sen. Campsen
S. 485 Sen. Verdin
S. 508 Sen. Bennett
S. 510 Sen. Bennett
S. 511 Sen. Bennett

ADJOURNMENT

At 11:04 A.M., on motion of Senator McLeod, the Senate adjourned to meet next Tuesday, February 26, 2019, at 11:45 A.M.

* * *

Tuesday, February 26, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 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 Senator ALEXANDER as follows:

Philippians 4:13

"I can do all things through Christ who strengthens me."

Let us pray. Loving and faithful God, in whose presence the dark night of anxiety and worry are dispelled by the dawn of Your sacred Word and promises. We praise You for being our joy when we are down and our strength when we are weak. You know that beneath the surface of our public persona, we carry many concerns -- concerns about difficult family problems, scary health issues and mounting financial pressures. But worry changes nothing but the worrier. All it does is sap our energy and diminish our hope.

So today, O Lord, as we celebrate with Dabo Swinney and the Clemson National Champions in Joint Assembly, we acknowledge Your merciful kindness and celebrate Your promise to take on our burdens and release us from the crippling effects of worry. Through the power of Your holy name we pray, Amen.

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

RECESS

At 11:50 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Coach Dabo Swinney Address

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

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

S. 343 -- Senators Alexander, Martin, Talley and Turner: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR

WINNING THE 2018 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER-ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 26, 2019, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.

Coach Dabo Swinney was escorted to the rostrum by Senators ALEXANDER, GROOMS, CAMPBELL, TURNER, WILLIAMS and HARPOOTLIAN and Representatives V.S. Moss, McCravy, Atkinson, Clary, Forrester and Elliott.

The PRESIDENT of the Senate introduced Coach Dabo Swinney of Clemson University. Coach Swinney addressed the Joint Assembly as follows:

Address by Coach Dabo Swinney
Head Football Coach, Clemson University
2018 College Football National Champions

Mr. PRESIDENT, Mr. Speaker, and Clemsonstonians. It is an honor to be here with you today. It is truly an honor to be in your presence once again, but I just want to say thank you for this day and the opportunity that we have to come back together. I want to say "thank you for the recognition." It is still kind of surreal that I am here. First of all that I have had the opportunity to do this once, but to have the opportunity to be in front of you again is really a privilege. It is a great honor and something that I do deeply appreciate. I know that your time is incredibly valuable. I also want to thank you for your investment into Clemson University and all the universities in this great State that we live in and all the opportunities that you provide for young people throughout the State of South Carolina. I want say, "Thank you for that" deeper.

It is an honor once again to be here to represent Clemson and our football team. From our football team, today, alongside me, Garrett Williams will be here a little bit later. But from Spartanburg, South Carolina, the three-time 100-meter, 200-meter State Champ and a two-time National Champ, and a three-time ACC Champ is one of the best that this State has ever produced and he is from Spartanburg High School, Tavien Feaster, right here. Just an incredible young man, who will graduate in December and he is poised to have another great year. And, he will have an opportunity to play some football after Clemson,

without a doubt, if the good Lord keeps him healthy. He will be a graduate and I always tell people that these are student athletes. The student part is the financial security for the rest of your life. The athlete part is just those extra skills that kind of help you compete a little bit better, and separate yourself from the pack, if you will. Tavien is a good representative of Clemson.

Also, a special guest, and cool for me, is my oldest son, who will be a junior on the team and is a receiver and the starting holder. He made a 4.0 this Spring, definitely took after his mother, but he is South Carolina educated, attending preschool, kindergarten, elementary school, middle school and high school, and now a junior at Clemson University next year. So it is really cool to have my son, Will Swinney, here with us today, as well.

I am going to try to be brief, but it is very seldom when you get an opportunity like this, and I hope that I get many, many more to be quite honest with you. But again, it is a privilege to stand up here and represent Clemson University, our football team, Dan Radakovich, our board, President Clements -- it is an honor. I always tell people, we are not the house. I tell my players that all the time, we are not the House. Clemson University is the house, but we are kind of the front porch. We are that front yard, and curb appeal matters. If you know anything about real estate, if it does not look good from the front porch and the curb appeal, a lot of times they are not going to stop and look. And so, I do realize the importance of Clemson Football to Clemson University. And we take great pride in trying to perform our role and hopefully, build our brand, where people want to come to this State. And people want to come to check out Clemson. So it is an honor to have the opportunity to represent all the great people involved in this wonderful university. What a special year!

That is really kind of an understatement. You have heard me say many times that the fun is in the winning. I tell that to our players all the time because the fun is in the winning. But to me, the most important thing is how you win. It is really the legacy which matters more than anything. Yes, it is fun to win, and I think, how you win is what matters. This team, yes, on the field, 15-0, the first team in the history of college football, in modern day football, to do this and not only did they do it, they did it in an unbelievable dominate fashion. They won 13 out of 15 games by 20 plus, including beating Alabama by four touchdowns. You know, this team won their fourth ACC Championship game in a row. All this is great, the winning on the field, but let me tell you how they did it. First of all, we started in the summer, the Sunday before we kicked it off, we

had our Solid Orange event -- the whole Athletic Department, and they give this thing called the "President's Cup" away. We are the first ones to win it back to back. We have never won it in football, and we won it, and then we came back this year, and we won it again. This goes to the athletic program, a competition between all the athletic teams at Clemson University. So we kicked our season off by winning the "President's Cup" and then we came back, and yes, we are 15 and 0, but we had the most 3.0's that we have had in the history of Clemson football. We had 66 guys make a 3.0 or better. Last year, when I was here, two years ago, we had also had set the record, in which we had 48 guys make a 3.0 or better. Now, here I am two years later, and we had 66 guys, in the midst of the best season in college football history, we also had the best that we have ever had off the field academically. We had 66 guys to make a 3.0 or better.

With that, we also had the highest team GPA, and then get to the bowl season where there are 80 teams in bowls throughout the country. We had the most graduates of any team in the 80 teams and we won the American Football Coaches Association Top Academic Award, No. 1 in the country to academic achievement. And then Christian Wilkins, everyone knows Christian Wilkins for who he is on the field, but how about who he is off of the field. He left Clemson in three and ½ years with an undergraduate, a master's degree, and never made below a 3.0 in his entire Clemson career. So, as a result of that, up in New York, in the Hall of Fame in December, the Hall of Fame recognizes the Top Student Athlete Football Player, all levels, every level of college football, so it is basically the "Academic Heisman". And Christian Wilkins won the Campbell Trophy. And just a couple of weeks ago, the Bowden Award was given out. The Bowden Award is basically the "Character Heisman" of college football and that went to Hunter Renfrow. So yes, it was a special year, it was amazing, and yes, we won. But the legacy of that team is how we won -- and the standard that they set, the examples that they set to all the guys that are still on the team, and the guys that are coming back. To me, that is what made it so enjoyable to be a part of this team, because I was surrounded by a group of young people completely committed to excellence in all areas of their lives.

I said in an interview with ESPN's Tom Rinaldi, immediately after the game, I said the following: "When you get a group of young people that believe, that are passionate, that love each other, that sacrifice, that are committed to a single purpose, you better lookout, because great things can happen." And here at this State House, a few years ago, I said,

"Football unifies." And I still believe that more than ever. I look at the group of young men that represented Clemson, and the State of South Carolina in front of a national television audience of nearly 28 million people and I see a group that could have had every single excuse to be divided. They represented 87 different cities, 18 different states, they held different religious beliefs, politic beliefs, they came from different families, different neighborhoods, different socio-economic backgrounds, they lost teammates by transfer, and even one by an untimely passing in the middle of our season. We had high profile, first-round type guys, that could have easily been distracted or looking ahead; instead, this group of young men was a team in every sense of the word. They loved each other and every day they were committed to the singleness of purpose of making the 2018 Clemson Tigers the best that they could possibly be. So yes, football unifies and yes, football is a game. But it is one that provides us a roadmap of the things that we can all accomplish when we believe, when we love, and when we sacrifice in the pursuit of common goals.

Football unifies and we hope that we showed that to the State of South Carolina and to the world on that January 9, 2019, in northern California. And specifically, I hope that we showed that to this group in this room. The same things that won big for us, will win big for this State and the people in this room and it is called "team" -- and it is the ingredients of team, it is sacrifice. You have to be willing to sacrifice for the betterment of the team. Together everyone accomplishes more. It's common purpose, it is having a common purpose, which our football team had. It has a common purpose, a bunch of individuals coming together for a common purpose -- love, trust, respect, passion -- nothing great happens without some passion and enthusiasm. Passion to me -- to be a great coach -- a lot of people choose careers, but to be great at something, you should be called to do it. I know that I was called to coach and I am passionate about coaching. And you should be called, not just elected. You should be called and passionate about the common purpose. Through that common purpose, you find common ground. Our team had a belief and a positive outcome, even when a guy was running to win the game, K'Von Wallace punches the ball out of the goal line. Our team believed in a positive outcome. When we were down at Syracuse, had a lot of drama that week, and a quarterback is gone and the other guy is out in a quarter and a half and you have your third, fourth team guy that does not have a completion and it is 4th and 6 -- belief in a positive outcome -- an understanding that it is okay to disagree, but not to be disagreeable. Our team disagrees all the time. Our coaches disagree all

the time, but we are not disagreeable. Even in the Bible, it says, "Iron sharpens iron." One man sharpens another. Listen, have you ever seen iron sharpen iron? There are some sparks that fly from time to time. That is okay, so just like in my team room, being here in this room, there are many different people in this room, different races, different religions, different politic beliefs, different backgrounds, different communities, but I would just say to you, today, we are all on the same team. We are all South Carolinians. You are all on the same team. You are not competing. When teams compete against one another, it is hard to be successful. You are all on the same team. And my team -- my team came together because they love football and they love their school. Because they worked together, they achieved their common goals -- a bunch of uncommon people coming together with a common purpose to achieve their common goals.

You may have differences just like my team, but I know that you all love South Carolina and the people of this State. And that common bond should create the singleness of purpose that it takes to work together to make South Carolina the best that it can be. And that is what we try to do at Clemson every year. There is nothing in our building that says: "Win the National Championship." We want to be the best that we can be. And when I got the job at Clemson and I went to my first board meeting and you have probably heard me say this before, someone said that we want to be like Georgia, like Florida, like this and be great academically. I could not hold my tongue, and I knew that I may be fired on the spot, but I said, "I have a job today and that is not my vision for Clemson at all. I want Clemson to be the best version of Clemson. In fact, I want other people to one day say, you know what, I want to be like Clemson." And that is exactly what I would say because I know the common bond of everyone in this room is that you love this State and you love the people of this State. And to me that creates that singleness of purpose to make South Carolina the best that it can be. Not only make it the best that it can be, but make South Carolina the example for other states to want to come here to figure out how does that State do it. Because they have great people, yes we have differences, but they find common ground to work together with love, trust, respect, sacrifice, and commitment. And it is a beautiful thing, because at the end of the day this is a team. You don't always have to like each other. I tell my players that I don't always like you, but I always love you. Just like raising our children. We always love them, but sometimes we don't like them. And I know that is the case in this room from time to time, but my message to you today is: "Be a team, because together everyone accomplishes

more." Ecclesiastes 4: 9-12: "Two can accomplish more than twice as much as one. For a triple braided cord is not easily broken." I tell my team all the time, we are stronger together. When you have an offense and a defense and a kicking game that works together, man. But when you have offense turning the ball over here, and maybe the defense is playing good, and then the kicking game, it is a mess. And you are kind of running in mud. But when you work together, great things can happen.

I tested my old civic knowledge, US Government, I believe we still have a Judicial Branch, Executive Branch and a Legislative Branch. And that is the offense, the defense and the kicking game, alright. Sometimes you going along on the offense, making a great thing, and someone is playing defense around you, and then maybe you come together, and then someone decides to punt. Man, it is a beautiful thing when you can get it all on the same page. So I will just leave you with that and just know that this group right here -- you are not just elected, you are called. And so, never forget that you are a team and have the opportunity to be the example. Not be an example, but be the example of how a group of people can come together who, yes have all different types of backgrounds, but can be a team. Through team, everyone accomplishes more. God Bless you, Go Tigers and thank you for the opportunity today.

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

The Senate resumed at 2:00 P.M.

Point of Quorum

At 2:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Grooms	Hembree
Leatherman	Malloy	Martin

Massey	Peeler	Rice
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TURNER introduced Dr. Rebecca Smith of Simpsonville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator M.B. MATTHEWS, at 2:20 P.M. Senator KIMPSON was granted a leave of absence for today.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

Remarks by Senator SCOTT

Thank you, Mr. PRESIDENT, members of the Senate. I didn't realize that the leader would put me in this position. Yesterday morning, I was in Orangeburg somewhere around 7:45 A.M. I was trailing some other board members going to a board meeting and decided to take a short cut. I was in line at the light, and someone says, “Take the shortcut”. So, I took the short cut to go down Old Orangeburg Road. Approximately five blocks away from the time I made the turn, less than a mile, there was a vehicle in the left-hand lane coming down. I noticed the vehicle was driving completely out of control. I slowed my vehicle down and if I had stayed the same pace that vehicle probably would have had a great chance of either hitting me head-on or hitting me through the door. The vehicle then came across the right lane that I was in, hit the guardrail, flipped over, and went down into a ravine. In the ravine two ladies were trapped in a car and the car was already in flames. I went down into the ravine and tried to get others to go. There was hesitation because the car was on fire. We got down, and the driver was trapped by the door. We opened the door and tried to jam the door open but the driver's foot was caught because of where the foot was placed at the time of the accident, probably because the car had flipped over. Somehow the door caught her. I screamed and hollered. Eventually I got some help. They helped me to pry the door open. So I drug the driver, who was an older female, from the car -- probably 10 or 15 feet away from the vehicle. Then we

heard another cry inside the car. There was another female on the opposite side. The car was so torn up you couldn't look across the driver's seat to even see the other person. So we screamed and hollered. By the time another gentleman had come down, I screamed to him, "Get the lady out of the other side" and we were able to get her out -- drug her to the same space. By the time I looked in the car, it had already been engulfed in flames. I said to myself, if we had only hesitated another five minutes, both those ladies' lives would have been taken. So I thank God for allowing me to be that public servant on that day to save those ladies lives. I'll tell you, when a situation happens like that, at first I was a little upset because nobody wanted to help. But people become afraid of their own lives. Sometimes we have to go beyond that point in our lives and put our lives in God's hand because God is trying to use us to do something good for somebody else. I have called the Orangeburg Hospital. One of the ladies was sent to Richland Providence, a new name in Greenville, Richland Providence Hospital, whatever the name we call ourselves now. I'm not so sure whether or not it was because of trauma she may have received to the face. She was very, very bloody. The lady who got drug out -- of course she filled my shirt and pants with a lot of blood too. And so as I got back up the hill, the fire engine came. And of course a lot of police came and eventually the ambulance came. That was as much as I could stand. I got back in my vehicle and of course, I went on to my meeting. So I will say to you, never be surprised at what may happen right in front of you. Just be careful. Always look on both sides, because it could happen to you at any time. Thank you.

On motion of Senator JOHNSON, with unanimous consent, the remarks of Senator SCOTT, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 112 Sen. Grooms
S. 131 Sen. Grooms
S. 132 Sen. Scott
S. 156 Sen. Martin
S. 199 Sen. McElveen
S. 362 Sen. Johnson
S. 440 Sen. Reese

TUESDAY, FEBRUARY 26, 2019

RECALLED

H. 3798 -- Reps. Clary, Hiott, Collins and W. Cox: A BILL TO AMEND SECTION 7-7-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RICE 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.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 550 -- Senators Rice and Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE JAMES E. STEWART OF EASLEY AND TO COMMEND HIM FOR HIS OVER FORTY-THREE YEARS OF OUTSTANDING SERVICE TO PICKENS COUNTY.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 551 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2774 SO AS TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE A CIVIL PENALTY CITATION AGAINST THE REGISTERED OWNER OF A VEHICLE THAT UNLAWFULLY PASSES A SCHOOL BUS, TO PROVIDE A METHOD TO APPEAL THE CITATION, AND TO PROVIDE FOR THE REPEAL OF THIS SECTION.
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Read the first time and referred to the Committee on Transportation.

S. 552 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT

THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.
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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 553 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF PATRICIA WILMORE HAMPTON OF CHESTER COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 554 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BRIGADIER GENERAL LARRY L. BOYD, UPON HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF OUTSTANDING SERVICE WITH THE SOUTH CAROLINA MILITARY DEPARTMENT IN THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 555 -- Senator Harpootlian: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND JACK JONES, ASSOCIATED PRESS REPORTER, FOR HIS DISTINGUISHED SERVICE TO THE CITIZENS OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 556 -- Senators Massey, Climer, Goldfinch, Turner, Rice, Grooms, Bennett and Talley: A BILL TO ENACT THE "EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACCOUNT ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF ACCOUNTS FOR USE IN MEETING CERTAIN EDUCATION EXPENSES OF ELIGIBLE STUDENTS, TO PROVIDE GUIDELINES FOR THE USE OF SUCH FUNDS AND PENALTIES FOR MISUSE, TO PROVIDE CERTAIN

RELATED POWERS AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, TO CREATE A PARENTAL REVIEW PANEL TO ASSIST IN DETERMINING WHETHER CERTAIN EXPENSES CONSTITUTE QUALIFIED EDUCATION EXPENSES, AMONG OTHER THINGS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Education.

S. 557 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "HEARING IMPAIRED" SPECIAL LICENSE PLATES TO PERSONS WHO ARE HEARING IMPAIRED.
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Read the first time and referred to the Committee on Transportation.

S. 558 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SMOKE A TOBACCO PRODUCT IN A MOTOR VEHICLE IN WHICH A MINOR IS A PASSENGER AND TO PROVIDE A PENALTY.
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Read the first time and referred to the Committee on Transportation.

S. 559 -- Senator Jackson: A BILL TO AMEND SECTION 63-5-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHILD SUPPORT OBLIGATIONS, SO AS TO PROVIDE THAT AN OFFENDER SENTENCED TO NINETY OR FEWER DAYS IMPRISONMENT WHO IS EMPLOYED AT THE TIME OF SENTENCING AND IS ABLE TO MAINTAIN EMPLOYMENT MAY SERVE HIS SENTENCE AT A TIME WHEN HE IS NOT WORKING AND THE SENTENCE DOES NOT INTERFERE WITH HIS EMPLOYMENT, AND TO PROVIDE FOR WAGE GARNISHMENT TO SATISFY CHILD SUPPORT PAYMENTS.
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Read the first time and referred to the Committee on Judiciary.

S. 560 -- Senators McLeod, Fanning and M. B. Matthews: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 15, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO QUALIFICATIONS OF JUSTICES AND JUDGES OF THE SUPREME COURT, THE COURT OF APPEALS, AND THE CIRCUIT COURT, SO AS TO PROVIDE THAT IN ADDITION TO THE QUALIFICATIONS FOR JUSTICES AND JUDGES CONTAINED IN THIS SECTION, NO PERSON MAY BE ELECTED AS THE CHIEF JUSTICE OR AS AN ASSOCIATE JUSTICE OF THE SUPREME COURT OR AS A JUDGE OF THE COURT OF APPEALS WHO HAS NOT PREVIOUSLY SERVED AS A JUDGE OF A COURT OF RECORD IN THIS STATE.
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Read the first time and referred to the Committee on Judiciary.

S. 561 -- Senators McLeod and Fanning: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, 2-19-80, AND 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.
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Read the first time and referred to the Committee on Judiciary.

S. 562 -- Senators McLeod, Fanning and Shealy: A BILL TO AMEND SECTION 2-19-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, AND QUALIFICATIONS, SO AS TO PROVIDE THAT CERTAIN FACTORS MUST, RATHER THAN SHOULD, BE CONSIDERED; AND TO AMEND SECTION 2-19-90, RELATING TO ELECTION OF JUDGES IN JOINT SESSION OF THE GENERAL ASSEMBLY, SO AS TO REQUIRE MEMBERS OF THE GENERAL ASSEMBLY WHO ARE LICENSED ATTORNEYS PRACTICING LAW IN THE COURTS OF THIS STATE TO RECUSE THEMSELVES FROM VOTING IN ALL JUDICIAL ELECTIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 563 -- Senators Davis, Corbin, Reese, McElveen, Scott, Senn, M. B. Matthews and Harpootlian: A BILL TO AMEND SECTION 40-33-20 OF THE 1976 CODE, RELATING TO DEFINITIONS UNDER THE NURSE PRACTICE ACT, TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM SPECIFIC MEDICAL ACTS PURSUANT TO APPROVED WRITTEN GUIDELINES, TO REMOVE THE SUPERVISION REQUIREMENT FROM THE DEFINITION OF "APPROVED WRITTEN GUIDELINES" AND CRNA PRACTICE, AND TO PROVIDE THAT A CRNA MUST HAVE COMPLETED AT LEAST A MASTER'S LEVEL ACCREDITED PROGRAM; TO AMEND SECTION 40-33-34 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR THE PERFORMANCE OF MEDICAL ACTS, TO SET MINIMAL QUALIFICATIONS, TO PROVIDE GUIDELINES FOR ANESTHESIA CARE, AND TO PROVIDE NOTICE REQUIREMENTS; AND TO REPEAL SECTION 40-47-197 OF THE 1976 CODE, RELATING TO THE SUPERVISION OF CRNAS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 564 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3785 SO AS TO ALLOW AN INDIVIDUAL TAXPAYER TO CLAIM AN INCOME TAX CREDIT IF THE INDIVIDUAL SERVES AS A CAREGIVER FOR A PERSON WHO IS AT LEAST SIXTY-FIVE YEARS OF AGE, AND TO SET THE AMOUNT OF THE CREDIT.
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Read the first time and referred to the Committee on Finance.

S. 565 -- Senator Jackson: A BILL TO AMEND SECTION 12-37-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW AN EXEMPTION FROM ALL PROPERTY TAX EQUAL TO ONE HUNDRED PERCENT OF THE VALUE SUBJECT TO TAX OF AN OWNER-OCCUPIED RESIDENCE IF THE OWNER HAS ATTAINED THE AGE OF SEVENTY YEARS AND HAS MADE THE PROPERTY HIS RESIDENCE FOR THIRTY YEARS.
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Read the first time and referred to the Committee on Finance.

S. 566 -- Senator Jackson: A BILL TO AMEND SECTION 7-5-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER'S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION, TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER, TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES, AND TO PROVIDE A PROCEDURE FOR AN INDIVIDUAL TO DECLINE REGISTRATION.
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Read the first time and referred to the Committee on Judiciary.

S. 567 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REVENGE PORN ACT" BY ADDING SECTION 16-15-260 SO AS TO CREATE THE OFFENSE OF UNLAWFUL DISSEMINATION OF SEXUALLY EXPLICIT MATERIALS WITHOUT CONSENT OF THE PERSON DEPICTED, AND TO PROVIDE A PENALTY.
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Read the first time and referred to the Committee on Judiciary.

S. 568 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 25, TITLE 16 ENTITLED "DATING VIOLENCE" SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF DATING VIOLENCE, AND PROVIDE A PENALTY.
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Read the first time and referred to the Committee on Judiciary.

S. 569 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "HEALTHY RENTAL HOUSING ACT OF 2019" BY ADDING SECTION 27-40-635 SO AS TO PROVIDE REMEDIES FOR TENANTS OF RESIDENTIAL RENTAL PROPERTIES WITH MOLD THAT MATERIALLY AFFECTS THE HEALTH OR SAFETY OF THE TENANT OR AUTHORIZED OCCUPANT OF THE RENTAL PROPERTY; TO AMEND SECTION 27-40-210, RELATING TO DEFINITIONS IN THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DEFINE ADDITIONAL NECESSARY TERMINOLOGY; TO AMEND SECTION 27-40-420, RELATING TO CERTAIN WRITTEN DISCLOSURES THAT LANDLORDS MUST MAKE TO RESIDENTIAL TENANTS, SO AS TO REQUIRE WRITTEN DISCLOSURE OF VISIBLE EVIDENCE OF MOLD IN AREAS READILY ACCESSIBLE WITHIN THE INTERIOR OF THE DWELLING UNIT, AND TO PROVIDE OPTIONS FOR A TENANT TO WHOM THE LANDLORD DISCLOSES THE PRESENCE OF SUCH MOLD; TO AMEND SECTION 27-40-440, RELATING TO LANDLORD OBLIGATIONS TO MAINTAIN RENTAL UNITS AND PREMISES, SO AS TO PROVIDE LANDLORDS SHALL MAINTAIN THE RENTAL UNITS AND PREMISES IN A CONDITION APPROPRIATE TO PREVENT THE ACCUMULATION OF MOISTURE AND THE GROWTH OF MOLD, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS WHEN SUCH MOISTURE OR MOLD IS FOUND; AND TO AMEND SECTION 27-40-510, RELATING TO THE OBLIGATIONS OF TENANTS WITH RESPECT TO RENTAL UNITS AND PREMISES, SO AS TO PROVIDE TENANTS SHALL USE REASONABLE EFFORTS TO MAINTAIN THE PREMISES IN A CONDITION APPROPRIATE TO PREVENT THE ACCUMULATION OF MOISTURE AND THE GROWTH OF MOLD, AND TO PROVIDE CERTAIN NOTICE REQUIREMENTS WHEN SUCH MOISTURE OR MOLD IS FOUND.

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

S. 570 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2956 SO AS TO PROVIDE THAT ANY ENTRY IN THE DRIVING RECORD OF A PERSON THAT SHOWS HIS DRIVER'S LICENSE WAS SUSPENDED FOR FAILURE TO SUBMIT TO TESTING FOR

ALCOHOL CONCENTRATION OR HE WAS ISSUED A TEMPORARY DRIVER'S LICENSE OR THAT HE WAS REQUIRED TO INSTALL AN IGNITION INTERLOCK DEVICE ON A VEHICLE HE DRIVES AND WHO WAS SUBSEQUENTLY ACQUITTED OF DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION MUST BE REMOVED FROM HIS DRIVING RECORD.
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Read the first time and referred to the Committee on Judiciary.

S. 571 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COACH DABO SWINNEY, HEAD FOOTBALL COACH AT CLEMSON UNIVERSITY, AND TO COMMEND HIM FOR LEADING HIS TEAM TO THE 2019 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP VICTORY.
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The Senate Resolution was adopted.

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

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

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY

FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY

STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

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

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS

OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

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

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

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

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 4042 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MRS. VANESSA TURNER MAYBANK FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HER SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4043 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry,

Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. KARRY GUILLORY FOR HIS SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HIS SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4090 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MR. JOSEPH MCGILL FOR HIS SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4091 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. RICKEY HILL FOR HIS SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4092 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MS. ELAINE NICHOLS FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HER SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4093 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. CORNELIUS ST. MARK FOR HIS SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HIS SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4094 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MRS. ELIZABETH ALSTON FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HER SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, March 5, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, National Guard Armory, 1225 Bluff Road, by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

Wednesday, March 6, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **AARP**

Wednesday, March 6, 2019 - 12:00pm-2:00pm
Members Only, Luncheon, 112 Blatt Building, by the **WIL LOU GRAY OPPORTUNITY SCHOOL**

Wednesday, March 6, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, Palmetto Club, by the **SOUTH CAROLINA STATE ALUMNI ASSOCIATION**

Wednesday, March 6, 2019 - 6:00pm-8:00pm
Members Only, Reception, Hotel Trundle, 1224 Taylor Street, by **HOTEL TRUNDLE**

Thursday, March 7, 2019 - 8:00am-10:00am
Members only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS FOUNDATION**

Tuesday, March 19, 2019 - 11:30am-2:00pm
Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION**

Tuesday, March 19, 2019 - 6:00pm-8:00pm
Members and Staff, Reception, 701 Whaley Street, by the **SOUTH CAROLINA CONSERVATION COALITION**

Wednesday, March 20, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **PIEDMONT MUNICIPAL POWER AGENCY/SOUTH CAROLINA MUNICIPAL POWER SYSTEM**

Wednesday, March 20, 2019 - 7:30am-9:00am
Members Only, Breakfast, Embassy Suites, 200 Stoneridge Drive, by **SOUTH CAROLINA PRAYER BREAKFAST**

Wednesday, March 20, 2019 - 12:00pm-2:00pm
Members Only, Luncheon, 112 Blatt Building, by the **AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS SOUTH CAROLINA CHAPTER**

Wednesday, March 20, 2019 - 5:00pm-8:00pm
Members and Staff, Reception, McNair Lawfirm, 1221 Main Street, Suite 1800, by the **NATIONAL GUARD ASSOCIATION OF SOUTH CAROLINA**

Wednesday, March 20, 2019 - 5:30pm-7:30pm
Members Only, Reception, Halls Chophouse, by the **SOUTH CAROLINA POULTRY FEDERATION**

Thursday, March 21, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **LEADERSHIP SOUTH CAROLINA**

Tuesday, March 26, 2019 - 11:30am-2:00pm
Members and Staff, Luncheon, State House Grounds, by **CERTIFIED SOUTH CAROLINA- "A SOUTH CAROLINA TASTE"**

Tuesday, March 26, 2019 - 6:30pm-10:00pm
Member Only, Reception, SC State Fairgrounds- Goodman Building, by The **CITADEL ALUMNI ASSOCIATION**

Wednesday, March 27, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA BROADCASTERS ASSOCIATION**

Wednesday, March 27, 2019 - 5:30pm
Members and Staff, Reception, Spirit Communications Park, by **BLUE CROSS AND BLUE SHIELD OF SC LEGISLATIVE SOFTBALL GAME**

Thursday, March 28, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **ABSOLUTE TOTAL CARE**

TUESDAY, FEBRUARY 26, 2019

REPORT OF STANDING COMMITTEE

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

S. 156 -- Senators Allen, Turner and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 26, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO

THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator ALEXANDER, the Privilege of the Chamber, to that area behind the rail, was extended to Clemson Head Football Coach Dabo Swinney to recognize and congratulate the National Champions on their successes and contributions to South Carolina.

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

CARRIED OVER

S. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

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

CARRIED OVER

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT

FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

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

CARRIED OVER

S. 18 -- Senators Hutto, Young and Climer: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS

UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH

PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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

CARRIED OVER

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 318 -- Senators Alexander and Davis: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (318R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 8 through 27 and inserting:

/ Section 11-60-30. (A) Annually, on or before February first, every state department, board, commission, committee, agency, or authority that has entered into a pay-for-success contract shall provide a status report for its outstanding pay-for-success contracts, provided that each contract's procurement is compliant with the procurement code governing procurements made by the state department, board, commission, committee, agency, or authority.

(B) Status reports pursuant to subsection (A) must be provided to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House of Representatives Ways and Means Committee.

(C) In status reports to the Governor and the General Assembly pursuant to subsection (A), the Board of Economic Advisors shall account for the trust fund revenue separately from general fund revenues.

(D) The State Treasurer is authorized to receive funds from other governmental entities if those funds are subject to a valid pay-for-success contract. The State Treasurer shall make payments from the trust fund in accordance with the terms and conditions of the pay-for-success contracts. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

Senator ALEXANDER spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree

Hutto	Johnson	Leatherman
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Malloy

Total--1

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\329C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. This act takes effect upon approval by the Governor and applies to tax years beginning after 2018. The provisions of Section 12-6-3587, as they existed on December 31, 2018, are re-enacted, and the tax credits earned pursuant to this act shall be earned and claimed under the same terms and conditions as they existed on December 31, 2018. This act shall continue to apply until such time as Section 12-6-3587, or parts thereof, are otherwise repealed, mutatis mutandis. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 36; Nays 5

AYES

Alexander	Allen	Campbell
Campsen	Climer	Corbin
Cromer	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Malloy
Martin	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Bennett	Cash	Davis
Fanning	Massey	

Total--5

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

CARRIED OVER

S. 362 -- Senators Verdin, Reese, McElveen, Rice and Johnson: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR

ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\408C001.NBD.DG19), which was adopted:

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

/ SECTION 1. Section 12-6-2295(A)(7) of the 1976 Code, as added by Act 265 of 2018, is amended to read:

"(7) <u>receipts from the operation of a cable system, as defined in Section 58-12-300, including receipts from cable service and including receipts from services provided over the network that are associated with or classified as noncable or nonvideo services under federal law, receipts from video service as defined in Section 58-12-300, or</u> receipts from the provision of direct broadcast satellite service that are attributable to this State in pro rata proportion of 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. <u>For purposes of this subsection, if a pass-through business operates a cable system or a direct broadcast satellite service, or if it has receipts from video service, then a corporation that owns an interest in that pass-through business, either directly or indirectly, must be treated as operating a cable system or a direct broadcast satellite service, or as having receipts from video</u>

service. 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." /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

CARRIED OVER

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN explained the Bill.

On motion of Senator M.B. MATTHEWS, the Bill was carried over.

CARRIED OVER

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN explained the Bill.

On motion of Senator M.B. MATTHEWS, the Bill was carried over.

TUESDAY, FEBRUARY 26, 2019

READ THE SECOND TIME

S. 514 -- Senators Alexander and Peeler: A BILL TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

CARRIED OVER

S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over not to be taken up until March 7, 2019.

CARRIED OVER

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - CONTRACTOR'S LICENSING BOARD, RELATING TO CONTRACTOR'S LICENSING BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4848, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over not to be taken up until March 7, 2019.

CARRIED OVER

S. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR

LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over not to be taken up until March 7, 2019.

CARRIED OVER

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION ADVISORY COMMITTEE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4864, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over not to be taken up until March 7, 2019.

READ THE SECOND TIME

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 3849 -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

The Senate proceeded to the consideration of the Resolution.

Senator MALLOY proposed the following amendment (3849R001.SP.GM), which was adopted:

Amend the joint resolution, as and if amended, by striking line 25 and inserting:

/ fines associated with such seizure, provided, however, that such person files a report with the Department of Revenue by March 31, 2019, on a form established by the Department of Revenue, stating the quantity of such unstamped packages of cigarettes that were in the person's possession as of January 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

POINT OF ORDER

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE

RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO

REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 199 -- Senators Turner and McElveen: A BILL TO AMEND SECTION 56-1-140(B) OF THE 1976 CODE, RELATING TO A VETERAN DESIGNATION ON A DRIVER'S LICENSE, TO PROVIDE THAT AN APPLICANT FOR A NEW, RENEWED, OR REPLACEMENT DRIVER'S LICENSE MAY APPLY TO THE DEPARTMENT TO OBTAIN A VETERAN DESIGNATION ON THE FRONT OF HIS DRIVER'S LICENSE BY PROVIDING A UNITED STATES DEPARTMENT OF DEFENSE DISCHARGE CERTIFICATE, A NATIONAL GUARD BUREAU REPORT OF SEPARATION AND RECORD OF SERVICE, OR A UNITED STATES DEPARTMENT OF DEFENSE HONORABLE DISCHARGE CERTIFICATE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION

HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 548 -- Transportation Committee: A BILL TO AMEND SECTION 56-1-146 AND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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

MOTION ADOPTED

At 3:25 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following name was reported to the Senate in open session:

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Medical Affairs Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Director of Department of Health and Environmental Control, with term coterminous with Governor

Director:

Rick Toomey, 3 Lucy Creek Drive, Beaufort, SC 29907-2222 *VICE* Catherine Heigel

On motion of Senator VERDIN, the question was confirmation of Rick Toomey.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Rick Toomey was confirmed.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:45 A.M. on Wednesday, February 27 2019, for the purpose of

attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will stand in recess for one hour and fifteen minutes.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John L. Wooten, Jr. of Greer, S.C. John was the father of our beloved Representative Chris Wooten. He served in the U.S. Army National Guard. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:42 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, February 27, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 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:

In Daniel 3:20 we read that Nebuchadnezzar "…ordered some of the strongest guards in his army to bind Shadrack, Meshach and Abednego and to throw them into the furnace of blazing fire."

Let us pray. Gracious God, we ask Your blessing on all our Senators who are working each day to do the best they can to represent the people of our State. It takes a lot of energy, creative thinking and diplomacy to move legislation out of a committee and through this Chamber. Sometimes these dedicated servants feel like they have been thrown into a fiery furnace.

We thank You, O God, that You hear their cry -- that You feel their anguish and disappointment when fellow members oppose them and that You feel their concern and rejection when some public opinion is against them.

Lord, grant to each Senator a special peace that comes from knowing that they do not undertake this journey alone…that You are with them, You will uphold them, You will strengthen them and You will bless them. May all their efforts bring glory to You and the citizens of this State. In Your holy name we pray, Amen.

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

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to recede at 11:50 A.M. for the purpose of attending the Joint Assembly.

Committee to Escort

The PRESIDENT appointed Senators MALLOY, TALLEY, MARTIN, M.B. MATTHEWS, REESE and RANKIN to escort the Honorable Donald W. Beatty, Chief Justice of the South Carolina Supreme Court, and members of his party to the House of Representatives for the Joint Assembly.

WEDNESDAY, FEBRUARY 27, 2019

RECESS

At 11:50 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Chief Justice of the South Carolina Supreme Court

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

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of H. 3747, a Concurrent Resolution adopted by both Houses.

H. 3747 -- Rep. Lucas: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE DONALD W. BEATTY, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 27, 2019.

The Honorable Donald W. Beatty, Chief Justice of the South Carolina Supreme Court, and members of his party, were escorted to the rostrum by Senators MALLOY, TALLEY, MARTIN, M.B. MATTHEWS, REESE and RANKIN and Representatives Henderson-Myers, Parks, Calhoon, Morgan, Jordan and Collins.

The PRESIDENT introduced the Honorable Donald W. Beatty, Chief Justice of the South Carolina Supreme Court.

Chief Justice Beatty addressed the Joint Assembly as follows:

State of the Judiciary Address
by the Honorable Donald W. Beatty
Chief Justice of South Carolina

Thank you very much. Please be seated.

Speaker Lucas, PRESIDENT, Speaker Pro Tempore Pope, members of the Joint Assembly, members of the Judiciary, ladies and gentlemen. Thank you for this opportunity to share with you the State of your Judicial Branch of Government. It has been and continues to be the greatest honor and privilege to serve our State as Chief Justice.

Before I begin, I would like to note the significance of today. Tomorrow marks the end of Black History month. Friday is the start of Women's History month. Recognizing these events is important as we are striving for more diversity in our Judiciary.

Our goal as judges is to seek justice for <u>all</u> of South Carolina's citizens. First and foremost, this requires a judge to have outstanding

qualifications. Equally important, a judge must be able to understand those with different backgrounds and needs. This requires diversity on the Bench.

Looking back over my career, I acknowledge that we have made some strides toward diversity. Twenty years ago, minorities were scarcely represented on the Bench. Today, out of a total of 129 trial and appellate judges, 34% are female, 13% are African-American, and 9% are African-American females. This is a good start. But, there is room for improvement.

In other areas, the Judiciary has made incredible advancements. The privilege of serving as Chief Justice bears with it a tremendous responsibility. As Chief Justice, I am responsible for managing one of the three branches of government. While we are often referred to as the "South Carolina Judicial Department," we are in fact the Judicial Branch.

As you can see on the screen, the Judicial Branch is comprised of three levels of courts with administrative departments totaling approximately 3,733 employees.

Our IT Department hosts a statewide Case Management System (CMS). This involves providing technical support for electronic data management as well as training for E-Filing in all 46 counties.

Court Administration manages all three levels of courts and addresses any issues presented by county clerks of court. In addition to these duties, Court Administration organizes and provides training and education for summary, probate, trial, and appellate court judges.

All of this is done with extremely limited resources and staff. Yet, despite our meager resources, the Judicial Branch achieved great things in 2018 due to the hard work of our judges and employees.

I. 2018 in Review

A. Public Information Officer / Annual Report

In 2018, we hired a Public Information Officer, Ginny Jones. She has been a wonderful addition to the Judicial Branch as she responds to all media inquiries that our judges and employees receive. It is her role to communicate the Judicial Branch's official position on an issue, whether it be a media inquiry or current event.

Additionally, she coordinates our community involvement efforts such as our speakers' bureau, "Judges in Schools" program, and our statewide "Adoption Day" program.

Equally important, she helped produce our first ever "annual report," which you should have received today. The "annual report" is a publication that provides an overview of the Judicial Branch and highlights some of our activities.

You can read about these in more detail. But, for now, I would like to briefly discuss some of our 2018 accomplishments.

B. Addressed Court Reporter Shortage

Like other states, we have a critical shortage of qualified court reporters due to the retirement/resignation of court reporters and the lack of any training programs at technical colleges in our State. This shortage caused cancellation of trials and hearings throughout the State. Litigants, lawyers, and court employees were equally frustrated.

To address this problem, we are:

1. Advertising vacancies in local and national publications.
2. Temporarily using contract court reporters.
3. Discussing the development of a traditional court reporter training program with the administrations of Horry-Georgetown Technical College (HGTC), Central Carolina Technical College, and Greenville Technical College.

Right now, we have partnered with Horry-Georgetown Technical College to create a Digital Court Reporter Certificate Program, allowing us to more formally recognize digital court reporting.

The Digital Court Reporting Program will be provided in an online format, with a hands on component required prior to completion. The students will be trained in digital court reporting as well as transcription. The certificate can be earned in 12 to 20 weeks and the first class will begin in March.

I am grateful to Senator STEPHEN GOLDFINCH for his support of this program.

Once this program is fully operational, we will begin the process of developing traditional court reporting programs with Horry-Georgetown Technical College.

C. Implemented Digital Recorders

The use of digital recorders has helped immensely to supplement the current shortage of court reporters. In fact, I am happy to report that this new technology has virtually eliminated the need for Family Court case continuances because of court reporter unavailability. I now receive detailed weekly reports that identify the date and reason for each court cancellation.

As of this week, we have 14 digital recorders in Family Court and 2 digital recorders in Circuit Court. By July 1, 2019, we plan to have 20 digital recorders in place and one portable digital recorder for emergency situations.

We also continue to hire and train individuals as court monitors to ensure the successful operation of this new technology. Court

Administration has immediate access to the audio recordings, which can then be transcribed as the official court record.

As you can see, we are making great strides to cover all terms of court. At the beginning of 2018, we were able to cover 94 terms of court unless a court reporter was unavailable. By mid-April, we should be able to cover 111 terms of court with court reporters, digital recorders, and contract court reporters.

D. E-Filing Statewide Implementation

By June 2019, we will have rolled out E-Filing in all 46 counties. This project has been extremely successful due to the tireless work of our IT staff.

They have provided technical support and onsite training for county clerks of court offices as well as attorney users. The call center will continue to provide technical support for this project once it is completed.

Due to the success of E-Filing for civil matters, it is our goal to implement this technology in Appellate and Family Courts.

E. Business Continuity / Disaster Recovery Plan

To preserve and protect our court data, we continue to work toward developing a comprehensive plan for business continuity in the event of a natural or manmade disaster.

We have established a "crisis team" with individuals from Court Administration, IT, Finance and Personnel, the Supreme Court, and the Court of Appeals. This group meets regularly and was recently "activated" during Hurricanes Florence and Michael. It is our goal to ensure that court operations continue with minimal disruptions.

F. Summary Court Reform

The magistrate and municipal courts are where most South Carolinians encounter the Judicial System. I am certain that you are aware of the lawsuits filed on behalf of indigent defendants in summary court who were not informed of their right to counsel and were jailed for months due to their inability to pay fines imposed for minor offenses.

This is a clear violation of the Sixth Amendment and cannot continue. The U.S. Department of Justice, federal district courts, and most recently the U.S. Supreme Court have all expressed concern with this practice. We have taken corrective action.

With the assistance of a Sixth Amendment program through the Department of Justice and the Center for Court Innovation, we are developing solutions to address this issue.

This week, the program organizers are conducting a site visit in South Carolina to evaluate our summary court system. Their report will then be

discussed and implemented, where appropriate, by a team consisting of members of Court Administration, summary court judges, solicitors, and public defenders.

We continue to maintain oversight in our summary courts by providing training and refining procedures and forms to comply with statutory and constitutional mandates.

Also, the Summary Court Judge Mentoring Program, which was once a pilot program, is now a mandatory program for all newly appointed summary court judges.

G. Docket Management

The Docket Management Task Force, under the leadership of Justice Kaye Hearn, continues to guide our trial courts toward achieving case disposition benchmarks.

All but two circuits met the common pleas benchmark of resolving at least 80% of cases in 365 days or less. All but one circuit met the family court benchmark.

1. Family Court Docket Committee

Led by Justice Hearn and Judge Aphrodite Konduros, the Family Court Docket Committee is working to address several issues, including: (1) the need to reduce delays in DSS cases, and (2) the appointment and payment of guardians ad litem.

Based on this committee's work, we recently established a pilot program for the enhanced supervision of DSS cases. The purpose of this program is to designate certain types of cases to receive supervision of a single judge through the entirety of the case. We hope that this program will address the concerns you have raised.

2. General Sessions Docket Committee

Although most family courts and common pleas courts continue to meet the benchmark, we recognize that more work needs to be done to improve the efficiency of our General Sessions courts.

This slide is indicative of the results of using a criminal court docket management system that has been in place for more than a hundred years. As you can see, this method is ineffective and outdated. It is not surprising that South Carolina is the only State that continues to use this method.

We are actively working to improve these numbers. First, we have tested and received outstanding results with the judge-run docket in the Seventh Circuit. This method involves a collaborative effort between the chief judge and the solicitor.

Additionally, several members of the Supreme Court recently met with a group of circuit court judges to discuss the number of pending

cases. Afterwards, I directed these judges to meet with their circuit solicitor and circuit public defender to evaluate the docket management system in their circuit.

The judges then submitted their findings to Justice Hearn and Justice James who will present the reports to the General Sessions Docket Committee.

The committee is comprised of judges, solicitors, public defenders, clerks of court, and private attorneys. I am confident that this group will ultimately establish a working plan that will satisfy all stakeholders.

Finally, we are working on pre-trial solutions. We have established "specialty" courts throughout the State to resolve non-violent offenses. For example, we have Drug Court, Veteran's Court, Mental Health Court, and Homeless Court.

These courts offer alternatives to incarceration to non-violent offenders. This helps the offender, but also saves counties money by reducing the number of people being sent to already overcrowded jails.

We also have an ongoing docket management pilot program in the Ninth Circuit, which is led by Judge Markley Dennis. This "jail reform" project, is headed by Kristy Danford, the Project Director for the Charleston County Criminal Justice Coordinating Council. The MacArthur Foundation has provided $4.95 million in grants for this project.

We are working with solicitors, public defenders, county administration, law enforcement, and the mental health system to reduce the jail population in Charleston County. This project includes innovations in pre-trial services, docket management, and case processing. Given the success so far, we anticipate implementing it in other counties.

H. Business Court Program

The Business Court Program, which began as a pilot program, has now expanded to all regions in our State.

As South Carolina's business community has increased, so has the number of complex financial cases. Judge Roger Young, the Chief Business Court Judge, and other carefully selected judges, have done an outstanding job processing these cases in a timely manner.

I. Community Involvement

In addition to their heavy caseloads, our judges have given back to the community this year. In the fall, we instituted the "Judges in Schools Program" where our judges talk to local middle and high school students about civics-related topics.

Along this same line, the Supreme Court continues to invite students to hear oral arguments through the "Class Action" program.

I would add that the Supreme Court held oral arguments last week in Sumter with many students in attendance. The court intends to "travel" to other areas of the State to give members of the public a better understanding of our judicial system.

The Supreme Court also recently established the "Pro Bono Honor Roll" to recognize and encourage lawyers to give back to the community by providing pro bono legal services.

We have an amazing group of legal service organizations in this State. But, they are overworked and do not have the resources to meet the needs of all those who cannot afford legal services. These organizations need the assistance of private attorneys who volunteer their time.

I am so proud of our Judiciary and employees for what they achieved in 2018. I expect great things in 2019.

II. 2019

A. Vision

As I have said since day one as Chief Justice, my vision is to:

> **Establish an effective, financially stable, <u>independent</u> branch of government.**

In order to work toward this vision, we must first have sustainable funding.

B. Adequate versus Sustainable Funding

Because of you, we are in better shape financially than when I became Chief Justice in 2017. At that time, the Judicial Branch was facing a projected budget shortfall of $3.5 million. You appropriated adequate funding to handle our projected deficit and cover operating expenses.

Although we greatly appreciate this <u>adequate</u> funding, the Judicial Branch needs <u>sustainable</u> funding. We provide core government functions to the citizens of South Carolina. Yet, we receive **less than 0.69%** of State Recurring General Appropriations.

In order to supplement this amount, we are forced to depend on rapidly declining fines and fees. These fines and fees are at the lowest level in ten years. We anticipate a further decline due to a recent U.S. Supreme Court decision concerning excessive fines and fees. This is a grave concern as a number of our full-time employees are paid with money from fines and fees.

Without a sufficient amount, we may need to furlough or eliminate these staff positions. Such a reduction in staff will lead to delays in court proceedings and the resolution of cases.

This cannot go on forever. As we requested in our budget, these positions need to be paid with recurring dollars. But, more importantly, we need a stable source of funding. Or, as I would describe it, sustainable funding.

In an article written by former Oregon Chief Justice Paul De Muniz, he stated:

> " 'Sustainable' means having enough funding to not just dispense justice daily, but to do so as a separate and equal branch of government that has meaningful resources to manage, analyze, develop, and plan for implementing both short-term and long-term activities and strategies for supporting its role today, while ensuring quality performance and improvement for the future."[1]

To achieve this, I believe the best solution would be for the Judicial Branch to be given a "flat", recurring percentage of General Appropriations. However, until that happens, we will continue to seek sustainable funding in each year's budget requests.

C. Categories of Funding Needs

I will not go into great detail about each funding need. I use the word "need" and not budget "priority", because each item is a need and not a "wish".

I would identify the three categories that desperately need to be funded: 1) Infrastructure; 2) Technology; and 3) Talent.

Why do we need funding in each of these categories?

1. Infrastructure

We lack adequate office space for our employees. Due to a lack of funding and delays in construction, we still have employees working in converted hallways and closets. The Supreme Court and Calhoun Buildings need significant repairs.

We will always need funding for our infrastructure. But, this year we focused our funding needs on two key areas: 1) Updating Technology, and 2. Recruiting and Retaining Talent.

2. Updating Technology

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[1] PAUL DE MUNIZ, MAINTAINING INSTITUTIONAL INDEPENDENCE: FUNDING SUSTAINABLE STATE COURTS DURING ECONOMIC CRISIS 5 (Nat'l Ctr. for State Courts 2013), https://www.ncsc.org/~/media/Files/PDF/Services%20and%20Experts/Harvard%20Executive%20Session/Maintaining-Judicial-Indepdence.ashx.

We need to outfit at least 25 more courtrooms with Digital Recorders. This technology has proven successful to supplement our court reporter workforce and accurately capture the record. With additional Digital Recorders, we can ensure that scheduled terms of court are covered and cases are heard and resolved quickly and efficiently.

Our current Case Management System is based on a 15-year-old application design model and has reached the end of its lifecycle. The need for funding this modernization project cannot be overstated.

This system is crucial to court operations as it provides secured public access to court data and provides for the exchange of court data with state and local law enforcement agencies.

The failure of this system would be devastating as critical data would be lost and court operations would be interrupted.

Finally, I would note that our IT Department will ultimately be responsible for maintaining the Family Court Case Management System within five years of implementation. The first regional pilot is scheduled for September 9th of this year.

Managing and supporting this system will come at a yearly cost of approximately $1.5 million to $3 million to the Judicial Branch. We will need funding for maintenance costs, staff, training, vendor costs, and infrastructure.

We are also working with DSS as they roll out the Palmetto Automated Child Support System. Right now, the system is "live" in 18 counties with 8 more to be added in April.

This system has been years in the making and the delays have cost the State millions of dollars in fines from the federal government. It is time for it to be operational. I believe it will drastically improve the efficiency of our family courts. It will also ensure that children receive the financial support that they desperately need.

3. Talent

New equipment and cutting edge technology is only as good as the staff that operates it. For the Judicial Branch to be successful, we need talented staff and judicial candidates.

Our most pressing staff need is in IT. Our IT Department provides training, technical support, and end-user support for our hosted statewide Case Management System and E-Filing. These are used by approximately 400 different court agencies throughout all 46 counties. Our IT Call Center provides telephone support to court and public users.

The IT Department also assists in collecting and reporting data for numerous outside organizations, including the Legislature and other state

and federal agencies to address critical issues, such as gun purchases and human trafficking.

Finally, and most importantly, we need to be able to recruit and retain the most qualified and experienced judicial candidates.

Right now, our judicial candidates are younger and less experienced than in the past. Quite simply, the more experienced lawyers do not want to leave a successful private practice to become a judge and take a significant cut in pay. They cannot afford to do so with mortgages, children's college tuition, and other financial responsibilities.

You have recognized this issue and have been so supportive of our efforts to obtain a salary increase for our judges. We truly appreciate your willingness to listen and work toward a solution.

D. Court Education Program

In addition to paying our judges more, we also need to provide them with quality training and education. Because our new judges are coming to the Bench with less experience, we are seeking funding for a Court Education Program.

This centralized education program would be operated within Court Administration by a program coordinator. The program would provide training and education for new judges, judicial staff members, and court-related personnel.

For example, as I referenced earlier, the need to inform an indigent defendant of the Sixth Amendment right to counsel and to assess the defendant's ability to pay a fine. This program would be responsible for creating, producing, and supporting this type of mandatory training.

III. A Successful Judiciary Leads to a Successful State

To summarize, for any business to be successful it must have talented individuals who are equipped with the best tools and working environment to perform their jobs efficiently and effectively. The Judicial Branch is no different. We will succeed only if we have sustainable funding.

A. Strategic Goals

While I am always focused on the success of the Judicial Branch, I am equally concerned about the success of South Carolina.

That is why when I became Chief Justice, I formulated strategic goals that will benefit the State as a whole. These goals are listed on the screen:

1. foster a cooperative (not subservient) relationship between the Judicial Branch, the General Assembly, and the Governor's Office while maintaining a focus on the constitutional separation of powers;

2. restructure the organization of departments within the Judicial Branch;
3. facilitate the efficient resolution of cases in all courts through improved docket management, revitalized case management systems, and enhanced infrastructure;
4. ensure access to justice for all regardless of income, disability, or language barriers; and
5. foster a legal profession that is innovative in providing legal services to the public.

As you can see from the 2018 highlights, we have made significant progress toward achieving each of these goals. Still, much work needs to be done.

B. South Carolina's Success Depends on Three Branches of Government

I am committed to doing my part to manage the Judicial Branch of government. But, that alone is not enough. We need to work together.

As I listened to Governor McMaster's Inaugural Address and State of the State Address, he too expressed a desire to move South Carolina forward by working together. In fact, Governor McMaster referenced football and noted that "we are still on the same team."

I agree with Governor McMaster but would like to be more direct about our roles as separate, but equal, branches of government.

Chief Justice Toal concluded her addresses with pictures of her grandchildren. Chief Justice Pleicones showed you a picture of his cat. I would like to do something different. I am going to show you a short educational video about the Judicial Branch of government.

As you just saw, our state court system plays a significant role in the operation of government. At some point in their lives, every citizen will be affected by a decision of one of our trial or appellate courts. To fulfill this unique role, the Judicial Branch must work cooperatively with the other branches of government while at the same time being financially stable and independent from the other two branches.

V. Conclusion

As I conclude, I would like to thank you for the opportunity to update you on the State of your Judiciary. I know that your time is limited, but I would urge you to review the "Annual Report". I believe it will provide you with valuable information on the important role of the Judicial Branch in the State of South Carolina. Thank you.

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

The Senate resumed at 2:00 P.M.

Point of Quorum

At 2:01 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Jerome Aya-ay of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 2:03 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 2:25 P.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator BENNETT, at 2:28 P.M., Senator HEMBREE was granted a leave of absence for today.

WEDNESDAY, FEBRUARY 27, 2019

CO-SPONSORS ADDED

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

S. 363 Sen. McLeod
S. 427 Sen. Grooms

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 563 Sen. McElveen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 572 -- Senator M. B. Matthews: A SENATE RESOLUTION TO CONGRATULATE MOUNT CARMEL BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN SEABROOK, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 39-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND

SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

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

S. 574 -- Senators Verdin and Campbell: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO SOLID WASTE POLICY AND MANAGEMENT, TO PROVIDE THAT POST-USE POLYMERS AND RECOVERABLE FEEDSTOCKS USED IN PYROLYSIS AND GASIFICATION PROCESSES ARE RECOVERED MATERIALS AND ARE NOT "SOLID WASTE" FOR THE PURPOSES OF REGULATION BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

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

S. 575 -- Senators Campsen, McElveen and Martin: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE

GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 576 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-5-715(B) AND (C) OF THE 1976 CODE, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, TO PROVIDE THAT CERTAIN AREAS ARE CLOSED TO TRAWLING FROM MAY 1 THROUGH SEPTEMBER 15.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 577 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, RELATING TO TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.
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Read the first time and referred to the Committee on Medical Affairs.

S. 578 -- Senators Shealy, Setzler and Peeler: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2019.
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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE

SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 581 -- Senator Senn: A BILL TO AMEND ARTICLE 1, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, TO PROVIDE THAT A CERTIFIED ARBORIST MUST BE PRESENT TO SUPERVISE ALL MAINTENANCE PLANS, TO PROVIDE AN EXEMPTION FOR NATURAL DISASTERS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 582 -- Senator Nicholson: A SENATE RESOLUTION TO CONGRATULATE JAMES GIBSON ON THE OCCASION OF HIS NINETY-SIXTH BIRTHDAY, AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
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The Senate Resolution was adopted.

H. 3011 -- Rep. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES STORE CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY THE "REVEREND TONY L. DAISE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

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

H. 3016 -- Reps. Govan, Jefferson, S. Williams and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOFF AVENUE IN THE CITY OF ORANGEBURG FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 "DR. H.N. TISDALE

AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 3274 -- Reps. Simrill, Rutherford, Ligon, Taylor, Loftis, Hixon, Gilliard, West, Bannister and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC CIGARETTES, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO JANUARY 1, 2019, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

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

H. 3928 -- Reps. Sottile, Gilliard, McCoy, Mack, Hewitt, Pendarvis, Bennett, Cogswell, Mace and Brown: A CONCURRENT RESOLUTION TO REQUEST THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RENAME THE PORTION OF THE NAVIGATIONAL CHANNEL ADJACENT TO THE CITY OF CHARLESTON WATERFRONT CONSISTING OF THE CHARLESTON MARITIME CENTER, INTERNATIONAL AFRICAN AMERICAN MUSEUM, AND THE PEDESTRIAN WALKWAY OF THE ARTHUR RAVENEL, JR. BRIDGE TO "RILEY REACH" IN ORDER TO HONOR THE LEGACY OF MAYOR JOSEPH P. RILEY, JR.

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

H. 4041 -- Reps. Ligon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-

Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 14, 2019, HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

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

H. 4059 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RUSSELL RAY "BUDDY" BROWNING, JR., OF IRMO, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY YEARS OF OUTSTANDING SERVICE THROUGHOUT THE SOUTHEASTERN UNITED

STATES WITH SHENANDOAH RESTORATIONS, INC., AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 4060 -- Reps. Wheeler, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AGNES G. DRAYTON OF LEE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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

REPORT OF STANDING COMMITTEE

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 359 -- Senators Gambrell and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM

UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 550 -- Senators Rice and Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE JAMES E. STEWART OF EASLEY AND TO COMMEND HIM FOR HIS OVER FORTY-THREE YEARS OF OUTSTANDING SERVICE TO PICKENS COUNTY.

Returned with concurrence.

Received as information.

S. 553 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF PATRICIA WILMORE HAMPTON OF CHESTER COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

Returned with concurrence.

Received as information.

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

WEDNESDAY, FEBRUARY 27, 2019

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. 318 -- Senators Alexander and Davis: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

S. 514 -- Senators Alexander and Peeler: A BILL TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.

WEDNESDAY, FEBRUARY 27, 2019

ORDERED ENROLLED FOR RATIFICATION

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

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

HOUSE RESOLUTION RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 3849 -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

CARRIED OVER

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN

ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL

SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

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

CARRIED OVER

S. 18 -- Senators Hutto, Young and Climer: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL

OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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

COMMITTEE AMENDMENT AMENDED AND ADOPTED CARRIED OVER

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM."

The Senate proceeded to the consideration of the Bill.

Senator CLIMER proposed the following amendment (JUD0079.008), which was adopted:

Amend the Committee Report, as and if amended, page [79-2], by striking lines 2 through 6 and inserting therein the following:

/ ~~(D)~~(4) has not brought about permanent or lasting damage to the child; and

~~(E)~~(5) is not reckless or grossly negligent behavior by the parents; /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0079.007), which was adopted:

Amend the bill, as and if amended, beginning on page 1, by striking SECTION 1 in its entirety, and inserting therein the following:

/ SECTION 1. Section 63-7-20(6) of the 1976 Code is amended to read:

"(6)(a) 'Child abuse or neglect' or 'harm' occurs when:

~~(a)~~(i) the parent, guardian, or other person responsible for the child's welfare:

~~(i)~~(A) inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding corporal punishment or physical discipline which:

~~(A)~~(1) is administered by a parent or person in loco parentis;

~~(B)~~(2) is perpetrated for the sole purpose of restraining or correcting the child;

~~(C)~~(3) is reasonable in manner and moderate in degree; and

~~(D) has not brought about permanent or lasting damage to the child; and~~

~~(E)~~(4) is not reckless or grossly negligent behavior by the parents;

~~(ii)~~(B) commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;

~~(iii)~~(C) fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child's

absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parents' refusal to cooperate. For the purpose of this chapter 'adequate health care' includes any medical or nonmedical remedial health care permitted or authorized under state law;

~~(iv)~~(D) abandons the child;

~~(v)~~(E) encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or

~~(vi)~~(F) has committed abuse or neglect as described in subsubitems ~~(i) through (v)~~(A) through (E) such that a child who subsequently becomes part of the person's household is at substantial risk of one of those forms of abuse or neglect; or

~~(b)~~(ii) a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare. Identifying a child as a victim of trafficking in persons does not create a presumption that the parent, guardian, or other individual responsible for the child's welfare abused, neglected, or harmed the child.

(b) 'Child abuse or neglect' or 'harm' does not occur if the parent, guardian, or other person responsible for the child's welfare permits the child, whose basic needs are met and who is of sufficient age and maturity to avoid harm or unreasonable risk of harm, to engage in independent activities, including:

(i) walking, running, bicycling, or taking other independent means of travel to and from school;

(ii) walking, running, bicycling, or taking other independent means of travel to and from nearby commercial or recreational facilities;

(iii) engaging in outdoor play;

(iv) remaining at home unattended if the parent, guardian, or other person responsible for the child's welfare:

(A) returns home on the same day on which the parent, guardian, or other person responsible for the child's welfare gives the child permission to remain at home;

(B) makes provisions for the child to be able to contact the parent, guardian, or other person responsible for the child's welfare on the same day on which the parent, guardian, or other person responsible

for the child's welfare gives the child permission to remain at home; and

(C) makes provisions for any reasonably foreseeable emergencies that may arise on the same day on which the parent, guardian, or other person responsible for the child's welfare gives the child permission to remain at home; or

(v) engaging in similar independent activities." /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the committee amendment.

The amendment was adopted.

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

CARRIED OVER

S. 362 -- Senators Verdin, Reese, McElveen and Rice: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

Senator GREGORY spoke on the Bill.

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 199 -- Senator Turner: A BILL TO AMEND SECTION 56-1-140(B) OF THE 1976 CODE, RELATING TO A VETERAN DESIGNATION ON A DRIVER'S LICENSE, TO PROVIDE THAT AN APPLICANT FOR A NEW, RENEWED, OR REPLACEMENT DRIVER'S LICENSE MAY APPLY TO THE DEPARTMENT TO OBTAIN A VETERAN DESIGNATION ON THE FRONT OF HIS DRIVER'S LICENSE BY PROVIDING A UNITED STATES

DEPARTMENT OF DEFENSE DISCHARGE CERTIFICATE, A NATIONAL GUARD BUREAU REPORT OF SEPARATION AND RECORD OF SERVICE, OR A UNITED STATES DEPARTMENT OF DEFENSE HONORABLE DISCHARGE CERTIFICATE.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (199R001.KMM.LKG), which was adopted:

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

/ SECTION 1. Section 56-1-140(B) and (C) of the 1976 Code is amended to read:

"(B) An applicant for a new, renewed, or replacement driver's license may apply to the department to obtain a veteran designation on the front of his driver's license by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, ~~Form 4,~~ that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States Armed Forces;

(2) National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card. A Veterans Health Identification Card may not be accepted.

(C) The department may determine the appropriate form of the veteran designation on the driver's license authorized pursuant to this section.

~~(C)~~(D) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund."

SECTION 2. Section 56-1-3350(B) of the 1976 Code is amended to read:

"(B) An applicant for a new, renewed, or replacement South Carolina ~~driver's license~~ identification card may apply to the Department of Motor Vehicles to obtain a veteran designation on the front of his ~~driver's license~~ identification card by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, that shows a characterization of service,

or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States Armed Forces; ~~and~~

(2) ~~payment of a one dollar fee that must be collected by the department and placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167~~ National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC). A Veterans Health Identification Card (VHIC) may not be accepted."

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

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE

OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

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

CARRIED OVER

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

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

READ THE SECOND TIME

S. 548 -- Transportation Committee: A BILL TO AMEND SECTION 56-1-146 AND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning

Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

H. 3798 -- Reps. Clary, Hiott, Collins and W. Cox: A BILL TO AMEND SECTION 7-7-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO 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 the consideration of the Bill.

Senator RICE explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer

Corbin	Cromer	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

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

MOTION ADOPTED

At 2:34 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

February 26, 2019

The Honorable Harvey S. Peeler, Jr.
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-4, S. 335, which seeks to amend certain election procedures related to the Langley Water and Sewer District, Bath Water and Sewer District, and Clearwater Water and Sewer District. To be clear, I understand and appreciate the need to address existing issues involving the aforementioned public service districts. Therefore, I have endeavored to assist the local legislative delegation by seeking guidance from the Office of the Attorney General, 2018 WL 5096184 (S.C.A.G. Oct. 4, 2018), and by appointing individuals to fill vacancies on one or more of the governing commissions. However, because the manner in which S. 335 attempts to resolve these issues ultimately conflicts with the Constitution, I am compelled to veto the Bill.

Like several of my predecessors, I have been clear and consistent since the beginning of my administration that I will veto unconstitutional local or special legislation. Article VIII, Section 7 of the South Carolina Constitution expressly prohibits the General Assembly from enacting legislation which applies only to a single county. S.C. Const. art VIII, § 7; *see also* S.C. Const. art. III, § 34(IX) (prohibiting local or special laws "where a general law can be made applicable"). Yet, S. 335 indicates that all of the special purpose districts in question are located entirely within Aiken County. Therefore, while I applaud the members of the Aiken County Legislative Delegation for their efforts to craft a solution to what has been described as a "confused and muddled matter," 2018 WL 5096184, at *7, I must veto S. 335 because the measure amounts to unconstitutional local, or special legislation. *See Spartanburg Sanitary Sewer Dist. v. City of Spartanburg*, 283 S.C. 67, 80, 321 S.E.2d 258, 265 (1984) ("Article VIII, § 7 is not only applicable to special legislation creating a special purpose district, but also to special legislation dealing with special purpose districts created prior to the ratification of [a]rticle VIII or the amendment of prior special legislation." (citation omitted)). As I noted in vetoing similar legislation in 2017—and as the Attorney General's Opinion recently alluded to—

the General Assembly should address these matters by passing laws of uniform, statewide application.

For the foregoing reasons, I am respectfully vetoing R-4, S. 335 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R4, S335) -- Senator Massey: AN ACT TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM OF OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER THIRTY-FIRST OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER AND TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE PROCEDURES FOR ADVERTISING ELECTIONS FOR COMMISSIONERS IN A NEWSPAPER OF GENERAL CIRCULATION, TO REQUIRE COMMISSION CANDIDATES TO FILE STATEMENTS OF INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, AND TO ESTABLISH THE FILING PERIOD FOR THE ELECTION OF COMMISSIONERS.

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

Senator MASSEY moved that the veto of the Governor be overridden.

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	Campbell
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	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.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 360 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION

38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA

SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

On motion of Senator BENNETT, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

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

WEDNESDAY, FEBRUARY 27, 2019

ADJOURNMENT

At 2:46 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 28, 2019
(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:

1 Peter 3: 8

"Finally, all of you, have unity of spirit, sympathy, love for one another, a tender heart, and a humble mind."

Let us pray. Almighty God, we praise You as the Lord of peace and reconciliation. Yet we cannot keep Your peace unless we live it and share it with others. We confess this morning anything that may be disturbing our relationship with You and with others. We seek forgiveness for any negative words spoken that may have harmed others -- any actions that are motivated by revenge or jealousy or simply our inability to say, I'm sorry, I was wrong.

May we be known by our humility, forgiveness, kindness, compassion and our absolute and unwavering trust in You. Give us hope in life's burdens and peace in our conflicts. Most of all, Lord, help us not to miss the joy of life and the opportunity to share it. In the name of Him who brings the abundant life, Amen.

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

Point of Quorum

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

Call of the Senate

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

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Gambrell	Gregory
Grooms	Harpootlian	Hutto
Martin	Massey	Peeler

Rice	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	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

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Alex Albert Singleton, 1903 Clubhouse Road, Ravenel, SC 29470-9601 *VICE* David W. Gillespie

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2018, and to expire June 30, 2024

At-Large - General Public:

Amy L. McFadden, 164 Mohican Drive, Georgetown, SC 29440-5864 *VICE* James Bradford Thompson

Referred to the Committee on Fish, Game and Forestry.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

7th Congressional District:

Alison Y. Evans, 612 West Home Ave., Hartsville, SC 29550

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518 *VICE* William Lee McCullough

Referred to the Committee on Labor, Commerce and Industry.

THURSDAY, FEBRUARY 28, 2019

Local Appointment

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tracy E. Richards, 107 Lewis Lane, Laurens, SC 29360-2257 *VICE* Tommy Copeland

REGULATION WITHDRAWN

The following was received:

Document No. 4821
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, and 40-57-70
SUBJECT: Real Estate Commission
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn February 27, 2019

Doctor of the Day

Senator McELVEEN introduced Dr. Mayes Dubose of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 11:03 A.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 11:08 A.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator VERDIN, at 11:09 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 12:38 P.M., Senator FANNING was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

THURSDAY, FEBRUARY 28, 2019

Remarks by Senator SCOTT

This is the last day of the month and the last day of Black History Month for this year. Black History Month was created for the purpose of remembering and observing the contributions that African Americans have made to our society. Often times, we recognize those whose names were more prominent, but there were many others whose legacies were rich, yet they received little acclaim and recognition. Today, I'd like to address you briefly about one such person and two of his accomplishments. His name is rarely mentioned, yet his achievements stand tall for all to see. His famous work has not only been viewed by tourists here in America, but by people from all over the world. His name is Philip Reid, an African American craftsman and artisan. Philip Reid, was an African American master craftsman and artisan who played a key role as the foreman in the casting of the statue of Andrew Jackson at the Battle of New Orleans and the Statue of Freedom sculpture atop the United States Capitol building in Washington, D.C.

He was born into slavery in the historic city of Charleston, South Carolina, around 1820. During his youth, he was purchased by ironworker Clark Mills, for the sum of $1,200.00. Mills later moved to Washington, D.C., and brought his young mulatto slave, Philip, along with him. Mills owned a foundry in Bladensburg, Maryland, and quickly recognized Reid's skill in ironworking and included him as an essential part of his construction team.

Reid's first success occurred in 1853, when his master, Mills, won the competition to build an equestrian statue of Andrew Jackson, which was commissioned for Lafayette Park. The park that sits in front of the White House and is also known as the President's Park. In order to construct the Jackson statue, a temporary foundry was erected south of the White House. It was during this period, through trial and error, that Mills, Reid and other workmen produced the first bronze statue ever cast in America. The accomplishment was extraordinary because of the lack of any formal training for any of the workers. Historians are not sure how much of a part Reid actually played in designing the equestrian statue of Andrew Jackson, but credit has been given to him for being the craftsman and artisan who shared in both, the design and casting of the statue. Today, this statue stands and is viewed annually by thousands who visit Lafayette Square in Washington, DC.

Reid's second and most acclaimed contribution to our nation occurred when he helped save the Statue of Freedom in 1860. The Statue of Freedom is a colossal bronze figure standing 19 1⁄2 feet tall and weighs approximately 15,000 pounds. Her crest peaks at 288 feet above the East

Front Plaza of the U.S. Capitol. She is a female, allegorical figure, whose right hand holds the hilt of a sheathed sword, while a laurel wreath of victory and the Shield of the United States are clasped in her left hand. Her chiton is secured by a brooch inscribed "U.S." and is partially covered by a heavy, Native American style fringed blanket thrown over her left shoulder. She faces east toward the main entrance of the building and the rising sun. She wears a military helmet adorned with stars and an eagle's head which is itself crowned by an umbrella like crest of feathers. Although not actually called "Columbia", she shares many of her iconic characteristics. Freedom stands atop a cast-iron globe encircled with one of the national mottos, E pluribus unum. The lower part of the base is decorated with faces and wreaths. Ten bronze points tipped with platinum are attached to her headdress, shoulders, and shield for protection from lightning. Mississippi U.S. Senator and U.S. Secretary of War Jefferson Davis (who would later become President of the Confederacy) was in charge of the Capitol construction and its decorations. According to David Hackett Fischer in his book Liberty and Freedom, Crawford's statue was very close to Jefferson Davis's idea in every way but one -- above the crown Crawford added a liberty cap, the old Roman symbol of an emancipated slave. It seemed a direct affront to a militant slaveholder, and Jefferson Davis exploded with rage. The northern sculptor and the southern slaveholder had already clashed over a liberty cap in the interior decoration of the Capitol. The Statue of Freedom, is the crowning feature of the Dome of our United States Capitol. The initial full-size plaster model of "Freedom" was completed by American sculptor Thomas Crawford in his studio in Rome, Italy, but he died suddenly in 1857 before it left his studio. Shipped by his widow, packed into six crates, it finally arrived in Washington in late March 1859 and was then assembled and put on display in the Old Hall of the House, now National Statuary Hall. In May 1860, self-taught sculptor Clark Mills was awarded the contract by the Secretary of War to cast "Freedom" at his foundry off Bladensburg Road, just inside the District of Columbia. The casting of the statue began in June of that same year. Reid was still owned by Mills when the government paid him $400 a month to lease his Bladensburg foundry for the casting of the statue designed by Thomas Crawford. The federal government paid Reid $1.25 a day for "keeping up fires under the moulds," according to the architect's account. But Mills pocketed six days of Reid's wages, and Reid only kept his pay for one day a week, Sunday -- earning a total of $41.25 for 33 Sundays. Philip Reid who suffered many indignities in death, as well as in life, never received the proper recognition for his

magnificent works while he lived. He was praised on the floor of the US House of Representatives in 1928 for his work. When referencing the Statue of Freedom, it was stated that the works of Clark Mills, succeeded largely due to "the faithful service and genius of an intelligent negro in Washington named Philip Reid, a slave owned by Mr. Clark Mill -- much credit is due him for his faithful and intelligent services rendered in modeling and casting America's superb Statue of Freedom." (Congressional Record (1928), 1200).

On February 6, 1892, Philip Reid gained his freedom. As a free man Reid changed the spelling of his last name from R-e-i-d to R-e-e-d one hundred thirty-four years after his death, a historical marker was placed at the National Harmony Memorial Park in Hyattsville, Maryland, noting that Reid who built the Statue of Freedom, gained his freedom on February 6, 1892 -- and died a free man -- was buried there.

On motion of Senator SABB, with unanimous consent, the remarks of Senator SCOTT, were ordered printed in the Journal.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 556 Sen. Hembree

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 563 Sen. Corbin

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator FANNING, the Privilege of the Chamber, to that area behind the rail, was extended to the Chester High School football team and their head coaches to congratulate them on winning the 2018 South Carolina Class AAA State Championship Title.

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

RECOMMITTED

S. 518 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 519 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MEDICAL HOMEBOUND INSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4819, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 536 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCOUNTING AND REPORTING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4832, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 458 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4821, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 583 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR EDWARD W. MULLINS, JR., OF COLUMBIA FOR HIS MANY YEARS OF OUTSTANDING COMMUNITY SERVICE AND TO CONGRATULATE HIM ON RECEIVING THE 2018 UNITED WAY OF THE MIDLANDS HUMANITARIAN OF THE YEAR AWARD.
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The Senate Resolution was adopted.

S. 584 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEBORAH KOON OF BLYTHEWOOD ON FIFTY SUCCESSFUL YEARS WITH CLEMSON PUBLIC SERVICE AND AGRICULTURE, TO COMMEND HER FOR THE COMMITTED LABORS OF HALF A CENTURY, AND TO EXTEND BEST WISHES AS SHE CONTINUES TO SERVE THE AGENCY.
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The Senate Resolution was adopted.

S. 585 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.
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Read the first time and referred to the Committee on Finance.

S. 586 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-18-75 SO AS TO PROHIBIT A PRIVATE INVESTIGATOR FROM DISCLOSING INFORMATION RELATING TO THE REPRESENTATION OF A CLIENT UNLESS AUTHORIZED UNDER LIMITED CIRCUMSTANCES AND TO PROHIBIT THE PRIVATE INVESTIGATOR FROM UNDERTAKING CERTAIN ACTIONS RELATED TO THE REPRESENTATION OF A CLIENT.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 587 -- Senators Young, Setzler and Massey: A BILL TO AMEND SECTION 12-10-80(C)(3) OF THE 1976 CODE, RELATING TO QUALIFIED EXPENDITURES FOR JOB DEVELOPMENT CREDITS, TO PROVIDE THAT SECURITY CLEARANCE COSTS ARE QUALIFIED EXPENDITURES.
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Read the first time and referred to the Committee on Finance.

S. 588 -- Senators Sheheen, J. Matthews, Hembree and Bennett: A BILL TO AMEND SECTION 59-18-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATEWIDE ASSESSMENTS UNDER THE EDUCATION ACCOUNTABILITY ACT, SO AS TO ELIMINATE SOCIAL STUDIES ASSESSMENTS FOR THIRD GRADE THROUGH EIGHTH GRADE AND REMOVE SCIENCE ASSESSMENTS FOR THIRD GRADE; TO AMEND SECTION 59-18-320, RELATING TO THE ADMINISTRATION OF STATEWIDE ASSESSMENTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-18-325, RELATING TO THE PROCUREMENT OF STATEWIDE ASSESSMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-155-180, RELATING TO LITERACY ADD-ON ENDORSEMENTS REQUIRED UNDER THE READ TO SUCCEED ACT, SO AS TO CREATE A FUND WITHIN THE STATE DEPARTMENT OF EDUCATION TO REIMBURSE TEACHERS FOR ALL OR A PORTION OF TUITION COSTS OF OBTAINING LITERACY ADD-ON ENDORSEMENTS, SUBJECT TO AVAILABILITY OF FUNDS BASED ON APPROPRIATIONS BY THE GENERAL ASSEMBLY, AND TO REQUIRE THE DEPARTMENT TO DEVELOP RELATED GUIDELINES FOR IMPLEMENTING THESE PROVISIONS.
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Read the first time and referred to the Committee on Education.

S. 589 -- Senator Kimpson: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-242, TO PROHIBIT THE DELETION OR DESTRUCTION OF DATA FROM A BODY-WORN CAMERA WITH THE INTENT TO ALTER OR INFLUENCE A CRIMINAL ACTION, CRIMINAL INVESTIGATION, INTERNAL POLICE INVESTIGATION, CIVIL ACTION, OR POTENTIAL CIVIL ACTION IF NOTICE IS PROVIDED BY THE ADVERSE PARTY, OR IF LITIGATION IS REASONABLY ANTICIPATED, TO PROVIDE PENALTIES, AND

TO PROVIDE EXEMPTIONS; AND TO AMEND SECTION 23-1-240(D) AND (G), RELATING TO POLICIES AND PROCEDURES FOR THE USE OF BODY-WORN CAMERAS, TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH THE POLICIES AND PROCEDURES ESTABLISHED BY THE AGENCIES MUST INCLUDE FOR THE ACTIVATION OF THE RECORDINGS, AND TO PROVIDE THAT A TRIAL JUDGE MAY INSTRUCT A JURY THAT IT MAY INFER NEGLIGENCE IF AN OFFICER WEARING A BODY-WORN CAMERA FAILED TO PRODUCE VIDEO.
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Senator KIMPSON spoke on the Bill.

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

S. 590 -- Senators Malloy and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 32 TO TITLE 17 SO AS TO ENACT THE "ASSET FORFEITURE AND PRIVATE PROPERTY PROTECTION ACT".
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Senator MALLOY spoke on the Bill.

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

H. 3101 -- Reps. G. M. Smith, Hosey, Thayer, Yow, Erickson, Bradley, McCravy, W. Newton, Huggins and W. Cox: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "INTERSTATE MEDICAL LICENSURE COMPACT" BY ADDING ARTICLE 3 TO CHAPTER 47, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO A MULTISTATE PHYSICIAN LICENSURE COMPACT, TO PROVIDE FOR THE RECIPROCAL PRACTICE OF MEDICINE AMONG THE STATES THAT ARE PARTIES TO THE COMPACT, TO PROVIDE STANDARDS AND PROCEDURES APPLICABLE TO PRACTICING MEDICINE IN OTHER STATES PURSUANT TO THE COMPACT, TO PROVIDE FOR A COORDINATED LICENSURE INFORMATION SYSTEM FOR SHARING DATA AMONG COMPACT STATES, AND TO PROVIDE PROCEDURES FOR DISPUTE RESOLUTIONS, DISCIPLINARY ACTIONS, AND TERMINATION OF MEMBERSHIPS.

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

H. 3362 -- Reps. Pendarvis, Weeks, Wheeler and Gilliard: A BILL TO AMEND SECTION 56-1-1020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERM "HABITUAL OFFENDER", SO AS TO PROVIDE THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR FAILURE TO PAY A TRAFFIC TICKET SHALL NOT CONSTITUTE A CONVICTION OF AN OFFENSE THAT WOULD RESULT IN THE PERSON BEING CONSIDERED AN "HABITUAL OFFENDER".

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

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3726 -- Reps. Weeks, Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, West, Wooten, Yow, Henegan, Daning, Cogswell, Gilliard and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 17-5-135 AND 17-5-250 SO AS TO REQUIRE, AMONG OTHERS, CORONERS AND MEDICAL EXAMINERS TO COMPLETE CONTINUING

EDUCATION ON THE IDENTIFICATION OF DEATHS CAUSED BY OPIATES.

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

H. 3797 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND ROSEWOOD DRIVE IN THE CITY OF COLUMBIA "JACO'S CORNER" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

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

H. 3985 -- Reps. Lucas, G. M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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

H. 4102 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis,

Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MRS. ALADA SHINAULT SMALL FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4103 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND MR. BHAKTI LARRY HOUGH FOR HIS SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF

THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A CHARTER MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 4104 -- Reps. Jefferson, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF VICTORIA THERESA ADDISON MIDDLETON OF ST. STEPHEN AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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

H. 4110 -- Reps. Sandifer, Hosey, Bales, Bailey, Bamberg, Bennett, Blackwell, Bradley, Brown, Bryant, Calhoon, Caskey, Chellis, Cobb-Hunter, B. Cox, W. Cox, Daning, Davis, Erickson, Felder, Forrester, Funderburk, Garvin, Gilliam, Govan, Henegan, Hill, Kimmons, Ligon, Mace, McDaniel, McKnight, Moore, Morgan, Murphy, W. Newton, Norrell, Pope, Ridgeway, Rivers, Rose, G. M. Smith, G. R. Smith, Sottile, Tallon, Thayer, West, White, Whitmire, R. Williams, S. Williams, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019 AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE

SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Operations and Management polled out S. 578 favorable:

S. 578 -- Senators Shealy, Setzler and Peeler: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2019.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0:

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out H. 4041 favorable:

H. 4041 -- Reps. Ligon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson,

Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 14, 2019, HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0:

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 28, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.

Very respectfully,
Speaker of the House
Received as information.
Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., February 28, 2019
Mr. President and Senators:
The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:
H. 3849 -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.
and has ordered the Joint Resolution enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

HOUSE CONCURRENCE

S. 479 -- Senator Peeler: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE BRETT REISTAD, TO SOUTH CAROLINA AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2019.
Returned with concurrence.
Received as information.

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

CARRIED OVER

S. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE

BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

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

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. 199 -- Senators Turner and McElveen: A BILL TO AMEND SECTION 56-1-140(B) OF THE 1976 CODE, RELATING TO A VETERAN DESIGNATION ON A DRIVER'S LICENSE, TO PROVIDE THAT AN APPLICANT FOR A NEW, RENEWED, OR REPLACEMENT DRIVER'S LICENSE MAY APPLY TO THE DEPARTMENT TO OBTAIN A VETERAN DESIGNATION ON THE FRONT OF HIS DRIVER'S LICENSE BY PROVIDING A UNITED STATES DEPARTMENT OF DEFENSE DISCHARGE CERTIFICATE, A NATIONAL GUARD BUREAU REPORT OF SEPARATION AND RECORD OF SERVICE, OR A UNITED STATES DEPARTMENT OF DEFENSE HONORABLE DISCHARGE CERTIFICATE.

S. 548 -- Transportation Committee: A BILL TO AMEND SECTION 56-1-146 AND SECTION 56-1-148 OF THE 1976 CODE, RELATING TO THE DRIVER'S LICENSE OF A PERSON CONVICTED OF CERTAIN CRIMES, TO AMEND THE DEFINITION FOR A CRIME OF VIOLENCE.

ORDERED ENROLLED FOR RATIFICATION

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

H. 3798 -- Reps. Clary, Hiott, Collins and W. Cox: A BILL TO AMEND SECTION 7-7-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED, OBJECTION

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE

VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (105R003.SP.PGC), which was adopted:

Amend the bill, as and if amended, page 5, by striking lines 10 through 12 and inserting:

/ (5) 'Community cat' means a feral or friendly, free-roaming cat that is without discernable owner identification of any kind. /

Amend the bill further, as and if amended, page 6, by striking lines 13 through 14 and inserting:

/ Community cats are eligible for trap-neuter-return. /

Amend the bill further, as and if amended, page 11, by striking lines 5 through 6 and inserting:

/ (i) an animal control facility located within a county or municipality that has adopted the standards established in this article; /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

Senators CORBIN and VERDIN proposed the following amendment (105R004.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 24 through 25 and inserting:

/ to move around; or /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senators CORBIN and VERDIN proposed the following amendment (105R005.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 16 through 17 and inserting:

/ (4) the owner, handler, or caretaker has tethered a dog while engaged in lawful hunting or in training a dog for the purposes of lawful hunting; /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senators CORBIN and VERDIN proposed the following amendment (105R007.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 30 through 32 and inserting:

/ (2) for a second or subsequent offense, by imprisonment not exceeding one year, by a fine of not less than five hundred dollars and not more than one thousand dollars, or by both." /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator RICE proposed the following amendment (105R008.SP.RFR):

Amend the bill, as and if amended, page 3, by striking line 18 and inserting:

/ (3) 'Cruelly tethering' means to tether a dog in a manner that: /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

The Senate proceeded to the consideration of the Bill.

Senator RICE proposed the following amendment (JUD0397.006), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 32 through 39, in Section 61-4-280(B), as contained in SECTION 1, and inserting therein the following:

/ (B) In counties with a population in excess of one hundred thousand residents, according to the latest official United States Decennial Census, a county sheriff has the power of a constable to enforce the provisions of Sections 61-4-50 through 61-4-160 and Section 61-4-230 in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State." /

Amend the bill further, as and if amended, page 2, by striking lines 9 through 16, in Section 61-6-4510(B), as contained in SECTION 2, and inserting therein the following:

/ <u>(B) In counties with a population in excess of one hundred thousand residents, according to the latest official United States</u>

Decennial Census, a county sheriff has the power of a constable to enforce the provisions of this article, except Section 61-6-4720, in cases arising within the county limits, including within municipal limits; and in addition, has all powers to enforce these provisions as he has to enforce county ordinances. When in fresh and continuous pursuit of a suspect for violations of these provisions occurring within the county limits, a county sheriff may follow and arrest the suspect anywhere in the State." /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senator MALLOY spoke on the Bill.

The question then being the second reading of the Bill.

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

Ayes 39; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Gambrell
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Malloy

Total--1

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

CARRIED OVER

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

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

OBJECTION

S. 18 -- Senators Hutto, Young and Climer: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO

OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES;

AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM."

The Senate proceeded to the consideration of the Bill.

Senator CLIMER explained the Bill.

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

READ THE SECOND TIME

S. 362 -- Senators Verdin, Reese, McElveen and Rice: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the 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 37; Nays 2

AYES

Alexander	Allen	Campbell
Climer	Corbin	Cromer
Gambrell	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson

Leatherman	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Bennett	Cash

Total--2

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

OBJECTION

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

Senator M.B. MATTHEWS objected to consideration of the Bill.

OBJECTION

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON

ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

Senator M.B. MATTHEWS objected to consideration of the Bill.

CARRIED OVER

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF

CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

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

CARRIED OVER

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

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

POINT OF ORDER

S. 359 -- Senators Gambrell and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL

ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tracy E. Richards, 107 Lewis Lane, Laurens, SC 29360-2257 *VICE* Tommy Copeland

Motion Adopted

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

ADJOURNMENT

At 12:53 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, March 1, 2019
(Local 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 ACTING PRESIDENT, Senator McLEOD.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 298 Sen. Johnson
S. 585 Sen. Kimpson

ADJOURNMENT

At 11:03 A.M., on motion of Senator SETZLER, the Senate adjourned to meet next Tuesday, March 5, 2019, at 2:00 P.M.

* * *

Tuesday, March 5, 2019
(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:

Matthew 6:26

"Look at the birds of the air; they neither sow nor reap nor gather into barns, and yet your heavenly father feeds them. Are you not of more value than they?"

Let us pray. Almighty God, Creator of the heavens and earth and all that is in them. Help us to remember that no concern is too small for Your healing hand and no crisis is too large to preclude Your solution. Through Your Word, we know that You will go before us, Lord, to show us the way, behind us to press us forward, beside us to give us courage, above us to protect us, and within us to give us wisdom and discernment. For there is nothing that can separate us from Your power in our lives. In Your loving name we pray, Amen.

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

Point of Quorum

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

Call of the Senate

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

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hutto
Martin	Massey	McElveen
Peeler	Rankin	Rice
Sabb	Setzler	Shealy

Sheheen	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

COMMUNICATION

March 4, 2019

Senator Harvey S. Peeler, Jr.
Senate President
213 Gressette Building
Columbia, SC 29201

Dear Senator Peeler,

On behalf of the S.C. Conservation Bank Board, I respectfully request that the Senate confirmation of Mr. Michael Pitts as executive director be withdrawn in accordance with his notification to us per the attached email letter dated March 4, 2019.

It is regrettable that he is suffering from health issues and has decided it is in his best interest to take this action. We certainly understand his decision and pray for a continued and complete recovery.

Please do not hesitate to contact me or the office with any questions you may have.

Sincerely,
C. Douglass Harper
Chairman, S.C. Conservation Bank

Statewide Appointment Withdrawn

Initial Appointment, Executive Director of the South Carolina Conservation Bank, to serve at the pleasure of the Conservation Bank Board:

Michael A. Pitts, 372 Bucks Point Road, Laurens, SC 29360

Doctor of the Day

Senator RICE introduced Dr. Larry Winn of Easley, S.C., Doctor of the Day.

TUESDAY, MARCH 5, 2019

Leave of Absence

On motion of Senator McLEOD, at 2:35 P.M., Senator M.B. MATTHEWS was granted a leave of absence for today.

Leave of Absence

At 4:03 P.M., Senator GREGORY requested a leave of absence for Wednesday, March 6, 2019 and Thursday, March 7, 2019.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 18 Sen. Davis
S. 32 Sen. Talley
S. 332 Sen. J. Matthews
S. 359 Sens. Senn, Grooms, Cromer and Scott
S. 448 Sen. Scott
S. 507 Sen. Shealy
S. 508 Sen. Shealy
S. 510 Sen. Shealy
S. 511 Sen. Shealy
S. 585 Sens. J. Matthews, Turner, Talley, Reese and Shealy

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 492 Sen. Scott
S. 563 Sen. Senn

RECALLED

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

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

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 476 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 391 IN SALUDA COUNTY OVER THE LITTLE SALUDA RIVER AT MILE MARKER 9.30 "CORPORAL DALE HALLMAN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 591 -- Senator Massey: A BILL TO AMEND SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50 OF THE 1976 CODE, ALL RELATING TO THE CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT, AND TO MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Judiciary.

S. 592 -- Senator Turner: A BILL TO AMEND SECTION 38-77-720(a) AND (b) OF THE 1976 CODE, RELATING TO THE NUMBER, QUALIFICATIONS, AND COMPENSATION OF ARBITRATORS IN PROPERTY DAMAGE LIABILITY CLAIMS ARISING OUT OF MOTOR VEHICLE COLLISIONS OR ACCIDENTS, TO REDUCE THE NUMBER OF REQUIRED ARBITRATORS FROM THREE TO ONE, AND TO PROVIDE THAT

ARBITRATORS SHALL RECEIVE THE SAME FEE AS COURT-APPOINTED MEDIATORS AND ARBITRATORS.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 593 -- Senator Shealy: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.
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Read the first time and referred to the Committee on Transportation.

S. 594 -- Senator Shealy: A BILL TO AMEND SECTION 4-37-10 OF THE 1976 CODE, RELATING TO THE TRANSPORTATION AUTHORITY, SECTION 4-37-25 OF THE 1976 CODE, RELATING TO PROCUREMENT METHODS AND REQUIREMENTS, AND SECTION 4-37-30 OF THE 1976 CODE, RELATING TO SALES AND USE TAXES OR TOLLS AS REVENUE FOR TRANSPORTATION FACILITIES, TO PROVIDE FOR THE FUNDING OF TRANSPORTATION SERVICES; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 595 -- Senator Shealy: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU

OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 596 -- Senator Scott: A SENATE RESOLUTION TO CONGRATULATE ECCLESIA CHURCH OF GOD IN CHRIST OF COLUMBIA UPON THE OCCASION OF ITS THIRTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS HERITAGE IN COLUMBIA, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 597 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JAVON HARGRAVE FOR HIS ILLUSTRIOUS CAREER AS A DEFENSIVE LINEMAN WITH THE PITTSBURGH STEELERS.

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The Senate Resolution was adopted.

S. 598 -- Senators Martin, Peeler and Cromer: A SENATE RESOLUTION TO CONGRATULATE SOUTHSIDE FIRE DEPARTMENT UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE FIRE DEPARTMENT FOR ITS DEEP HERITAGE IN UNION COUNTY, AND TO COMMEND THE DEPARTMENT'S CHIEF AND FIREFIGHTERS FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 599 -- Senator Martin: A SENATE RESOLUTION TO CONGRATULATE AND HONOR ADOM APPIAH FOR RECEIVING A PRUDENTIAL SPIRIT OF COMMUNITY AWARD; TO RECOGNIZE HIS OUTSTANDING RECORD OF VOLUNTEER SERVICE, PEER LEADERSHIP, AND COMMUNITY SPIRIT; AND TO EXTEND BEST WISHES FOR HIS CONTINUED SUCCESS AND HAPPINESS.
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The Senate Resolution was adopted.

S. 600 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND RECOGNIZE DARIUS LEONARD FOR HIS ILLUSTRIOUS CAREER AS A LINEBACKER WITH THE INDIANAPOLIS COLTS.
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The Senate Resolution was adopted.

S. 601 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 602 -- Senator J. Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PASTOR GARY DEXTER MILLER UPON THE OCCASION OF HIS INSTALLATION AS PASTOR AT ANTIOCH BAPTIST CHURCH OF BOWMAN AND TO WISH HIM

GOD'S RICHEST BLESSINGS AS HE MINISTERS TO HIS CONGREGATION AND COMMUNITY IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 603 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 18 AND THURSDAY, NOVEMBER 21 AND FRIDAY, NOVEMBER 22, 2019. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.
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The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 604 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JOHN PEOPLES OF BLAIR AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 605 -- Senator Malloy: A BILL TO AMEND CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES INVOLVING WEAPONS BY ADDING ARTICLE 9, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, OR UNTIL AT LEAST TEN BUSINESS DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK, A SECOND APPLICATION HAS BEEN SUBMITTED, AND ANOTHER TEN BUSINESS DAYS HAVE

PASSED; AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.
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Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 606 -- Senator Malloy: A BILL TO AMEND CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES INVOLVING WEAPONS, BY ADDING ARTICLE 2, TO REQUIRE THAT ANY FIREARM TRANSFER MUST BE PRECEDED BY A CRIMINAL BACKGROUND CHECK PERFORMED BY A LICENSED FIREARM DEALER WITH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM, AND TO PROVIDE FOR EXCEPTIONS, NOTICE, AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.
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Read the first time and referred to the Committee on Judiciary.

S. 607 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

S. 608 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE ELIZABETH DICKERSON BRANHAM ON HER NEW ROLE AS PRESIDENT OF THE NATIONAL SCHOOL BOARDS ASSOCIATION AND TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE TO THE STUDENTS OF THIS STATE AND NATION.
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The Senate Resolution was adopted.

S. 609 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-320 SO AS TO ESTABLISH AN "ADVISORY COUNCIL ON PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME (PANS) AND PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDER ASSOCIATED WITH STREPTOCOCCAL INFECTIONS (PANDAS)"; TO PROVIDE FOR MEMBERSHIP, DUTIES, AND REPORTING REQUIREMENTS OF THE ADVISORY COUNCIL; TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPOINT CERTAIN MEMBERS AND TO PROVIDE STAFF SUPPORT; AND FOR OTHER PURPOSES.
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Read the first time and referred to the Committee on Medical Affairs.

S. 610 -- Senator Malloy: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.
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Read the first time and referred to the Committee on Judiciary.

S. 611 -- Senator Scott: A BILL TO AMEND SECTION 4-37-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF COUNTY TRANSPORTATION AUTHORITIES, SO AS TO PROVIDE THAT FOR THE PURPOSES OF CHAPTER 37, TITLE 4, THE TERM "SERVICES" MEANS TRANSPORTATION SERVICES SUCH AS MASS TRANSIT SYSTEMS; TO AMEND SECTION 4-37-25, RELATING TO TRANSPORTATION AUTHORITY PROCUREMENT METHODS AND REQUIREMENTS, SO AS TO PROVIDE THAT TRANSPORTATION AUTHORITIES OR CONTRACTING ENTITIES SHALL APPLY THE SAME PROCUREMENT METHODS AND REQUIREMENTS WHEN PROCURING OR CONTRACTING FOR SERVICES AND THE OPERATION OF TRANSPORTATION SERVICES; TO AMEND SECTION 4-37-30, RELATING TO THE IMPOSITION OF SALES AND USE TAXES OR TOLLS TO FINANCE TRANSPORTATION FACILITIES PROJECTS WITHIN A COUNTY, SO AS TO PROVIDE THAT SALES AND USE

TAXES OR TOLLS ALSO MAY BE USED TO FINANCE TRANSPORTATION SERVICES.
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Read the first time and referred to the Committee on Judiciary.

S. 612 -- Senator Scott: A BILL TO AMEND SECTION 57-25-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ISSUANCE OF PERMITS THAT ALLOW THE INSTALLATION AND MAINTENANCE OF BENCHES UPON WHICH COMMERCIAL ADVERTISEMENTS MAY BE PLACED, SO AS TO PROVIDE THAT THE PERMITS MUST BE RENEWED ANNUALLY INSTEAD OF TERMINATED ON JULY 1, 2010.
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Read the first time and referred to the Committee on Transportation.

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.
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Read the first time and referred to the Committee on Education.

S. 614 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LEGACY EARLY COLLEGE HIGH SCHOOL NATIONAL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM

FOR WINNING THE 2019 USA PREP NATIONAL TOURNAMENT CHAMPIONSHIP TITLE.
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The Senate Resolution was adopted.

H. 3237 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-18-75 SO AS TO PROHIBIT A PRIVATE INVESTIGATION BUSINESS FROM KNOWINGLY REPRESENTING MULTIPLE PARTIES WITH OPPOSING INTERESTS IN CIVIL OR CRIMINAL MATTERS AND TO PROVIDE PENALTIES.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Read the first time and referred to the Committee on Judiciary.

H. 3819 -- Reps. Gagnon and West: A BILL TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

Read the first time and, on motion of Senator GAMBRELL, with unanimous consent, the Bill was referred to the Committee on Education.

H. 4120 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF OCCUPATIONAL THERAPY, RELATING TO REACTIVATION OF INACTIVE OR LAPSED LICENSES; AND CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4854, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4121 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO REQUIREMENTS TO TAKE STEP 3 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4853, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4144 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2019 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4146 -- Reps. Wheeler, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell,

Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR GOOD SAMARITANS FOR ALL PEOPLE INC. ON THE OCCASION OF THE ORGANIZATION'S TWENTY-FIFTH ANNIVERSARY, TO COMMEND ITS FINE STAFF AND VOLUNTEERS ON AN IMPRESSIVE MINISTRY IN THIS GREAT STATE, AND TO EXTEND BEST WISHES FOR GOD'S RICHEST BLESSINGS AS THEY CONTINUE TO SERVE THE LORD.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs polled out S. 31 favorable:

S. 31 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2019, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY, ANNUALLY, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH MYALGIC ENCEPHALOMYELITIS.

Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0

AYES

Verdin	Jackson	Hutto

Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	Kimpson
Margie Matthews	Gambrell	Senn
Cash		

Total--16

NAYS

Total--0

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 259 -- Senators Goldfinch, Campsen and Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 532 favorable:

S. 532 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 2019 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA IN ORDER TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

TUESDAY, MARCH 5, 2019

Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0

AYES

Verdin	Jackson	Hutto
Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	Kimpson
Margie Matthews	Gambrell	Senn
Cash		

Total--16

NAYS

Total--0

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

Ordered for consideration tomorrow.

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. 191 -- Senators Shealy and Climer: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

S. 362 -- Senators Verdin, Reese, McElveen, Rice and Johnson: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

AMENDED, READ THE SECOND TIME

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE

QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (455R002.KMM.CBH), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 40-1-630(A) of the 1976 Code is amended to read:

"Section 40-1-630. (A) A board or commission that regulates the licensure of a profession or occupation under Title 40 ~~may~~ shall issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member. Nothing in this section should be construed as requiring a board or commission to grant licensure to the spouse of an active duty member of the United States Armed Forces absent evidence that all state law requirements for licensure have been met." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the Bill.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator TALLEY proposed the following amendment (455R003.SP.SFT), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/ SECTION __. Section 40-33-20(19)(a) of the 1976 Code is amended to read:

"(a) has successfully completed an advanced, organized formal CRNA education program at a minimum of the master's level accredited by the national accrediting organization of this specialty area and that is recognized by the board;"

SECTION __. Section 40-33-34(A)(3)(b) of the 1976 Code is amended to read:

"(b) graduated before December 31, 2003, from an advanced, organized formal education program for nurse anesthetists accredited by the national accrediting organization of that specialty. CRNAs who graduate after December 31, 2003, must graduate with a minimum of a master's degree from a formal CRNA education program for nurse anesthetists accredited by the national accreditation organization of the CRNA specialty. An advanced practice registered nurse must achieve and maintain national certification, as recognized by the board, in an advanced practice registered nursing specialty;" /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, OBJECTION

S. 18 -- Senators Hutto, Young, Climer and Davis: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE

RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD0018.002), which was adopted:

Amend the bill, as and if amended, page 37, by striking lines 28 and 29, and inserting therein the following:

/ SECTION 10. (A) Sections 56-5-2941(J), 56-5-2941(Q)(1), and 56-5-2941(R), as amended by this act, take effect upon approval by the Governor.

(B) Except as otherwise provided, this act takes effect one year after the date approved by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the Bill.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (18R001.KMM.TDC):

Amend the bill, as and if amended, page 17, by striking line 4 and inserting:

/ vehicle the person drives, except a moped or motorcycle, an ignition interlock /

Amend the bill further, as and if amended, page 17, by striking line 28 and inserting:

/ the person drives, except a moped or motorcycle. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

Senator HUTTO spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 4; Nays 38

AYES

Fanning	Malloy	Nicholson
Williams		

Total--4

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Martin
Massey	*Matthews, John*	McElveen

Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

The Senate refused to lay the amendment on the table.

Senator MALLOY objected to further consideration of the Bill.

READ THE SECOND TIME

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM."

The Senate proceeded to the 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 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW

WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER proposed the following amendment (277R002.SP.WC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Amend the bill further, as and if amended, page 4, by striking lines 30 through 40 and inserting:

/ (5) A person licensed by the State under this title or any other provision of law whose scope of practice overlaps with the practice of speech-language pathology or audiology ~~is not also required to be licensed under this chapter~~ unless the person holds himself out to be a practitioner of speech-language pathology or audiology.

(6) An educator certified by the State Board of Education, including an educator certified as a speech-language therapist who is not licensed as a speech-language pathologist and does not hold a certificate of clinical competence in speech-language pathology credential from the American Speech-Language-Hearing Association." /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--41

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. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET

CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

The Senate proceeded to the consideration of the Bill.

The Banking and Insurance Committee proposed the following amendment (CZ\359C001.JN.CZ19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 71, Title 38 of the 1976 Code is amended by adding:

"Article 21

Pharmacy Benefits Managers

Section 38-71-2200. As used in this article:

(1) 'Claim' means a request from a pharmacy or pharmacist to be reimbursed for the cost of administering, filling or refilling a prescription for a drug or for providing a medical supply or device.

(2) 'Claims processing services' means the administrative services performed in connection with the processing and adjudicating of claims relating to pharmacist services that include:

(a) receiving payments for pharmacist services;

(b) making payments to pharmacists or pharmacies for pharmacist services; or

(c) both receiving and making payments.

(3) 'Health benefit plan' means any individual, blanket, or group plan, policy, or contract for health care services issued or delivered by a health care insurer in this State as defined in Section 38-71-670(6) and 38-71-840(14), including the state health plan as defined in Section 1-11-710. Notwithstanding this section, the state health plan is not subject to the provisions of this title unless specifically referenced.

(4) 'Health care insurer' means an entity that provides health insurance coverage in this State as defined in Section 38-71-670(7) and Section 38-71-840(16).

(5) 'Maximum Allowable Cost List' means a listing of generic drugs used by a pharmacy benefits manager to set the maximum allowable cost at which reimbursement to a pharmacy or pharmacist may be made.

(6) 'Other prescription drug or device services' means services other than claims processing services, provided directly or indirectly by a pharmacy benefits manager, whether in connection with or separate from claims

processing services, including without limitation:

(a) negotiating rebates, discounts, or other financial incentives and arrangements with drug companies;

(b) disbursing or distributing rebates;

(c) managing or participating in incentive programs or arrangements for pharmacist services;

(d) negotiating or entering into contractual arrangements with pharmacists or pharmacies, or both;

(e) developing formularies;

(f) designing prescription benefit programs; or

(g) advertising or promoting services.

(7) 'Pharmacist' has the same meaning as provided in Section 40-43-30(65).

(8) 'Pharmacist services' means products, goods, and services, or any combination of products, goods, and services, provided as a part of the practice of pharmacy.

(9) 'Pharmacy' has the same meaning as provided in Section 40-43-30(67).

(10) 'Pharmacy benefits manager' means an entity that contracts with pharmacists or pharmacies on behalf of an insurer, third party administrator, or the South Carolina Public Employee Benefit Authority to:

(a) process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(b) pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(c) negotiate rebates with manufacturers for drugs paid for or procured as described in this article.

(11) 'Pharmacy benefits manager affiliate' means a pharmacy or pharmacist that directly or indirectly, through one or more

intermediaries, owns or controls, is owned or controlled by, or is under common ownership or control with a pharmacy benefits manager.

Section 38-71-2210. (A)(1) A person or organization may not establish or operate as a pharmacy benefits manager in this State for health benefit plans without obtaining a license from the Director of the Department of Insurance.

(2) The director shall prescribe the application for a license to operate in this State as a pharmacy benefits manager and may charge an initial application fee of one thousand dollars and an annual renewal fee of five hundred dollars, provided the pharmacy benefits manager application form must collect the following information:

(a) the name, address, and telephone contact number of the pharmacy benefits manager;

(b) the name and address of the pharmacy benefits manager's agent for service of process in the State;

(c) the name and address of each person with management or control over the pharmacy benefits manager;

(d) the name and address of each person with a beneficial ownership interest in the pharmacy benefits manager;

(e) a signed statement indicating that, to the best of their knowledge, no officer with management or control of the pharmacy benefit manager has been convicted of a felony or has violated any of the requirements of state law applicable to pharmacy benefits managers, or, if the applicant cannot provide such a statement, a signed statement describing the relevant conviction or violation; and

(f) in the case of a pharmacy benefits manager applicant that is a partnership or other unincorporated association, limited liability company, or corporation, and has five or more partners, members, or stockholders:

(i) the applicant shall specify its legal structure and the total number of its partners, members, or stockholders who, directly or indirectly, own, control, hold with the power to vote, or hold proxies representing ten percent or more of the voting securities of any other person; and

(ii) the applicant shall agree that, upon request by the department, it shall furnish the department with information regarding the name, address, usual occupation, and professional qualifications of any other partners, members, or stockholders who, directly or indirectly, own, control, hold with the power to vote, or hold proxies representing ten percent or more of the voting securities of any other person.

(3) An applicant or a pharmacy benefits manager that is licensed to conduct business in the State shall, unless otherwise provided for in this chapter, file a notice describing any material modification of this information.

(B) The director may promulgate regulations establishing the licensing and reporting requirements of pharmacy benefits managers consistent with the provisions of this article.

(C) The fees and penalties assessed pursuant to this article must be retained by the department for the administration of this chapter.

Section 38-71-2220. (A) In any participation contracts between pharmacy benefits managers and pharmacists or pharmacies providing prescription drug coverage for health benefit plans, no pharmacy or pharmacist may be prohibited, restricted, or penalized in any way from disclosing to any covered person any health care information that the pharmacy or pharmacist deems appropriate within their scope of practice.

(B) A pharmacy or pharmacist must not be proscribed by a pharmacy benefits manager from discussing information regarding the total cost for pharmacist services for a prescription drug or from selling a more affordable alternative to the insured if a more affordable alternative is available, but a pharmacy benefits manager may proscribe a pharmacy or pharmacist from sharing proprietary or confidential information.

(C) A pharmacy benefits manager contract with a participating pharmacist or pharmacy may not prohibit, restrict, or limit disclosure of information to the director investigating or examining a complaint or conducting a review of a pharmacy benefits manager's compliance with the requirements pursuant to this act. The information or data acquired during an examination or review pursuant to this section is considered proprietary and confidential and is not subject to the South Carolina Freedom of Information Act.

Section 38-71-2230. (A) A pharmacy benefits manager or representative of a pharmacy benefits manager shall not:

(1) cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading;

(2) charge a pharmacist or pharmacy a fee related to the adjudication of a claim other than a reasonable fee for the receipt and processing of a pharmacy claim;

(3) engage, with the express intent or purpose of driving out competition or financially injuring competitors, in a pattern or practice of reimbursing independent pharmacies or pharmacists in this State

consistently less than the amount that the pharmacy benefits manager reimburses a pharmacy benefits manager affiliate for providing the same pharmacist services;

(4) collect or require a pharmacy or pharmacist to collect from an insured a copayment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) the contracted copayment amount;

(b) the amount an individual would pay for a prescription drug if that individual was paying cash; or

(c) the contracted amount for the drug.

(5) require the use of mail order for filling prescriptions unless required to do so by the health benefit plan or the health benefit plan design;

(6) charge a fee related to the adjudication of a claim without providing the cause for each adjustment or fee;

(7) penalize or retaliate against a pharmacist or pharmacy for exercising rights provided pursuant to the provisions of this chapter;

(8) prohibit a pharmacist or pharmacy from offering and providing direct and limited delivery services including incidental mailing services, to an insured as an ancillary service of the pharmacy; or

(9) any combination thereof.

(B) A claim for pharmacist services may not be retroactively denied or reduced after adjudication of the claim unless the:

(1) original claim was submitted fraudulently;

(2) original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the pharmacist services;

(3) pharmacist services were not properly rendered by the pharmacy or pharmacist; or

(4) adjustment was agreed upon by the pharmacy prior to the denial or reduction.

(C) This subsection may not be construed to limit overpayment recovery efforts as set forth in Section 38-59-250.

A pharmacy may not be subject to a charge-back or recoupment for a clerical or recordkeeping error in a required document or record, including a typographical or computer error, unless the error resulted in overpayment to the pharmacy.

(D) Termination of a pharmacy or pharmacist from a pharmacy benefits manager network does not release the pharmacy benefits manager from the obligation to make any payment due to the pharmacy or pharmacist for pharmacist services properly rendered according to the contract.

(E) A pharmacy benefits manager may maintain more than one network for different pharmacy services. Each individual network may require different pharmacy accreditation standards or certification requirements for participating in the network provided that the pharmacy accreditation standards or certification requirements are applied without regard to a pharmacy's or pharmacist's status as an independent pharmacy or pharmacy benefits manager affiliate. Each individual pharmacy location as identified by its National Council for Prescription Drug Program identification number may have access to more than one network so long as the pharmacy location meets the pharmacy accreditation standards or certification requirements of each network.

(F) Nothing in this article abridges the right of a pharmacist to refuse to fill or refill a prescription as referenced in Section 40-43-86(E)(6) of the South Carolina Pharmacy Practice Act.

(G) Nothing in this article may be construed to require a pharmacy benefits manager to allow participation in a network that would not be required by Section 38-71-147.

Section 38-71-2240. (A) Before a pharmacy benefits manager places or continues to place a particular drug on a Maximum Allowable Cost List, the drug must:

(1) be listed as 'A' or 'B' rated in the most recent version of the Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations, also known as the Orange Book, or has an 'NR' or 'NA' rating, or a similar rating, by a nationally recognized reference;

(2) be available for purchase in the state from national or regional wholesalers operating in this State; and

(3) not be obsolete.

(B) A pharmacy benefits manager shall:

(1) provide a process for network pharmacy providers to readily access the maximum allowable cost specific to that provider;

(2) update its Maximum Allowable Cost List at least once every seven calendar days;

(3) provide a process for each pharmacy subject to the Maximum Allowable Cost List to access any updates to the Maximum Allowable Cost List;

(4) ensure that dispensing fees are not included in the calculation of maximum allowable cost; and

(5) establish a reasonable administrative appeal procedure by which a contracted pharmacy can appeal the provider's reimbursement for a drug subject to maximum allowable cost pricing if the

reimbursement for the drug is less than the net amount that the network provider paid to the suppliers of the drug. The reasonable administrative appeal procedure must include:

(a) a dedicated telephone number and email address or website for the purpose of submitting administrative appeals;

(b) the ability to submit an administrative appeal directly to the pharmacy benefits manager regarding the pharmacy benefits plan or program or through a pharmacy service administrative organization if the pharmacy service administrative organization has a contract with the pharmacy benefits manager that allows for the submission of such appeals.

(C) A pharmacy must be allowed no less than ten calendar days after the applicable fill date to file an administrative appeal.

(D) If an appeal is initiated, the pharmacy benefits manager shall within ten calendar days after receipt of notice of the appeal either:

(1) if the appeal is upheld:

(a) notify the pharmacy or pharmacist or his designee of the decision;

(b) make the change in the maximum allowable cost effective as of the date the appeal is resolved;

(c) permit the appealing pharmacy or pharmacist to reverse and rebill the claim in question; and

(d) make the change effective for each similarly situated pharmacy as defined by the payor subject to the Maximum Allowable Cost List effective as of the date the appeal is resolved; or

(2) if the appeal is denied, provide the appealing pharmacy or pharmacist the reason for the denial, the National Drug Code number, and the name of the national or regional pharmaceutical wholesalers operating in this State.

(E) The provisions of this section:

(1) do not apply to the Maximum Allowable Cost List maintained by the State Medicaid Program, the Medicaid managed care organizations under contract with the South Carolina Department of Health and Human Services or the South Carolina Public Employee Benefit Authority; and

(2) apply to the pharmacy benefits manager employed by the South Carolina Public Employee Benefit Authority if, at any time, the South Carolina Public Employee Benefit Authority engages the services of a pharmacy benefits manager to maintain the Maximum Allowable Cost List.

Section 38-71-2250. (A) The director shall enforce this article.

(B)(1) The director may examine or audit the books and records of a pharmacy benefits manager providing claims processing services or other prescription drug or device services for a health benefit plan that are relevant to determining if the pharmacy benefits manager is in compliance with this act. The pharmacy benefits manager shall pay the charges incurred in the examination, including the expenses of the director or his designee and the expenses and compensation of his examiners and assistants. The director or his designee promptly shall institute a civil action to recover the expenses of examination against a pharmacy benefits manager which refuses or fails to pay.

(2) The information or data acquired during an examination pursuant to this section is considered proprietary and confidential and is not subject to the South Carolina Freedom of Information Act.

(C) Violations of this article are subject to the penalties provided in Sections 38-2-10 through 38-2-30.

(D) The director may promulgate regulations regarding pharmacy benefits managers that are not inconsistent with this article.

Section 38-71-2260. (A) Nothing in this act is intended or may be construed to be in conflict with existing relevant federal law.

(B) This article does not apply to the South Carolina Department of Health and Human Services in the performance of its duties in administering Medicaid under Titles XIX and XXI of the Social Security Act or to the Medicaid managed care organizations under contract with the South Carolina Department of Health and Human Services." /

Amend the bill further, by striking SECTION 6 and inserting:

/ SECTION 6. Except where otherwise provided, this act takes effect on January 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

Senator CROMER explained the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

ADOPTED

S. 578 -- Senators Shealy, Setzler and Peeler: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2019.

The Resolution was adopted, ordered sent to the House.

ADOPTED

H. 4041 -- Reps. Ligon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott,

Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 14, 2019, HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 18 -- Senators Hutto, Young, Climer and Davis: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND

ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE

AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY moved that the Bill be made a Special Order.

Senator MALLOY argued in opposition of the motion.

The question then was the motion to make the Bill a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 8

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Leatherman	Martin
Massey	McElveen	Nicholson
Peeler	Rankin	Reese
Rice	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	Fanning	Kimpson
Malloy	*Matthews, John*	McLeod
Sabb	Scott	

Total--8

The Bill was made a Special Order.

MOTION ADOPTED

At 3:58 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 80 -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTION 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator SHEHEEN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--39

NAYS

Total--0

On motion of Senator SHEHEEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, March 6, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 37:5-6

"Commit your way to the Lord; trust in him, and he will act. He will make your vindication shine like the light, and the justice of your cause like the noonday."

Let us pray. Almighty God, source of all power, we praise You that You have entrusted Your power to these Senators so that they may lead and govern fairly and effectively.

Keep them fully aware that they hold power with Your permission and for Your purposes. May this power always be tempered with humility, compassion and thankful hearts that praise You.

Help them, each day Lord, to make a difference because of the difference You have made in them. Through the power of Your Holy Spirit we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Goldfinch
Grooms	Harpootlian	Hembree
Leatherman	Massey	McElveen
Peeler	Rankin	Reese

Rice	Sabb	Scott
Setzler	Turner	Williams

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Dominic Owens, 2757 Crepe Myrtle Road, Florence, SC 29505-7025
VICE Sandra M. Grimsley

Initial Appointment, Florence County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Holly Huggins Wall, 545 Persimmon Ford Road, Johnsonville, SC 29555-6704
VICE Roger N. Langley

Doctor of the Day

Senator NICHOLSON introduced Dr. Bryan Green of Greenwood, S.C., Doctor of the Day.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 298 Sens. Turner and Alexander
S. 332 Sen. Nicholson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 615 -- Senator Campbell: A SENATE RESOLUTION TO RECOGNIZE TUESDAY, MARCH 12, 2019, AS "4-H DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

S. 616 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" IN HONOR OF THE IMPORTANT SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.
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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 617 -- Senator Senn: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ALEXANDER CLARKE "SANDY" PEABODY AND TO CONGRATULATE HIM FOR BEING NAMED THE 2018-2019 SURVEYOR OF THE YEAR.
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The Senate Resolution was adopted.

S. 618 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE TWENTY-FIFTH ANNIVERSARY OF THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION AS A STATE AGENCY AND TO COMMEND DIRECTOR EMILY H. FARR, THE AGENCY'S EMPLOYEES, AND ALL FORMER AGENCY LEADERS AND PUBLIC SERVANTS WHO HAVE CONTRIBUTED TO THE AGENCY'S SUCCESSES.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 619 -- Senators Harpootlian and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-105 SO AS TO PROVIDE THAT AFTER JULY 1, 2019, A MEMBER OF THE GENERAL ASSEMBLY, OR AN IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY, MAY NOT APPLY FOR OR BE AWARDED A JOB WITH THE STATE IF THE JOB IS FUNDED IN WHOLE OR IN PART BY A STATE APPROPRIATION AND IS SUBJECT TO APPROVAL UPON THE ADVICE AND CONSENT OF THE SENATE, AND THAT THIS PROHIBITION APPLIES UNTIL A MEMBER OF THE GENERAL ASSEMBLY CEASES TO BE A

MEMBER OF THE GENERAL ASSEMBLY FOR A PERIOD OF AT LEAST ONE YEAR.
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Read the first time and referred to the Committee on Finance.

S. 620 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, BY AMENDING SECTION 58-37-40 TO REQUIRE ELECTRICAL UTILITIES, ELECTRIC COOPERATIVES, MUNICIPALLY-OWNED ELECTRIC UTILITIES AND THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO EACH SUBMIT AN INTEGRATED RESOURCE PLAN AT LEAST EVERY THREE YEARS, TO ESTABLISH REQUIREMENTS FOR AN INTEGRATED RESOURCE PLAN, AND TO REQUIRE ELECTRICAL UTILITIES TO SUBMIT ANNUAL UPDATES TO THEIR INTEGRATED RESOURCE PLANS.
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Read the first time and referred to the Committee on Judiciary.

S. 621 -- Senators Setzler, Campbell, Corbin and Williams: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.
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Read the first time and referred to the Committee on Finance.

S. 622 -- Senator Campbell: A BILL TO AMEND CHAPTER 7, TITLE 56 OF THE 1976 CODE, RELATING TO TRAFFIC TICKETS, BY ADDING SECTION 56-7-25, TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY BY ORDINANCE MAY INSTITUTE AN ASSESSMENT FEE FOR THE FUNDING OF TRAFFIC AND OTHER CITATIONS ISSUED ELECTRONICALLY BY LAW ENFORCEMENT OFFICERS OF THAT JURISDICTION, AND TO PROVIDE FOR THE DISTRIBUTION OF THE ELECTRONIC CITATION FEES.
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Read the first time and referred to the Committee on Transportation.

S. 623 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 25 THROUGH MARCH 3, 2019, AS "EATING DISORDERS AWARENESS WEEK" IN THE STATE OF SOUTH CAROLINA, TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK, AND TO RECOGNIZE FRIDAY, MARCH 1, 2019, AS "EATING DISORDERS AWARENESS DAY" IN SOUTH CAROLINA.
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 624 -- Senator Williams: A SENATE RESOLUTION TO PROCLAIM WEDNESDAY, MARCH 20, 2019, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE PALMETTO STATE.
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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 625 -- Senators Hutto, Jackson and Shealy: A SENATE RESOLUTION TO RECOGNIZE MARCH 4 THROUGH 8, 2019, AS "SCHOOL BREAKFAST WEEK" IN SOUTH CAROLINA.
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The Senate Resolution was adopted.

H. 3029 -- Reps. Fry, B. Newton, Crawford and Clemmons: A BILL TO AMEND SECTION 7-17-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEES TO HEAR CERTAIN PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEES ALSO TO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS AND LESS THAN COUNTY OFFICERS; AND TO REPEAL SECTIONS 7-17-530, 7-17-540, AND 7-17-550 RELATING TO HEARINGS BY COUNTY EXECUTIVE COMMITTEES AND APPEALS FROM DECISIONS OF COUNTY EXECUTIVE COMMITTEES.

Read the first time and referred to the Committee on Judiciary.

H. 3294 -- Reps. Crawford, McCravy, Huggins, Burns, V. S. Moss, Long, G. R. Smith, Trantham, Fry, Norrell, Erickson and Clemmons: A BILL TO AMEND SECTION 63-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF INFANTS AT DESIGNATED LOCATIONS WITHOUT CRIMINAL LIABILITY, SO AS TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN AND TO CHANGE THE DEFINITION OF "INFANT".

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3417 -- Reps. Tallon, Wooten, W. Newton, Fry, R. Williams, Clemmons and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE STATE LAW ENFORCEMENT DIVISION; TO REPEAL SECTION 23-6-60 RELATING TO THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT ESTABLISHED WITHIN THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER ALL THE ASSOCIATED EMPLOYEES, AUTHORIZED APPROPRIATIONS, ASSETS, AND LIABILITIES.

Read the first time and referred to the Committee on Judiciary.

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Read the first time and referred to the Committee on Judiciary.

H. 4111 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION ADVISORY COMMITTEE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4864, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

Appointment Reported

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2015, and to expire February 13, 2020

At-Large:

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909 *VICE* Cary Daniel Adams

Received as information.

HOUSE CONCURRENCE

S. 402 -- Senator Gregory: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF SOUTH CAROLINA HIGHWAY 5 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 521 TO THE CATAWBA RIVER IN LANCASTER COUNTY "DENNIS C. STRAIGHT MEMORIAL HIGHWAY" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

On motion of Senator ALEXANDER, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 79 -- Senators Sheheen and Climer: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF “CHILD ABUSE OR NEGLECT” OR “HARM”.

WEDNESDAY, MARCH 6, 2019

Point of Quorum

At 12:18 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Kimpson	Leatherman
Massey	McElveen	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Turner	Williams	Young

A quorum being present, the Senate resumed.

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. 277 -- Senator Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO

THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2020, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

CARRIED OVER

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE

COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

On motion of Senator YOUNG, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to recede at 12:25 P.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would reconvene at 2:00 P.M.

Committee to Escort

The PRESIDENT appointed Senators CROMER, YOUNG, ALEXANDER, SCOTT and McELVEEN and Representatives Caskey, Bobby Cox, Wooten, Hosey and Robert Williams to escort the Honorable Brett Reistad, National Commander of the American Legion, and members of his party to the House of Representatives for the Joint Assembly.

RECESS

At 12:25 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

Address by the National Commander of the American Legion

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 479.

The Honorable Brett Reistad and members of his party were escorted to the rostrum by Senators CROMER, YOUNG, ALEXANDER, SCOTT and McELVEEN and Representatives Caskey, Bobby Cox, Wooten, Hosey and Robert Williams. The PRESIDENT of the Senate

introduced the Honorable Dale Barnett, National Commander of the American Legion.

Commander Barnett addressed the Joint Assembly.

Address by the National Commander Brett Reistad

Lieutenant Governor Evette, Mr. Speaker, Senators and Representatives, it's truly an honor to speak to such a distinguished Body in this historic State House.

Before I begin, please allow me to take a moment to introduce members of The American Legion family who are with me today. We have with us the Commander of the South Carolina American Legion, John H. Britt of Laurens, the Department Adjutant Nick Diener of Columbia and National Executive Committeeman Michael D. Strauss of North Augusta. It is also my pleasure to introduce the President of the Department of South Carolina American Legion Auxiliary, Pat Jarvis of Columbia, National Executive Committeewoman for the Department of South Carolina American Legion Auxiliary, Judy Hennis of Murrells Inlet, Sons of the American Legion Detachment of South Carolina Commander Boyd Comer of York, American Legion Riders of South Carolina State Director L.Z. Harrison of Columbia and finally, I'd like to introduce and thank the Director of the South Carolina Division of Veterans Affairs, Howard Metcalf.

On behalf of the nearly two million Legionnaires around the world and the 164 American Legion posts throughout the State of South Carolina, I want to express my appreciation for what you do for our men and women who serve in our military and our veterans from past wars. Since my predecessor spoke to you at about this time last year, South Carolina has lost another hero in service to his country. Sergeant First Class Christopher Celiz was an Army Ranger and a Summerville native. He attended Summerville High School and later The Citadel, before enlisting in the Army in 2007. This past summer, while serving in Afghanistan, he was wounded by enemy small arms fire as he was supporting a landing zone for a medical evacuation. He lost his life on July 12, 2018. He was only 32. You can tell a lot about a person by their friends. Sergeant First Class Celiz had many of them. More than 300 packed the synagogue for his funeral service and many more waited outside in the open doorway and on the sidewalk, according to a report in the Post and Courier. A friend told the newspaper, "I've never seen a man love his wife and his child as much as he loved them." Some losses just cannot be replaced. At the same moment that the 75th Army Ranger

Regiment lost a hero, a wife lost a husband and an 8-year-old girl lost a dad.

In a letter to a Gold Star Mother during the Civil War, President Lincoln wrote, "I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom." Families such as these must not grieve alone. The American Legion recently created a fulltime staff position at our national headquarters in Washington to advocate for Gold Star families. During my testimony before the U.S. Congress last week, I asked that access always be granted to family members visiting the Fallen at cemeteries located on federal land. But most importantly, is the SUPPORT. We must be there to help these families through a devastating loss that only those who have experienced it can fully understand. We can never completely heal their hearts, but we can make day-to-day life easier. That is why The American Legion offers scholarships for their children and a Family Support Network to help with household tasks and other needs.

South Carolina takes its obligation toward ALL veterans and their families seriously. From offering tax exemptions to free hunting and fishing licenses, this is a State that truly honors military service. It is why more than 400,000 veterans choose to live in the Palmetto State. And recent legislative actions by this great Body make the State even more veteran friendly. We are particularly grateful to you for the millions of dollars that you appropriated for new veterans homes in Columbia, Florence and Gaffney. Your existing homes are filled to capacity and we all know that the high cost of long-term care is out of reach for many Americans but especially those who spent many of their prime working years in service to their country.

The American Legion is also supportive of any measure that would elevate Veterans Affairs to the executive status that it deserves. On a federal level, The American Legion was a strong advocate to elevate the previous Veterans Administration to the Department of Veterans Affairs. In the 30 years since the change, VA -- while not perfect -- has been characterized by many experts as the best health care system in the country. We believe such a move on the state level, would be good for South Carolina's veterans.

We also thank Governor McMaster for his support of "Boots in Service," a program that provides free boarding and care for the pets of veterans who have no other options, while they undergo their own medical treatment at VA.

This is a State with a strong military presence. You are home to eight military installations, not including local Guard and Reserve centers. Men and women of every ethnic background, religious belief and economic status combine their diversity with their common love for this country. Yet, one group in particular, faced enormous stress and hardship that should never be a part of military life. That group is the United States Coast Guard. 2019 marked the first time in history that a branch of the Armed Forces missed a paycheck due to a federal government shutdown. The American Legion believes this was a disgrace. Despite the stoppage of pay, the men and women of the Coast Guard, continued to deploy more than 2,000 members a day at sea and ashore in direct support of Department of Defense operations and global priorities. Yet, they were treated differently than their DoD counterparts because a Washington flowchart places the service under the Department of Homeland Security. Pay uncertainty is difficult for everyone impacted, but especially to those who -- by contract -- are required to continue working and risking their lives in an occupation that provides modest pay under the best of circumstances. A junior enlisted member of the Coast Guard with less than two years of service earns less than $23,200 per year in base pay. This is less than the poverty level for a family of four.

During a two week period in January, The American Legion provided more than one million dollars of financial assistance to Coast Guard families with young children. This was in the form of nonrepayable grants. Nearly $25,000 of this assistance went to Coast Guard families stationed right here in South Carolina. As a nonprofit, however, we are not capable of covering the entire Coast Guard payroll.

This is why we are asking Congress and the White House to live up to their constitutionally mandated missions to support our military. Whether it's through the Pay Our Coast Guard Act or advanced appropriations for Coast Guard payroll, we should all abide by the Semper Paratus motto of "always prepared." I hope that we have to never again experience another government shutdown, but if that's the case, I know that veterans and military members in South Carolina can count on the elected leaders of this State to help minimize their hardships.

The impact of government shutdowns are long lasting. Future recruiting and retention goals in the U.S. Coast Guard may be just some of the unfortunate casualties of this year's budget wars. Another special population that takes its mission seriously is our nation's law enforcement officers. Last year, 150 of these heroes died in the line of

duty, defending us in cities, towns and rural counties throughout the United States. It is not surprising that many military veterans continue to serve their country through careers in law enforcement. Service before self, even to the point of sacrificing ones' life if necessary, is just one of the many commonalities shared between military members and first responders. From an epidemic of opioids to criminal gang activity and domestic terrorism, the life of a law enforcement officer is fraught with danger. We ask that this legislature always consider how laws that you pass impact members of these special communities. They earn our support daily.

This is a very special time in American Legion history. Next week we will celebrate our 100th birthday. A century ago, The American Legion was founded by World War I veterans with a post-War mission. That mission, which continues today, was to care for veterans, provide patriotic programs for our nation's youth, advocate for a strong national defense and instill a societal pride in what it means to be an American.

We don't have to tell *you* what it means to an American. The patriotism of South Carolina is apparent for all to see. It is especially demonstrated by your hospitality toward veterans and our military.

Now, if you would allow me for one moment to call to the dais two members of this distinguished Body who have proven that they ***do care*** about those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2019. They are true friends of veterans and The American Legion. Senator THOMAS ALEXANDER and Representative W. Brian White would you please join me? We appreciate all that you do on behalf of veterans. Thank you so much, South Carolina Legislature. God Bless you and God Bless America.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

AFTERNOON SESSION

At 2:03 P.M., the Senate resumed.

Point of Quorum

At 2:04 P.M., Senator CROMER made the point that a quorum was not present. It was ascertained that a quorum was not present.

WEDNESDAY, MARCH 6, 2019

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Cash	Climer
Cromer	Davis	Fanning
Goldfinch	Grooms	Harpootlian
Hembree	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

AMENDED, READ THE SECOND TIME

S. 156 -- Senators Allen, Turner and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (156BH1), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 41 and inserting the following:

/ telecommunication device. This prohibition does not apply to devices contained within vehicles that are in designated parking areas or vehicles traveling on the grounds. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Grooms
Harpootlian	Hembree	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 259 -- Senators Goldfinch, Campsen and Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO

ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 31 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2019, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY, ANNUALLY, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT

INDIVIDUALS LIVING WITH MYALGIC ENCEPHALOMYELITIS.

The Resolution was adopted, ordered sent to the House.

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 476 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 391 IN SALUDA COUNTY OVER THE LITTLE SALUDA RIVER AT MILE MARKER 9.30 "CORPORAL DALE HALLMAN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 532 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 2019 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA IN ORDER TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

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 2:20 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

WEDNESDAY, MARCH 6, 2019

Expression of Personal Interest

Senator JOHNSON rose for an Expression of Personal Interest.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

S. 18 -- Senators Hutto, Young, Climer and Davis: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO

IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 3

Senators CORBIN and HEMBREE proposed the following amendment (18R001.KMM.TDC), which was carried over:

Amend the bill, as and if amended, page 17, by striking line 4 and inserting:

/ vehicle the person drives, except a moped <u>or motorcycle</u>, an ignition interlock /

Amend the bill further, as and if amended, page 17, by striking line 28 and inserting:

/ the person drives, except a moped <u>or motorcycle</u>. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 4

Senator MALLOY proposed the following amendment (JUD0018.003), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2930(I) of the 1976 Code is amended to read:

"(I) A person charged for a violation of this section may be prosecuted pursuant to Section 56-5-2933 if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of this section and a violation of Section 56-5-2933 for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

(1) whether or not the person was lawfully arrested or detained;

(2) the period of time between arrest and testing;

(3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;

(4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:

(a) reported alcohol concentration at the time of testing was ~~eight~~ <u>six</u> one-hundredths of one percent or more;

(b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;

(c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and

(d) machine was working properly." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2930(L) of the 1976 Code is amended to read:

"(L) In cases in which enhanced penalties for higher levels of alcohol concentration may be applicable, upon the determination of guilt, the finder of fact shall determine the alcohol concentration and the judge

shall apply the appropriate penalty. In cases involving jury trials, upon the return of a guilty verdict by the jury, the judge shall instruct the jury to make a finding of fact as to the following: 'We the jury find the alcohol concentration of the defendant to be (1) at least ~~eight~~ six one-hundredths of one percent but less than ten one-hundredths of one percent; (2) at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent; or (3) sixteen one hundredths of one percent or more.' Based on the jury's finding of fact, the judge shall apply the appropriate penalty. If the jury cannot reach a unanimous verdict as to the finding of fact, then the judge shall sentence the defendant based on the nonenhanced penalties." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2933(A) of the 1976 Code is amended to read:

"(A) It is unlawful for a person to drive a motor vehicle within this State while his alcohol concentration is ~~eight~~ six one-hundredths of one percent or more. A person who violates the provisions of this section is guilty of the offense of driving with an unlawful alcohol concentration and, upon conviction, entry of a plea of guilty or of nolo contendere, or forfeiture of bail must be punished as follows:

(1) for a first offense, by a fine of four hundred dollars or imprisonment for not less than forty-eight hours nor more than thirty days. However, in lieu of the forty-eight hour minimum imprisonment, the court may provide for forty-eight hours of public service employment. The minimum forty-eight hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. However, the court may not compel an offender to perform public service employment in lieu of the minimum forty-eight hour sentence. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of five hundred dollars or imprisonment for not less than seventy-two hours nor more than thirty days. However, in lieu of the seventy-two hour minimum imprisonment, the court may provide for seventy-two hours of public service employment. The minimum seventy-two hour imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to

perform public service employment in lieu of the minimum sentence. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of one thousand dollars or imprisonment for not less than thirty days nor more than ninety days. However, in lieu of the thirty-day minimum imprisonment, the court may provide for thirty days of public service employment. The minimum thirty days imprisonment or public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions as the court considers proper. However, the court may not compel an offender to perform public service employment instead of the thirty-day minimum sentence. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, a first offense charged for this item may be tried in magistrates court;

(2) for a second offense, by a fine of not less than two thousand one hundred dollars nor more than five thousand one hundred dollars, and imprisonment for not less than five days nor more than one year. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than two thousand five hundred dollars nor more than five thousand five hundred dollars and imprisonment for not less than thirty days nor more than two years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by a fine of not less than three thousand five hundred dollars nor more than six thousand five hundred dollars and imprisonment for not less than ninety days nor more than three years. However, the fine imposed by this item must not be suspended in an amount less than one thousand one hundred dollars;

(3) for a third offense, by a fine of not less than three thousand eight hundred dollars nor more than six thousand three hundred dollars, and imprisonment for not less than sixty days nor more than three years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by a fine of not less than five thousand dollars nor more than seven thousand five hundred dollars and imprisonment for not less than ninety days nor more than four years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the

person must be punished by a fine of not less than seven thousand five hundred dollars nor more than ten thousand dollars and imprisonment for not less than six months nor more than five years; or

(4) for a fourth or subsequent offense, by imprisonment for not less than one year nor more than five years. If the person's alcohol concentration is at least ten one-hundredths of one percent but less than sixteen one-hundredths of one percent, then the person must be punished by imprisonment for not less than two years nor more than six years. If the person's alcohol concentration is sixteen one-hundredths of one percent or more, then the person must be punished by imprisonment for not less than three years nor more than seven years." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2933(I) of the 1976 Code is amended to read:

"(I) A person charged for a violation of Section 56-5-2930 may be prosecuted pursuant to this section if the original testing of the person's breath or collection of other bodily fluids was performed within two hours of the time of arrest and reasonable suspicion existed to justify the traffic stop. A person may not be prosecuted for both a violation of Section 56-5-2930 and a violation of this section for the same incident. A person who violates the provisions of this section is entitled to a jury trial and is afforded the right to challenge certain factors including the following:

(1) whether or not the person was lawfully arrested or detained;

(2) the period of time between arrest and testing;

(3) whether or not the person was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;

(4) whether the person consented to taking a test pursuant to Section 56-5-2950, and whether the:

(a) reported alcohol concentration at the time of testing was ~~eight~~ <u>six</u> one-hundredths of one percent or more;

(b) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;

(c) tests administered and samples obtained were conducted pursuant to Section 56-5-2950 and regulations adopted pursuant to Section 56-5-2951(O) and Section 56-5-2953(F); and

(d) machine was working properly." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2950(A) of the 1976 Code is amended to read:

"(A) A person who drives a motor vehicle in this State is considered to have given consent to chemical tests of the person's breath, blood, or urine for the purpose of determining the presence of alcohol, drugs, or the combination of alcohol and drugs, if arrested for an offense arising out of acts alleged to have been committed while the person was driving a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs. A breath test must be administered at the direction of a law enforcement officer who has arrested a person for driving a motor vehicle in this State while under the influence of alcohol, drugs, or a combination of alcohol and drugs. At the direction of the arresting officer, the person first must be offered a breath test to determine the person's alcohol concentration. If the person is physically unable to provide an acceptable breath sample because the person has an injured mouth, is unconscious or dead, or for any other reason considered acceptable by the licensed medical personnel, the arresting officer may request a blood sample to be taken. If the officer has reasonable suspicion that the person is under the influence of drugs other than alcohol, or is under the influence of a combination of alcohol and drugs, the officer may order that a urine sample be taken for testing. A breath sample taken for testing must be collected within two hours of the arrest. Any additional tests to collect other samples must be collected within three hours of the arrest. The breath test must be administered by a person trained and certified by the South Carolina Criminal Justice Academy, pursuant to SLED policies. Before the breath test is administered, ~~an eight~~ a six one-hundredths of one percent simulator test must be performed and the result must reflect a reading between ~~0.076~~ 0.056 percent and ~~0.084~~ 0.064 percent. Blood and urine samples must be obtained by physicians licensed by the State Board of Medical Examiners, registered nurses licensed by the State Board of Nursing, and other medical personnel trained to obtain the samples in a licensed medical facility. Blood and urine samples must be obtained and handled in accordance with procedures approved by SLED." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2950(G) of the 1976 Code is amended to read:

"(G) In the criminal prosecution for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945 the alcohol concentration at the time of the test,

as shown by chemical analysis of the person's breath or other body fluids, gives rise to the following:

(1) if the alcohol concentration was at that time five one hundredths of one percent or less, it is conclusively presumed that the person was not under the influence of alcohol; or

(2) ~~if the alcohol concentration was at that time in excess of five one hundredths of one percent but less than eight one hundredths of one percent, this fact does not give rise to any inference that the person was or was not under the influence of alcohol, but this fact may be considered with other evidence in determining the guilt or innocence of the person; or~~

~~(3)~~ if the alcohol concentration was at that time ~~eight~~ six one hundredths of one percent or more, it may be inferred that the person was under the influence of alcohol.

The provisions of this section must not be construed as limiting the introduction of any other evidence bearing upon the question of whether or not the person was under the influence of alcohol, drugs, or a combination of alcohol and drugs." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Point of Quorum

At 2:44 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Senator MALLOY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 6; Nays 34

AYES

Fanning	Kimpson	Malloy
Matthews, Margie	McLeod	Sheheen

Total--6

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Johnson	Leatherman
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

Having failed to receive the necessary vote, the Senate refused to stand adjourned.

Senator MALLOY continued speaking on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 5; Nays 34

AYES

Corbin	Fanning	Goldfinch
Malloy	Martin	

Total--5

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Gambrell
Grooms	Harpootlian	Hembree
Hutto	Johnson	Kimpson
Leatherman	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Sheheen

Talley Turner Williams
Young

Total--34

Having failed to receive the necessary votes, the amendment failed.

Amendment No. 5

Senator MALLOY proposed the following amendment (JUD0018.005), which was ruled out of order:

Amend the bill, as and if amended, by inserting an appropriately numbered new SECTION to read:

/ SECTION __. Section 56-5-2953 of the 1976 Code, as last amended by Act 201 of 2008, is further amended to read:

"Section 56-5-2953. (A) ~~A person who violates~~ When a law enforcement officer is investigating a person suspected of violating Section 56-5-2930, 56-5-2933, or 56-5-2945 ~~must have his~~ that officer or another officer participating in the investigation or arrest should make a reasonable attempt to video record the person's conduct at the incident site and the breath test site ~~video recorded~~.

(1)(a) The video recording at the incident site ~~must:~~

~~(i)~~ ~~not begin~~ should begin no later than the activation of the officer's blue lights~~;~~

~~(ii)~~ ~~include any field sobriety tests administered; and~~

~~(iii)~~ ~~include the arrest of a person for a violation of Section 56-5-2930 or Section 56-5-2933, or a probable cause determination in that the person violated Section 56-5-2945, and show the person being advised of his Miranda rights~~.

(b) A refusal to take a field sobriety test does not constitute disobeying a police command.

(2) The video recording at the breath test site ~~must~~ should:

(a) include the entire breath test procedure~~, the person being informed that he is being video recorded, and that he has the right to refuse the test~~;

~~(b)~~ ~~include the person taking or refusing the breath test and the actions of the breath test operator while conducting the test;~~ and

~~(c)~~(b) ~~also~~ include the person's conduct during the required twenty-minute ~~pre-test~~ pretest waiting period, unless the person indicates that he is refusing the test or the officer submits a sworn affidavit certifying that it was physically impossible to video record this waiting period.

(3) The video recordings of the incident site and of the breath test site are admissible pursuant to the South Carolina Rules of Evidence in a criminal, administrative, or civil proceeding by any party to the action.

(B) Nothing in this section may be construed as prohibiting the introduction of other relevant evidence in the trial of a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. ~~Failure by the arresting officer to produce the video recording required by this section is not alone a ground for dismissal of any charge made pursuant to Section 56-5-2930, 56-5-2933, or 56-5-2945 if the arresting officer submits a sworn affidavit certifying that the video recording equipment at the time of the arrest or probable cause determination, or video equipment at the breath test facility was in an inoperable condition, stating which reasonable efforts have been made to maintain the equipment in an operable condition, and certifying that there was no other operable breath test facility available in the county or, in the alternative, submits a sworn affidavit certifying that it was physically impossible to produce the video recording because the person needed emergency medical treatment, or exigent circumstances existed. In circumstances including, but not limited to, road blocks, traffic accident investigations, and citizens' arrests, where an arrest has been made and the video recording equipment has not been activated by blue lights, the failure by the arresting officer to produce the video recordings required by this section is not alone a ground for dismissal. However, as soon as video recording is practicable in these circumstances, video recording must begin and conform with the provisions of this section. Nothing in this section prohibits the court from considering any other valid reason for the failure to produce the video recording based upon the totality of the circumstances; nor do the provisions of this section prohibit the person from offering evidence relating to the arresting law enforcement officer's failure to produce the video recording.~~

If an investigating officer is unable to produce a videotape or is only able to produce a partial videotape after making reasonable attempts to do so, the officer shall submit a sworn affidavit stating that the video or partial video was not produced based on one or more of the following reasons:

(1) the video recording equipment at the incident site or breath test site was in an inoperable condition;

(2) there were mechanical failures in video equipment, audio equipment, or both, at the incident site or breath test site;

(3) there were environmental factors which adversely impacted the ability to produce the video which may include, but are not limited

to, excess sunlight, darkness, sound, or electrical interference, and weather;

(4) the person needed emergency medical treatment;

(5) the person's own actions or conduct prevented the production of the video;

(6) the person was taken for a blood sample, urine sample, or both pursuant to Section 56-5-2950;

(7) there were exigent circumstances and describing those circumstances;

(8) there were circumstances including, but not limited to, road blocks, collision investigations, or citizens' arrests, where an arrest has been made and the video recording equipment was not activated by blue lights;

(9) there was no vehicle at the incident site equipped with video recording equipment; or

(10) any other lawful and valid reason for the failure to produce the video based on the totality of the circumstances.

(C) A video recording must not be disposed of in any manner except for its transfer to a master recording for consolidation purposes until the results of any legal proceeding in which it may be involved are finally determined.

(D) SLED is responsible for purchasing, maintaining, and supplying all necessary video recording equipment for use at the breath test sites. SLED also is responsible for monitoring all breath test sites to ensure the proper maintenance of video recording equipment. The Department of Public Safety is responsible for purchasing, maintaining, and supplying all videotaping equipment for use in all law enforcement vehicles used primarily for traffic enforcement. The Department of Public Safety also is responsible for monitoring all law enforcement vehicles used primarily for traffic enforcement to ensure proper maintenance of video recording equipment.

(E) Beginning one month from the effective date of this section, all of the funds received in accordance with Section 14-1-208(C)(9) must be expended by SLED to equip all breath test sites with video recording devices and supplies. Once all breath test sites have been equipped fully with video recording devices and supplies, eighty-seven and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be expended by the Department of Public Safety to purchase, maintain, and supply video recording equipment for vehicles used for traffic enforcement. The remaining twelve and one-half percent of the funds received in accordance with Section 14-1-208(C)(9) must be

expended by SLED to purchase, maintain, and supply video recording equipment for the breath test sites. Funds must be distributed by the State Treasurer to the Department of Public Safety and SLED on a monthly basis. The Department of Public Safety and SLED are authorized to carry forward any unexpended funds received in accordance with Section 14-1-208(C)(9) as of June thirtieth of each year and to expend these carried forward funds for the purchase, maintenance, and supply of video recording equipment. The Department of Public Safety and SLED must report the revenue received under this section and the expenditures for which the revenue was used as required in the department's and SLED's annual appropriation request to the General Assembly.

(F) The Department of Public Safety and SLED must promulgate regulations necessary to implement the provisions of this section.

(G) The provisions contained in ~~Section 56-5-2953~~ subsections (A), (B), and (C) take effect for each law enforcement vehicle used primarily for traffic enforcement once the law enforcement vehicle is equipped with a video recording device. The provisions contained in ~~Section 56-5-2953~~ subsections (A), (B), and (C) take effect for a breath test site once the breath test site is equipped with a video recording device.

(H) Nothing in this section shall be construed to require dismissal of a charge for an alleged violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. If the trial court makes a specific finding on the record, based upon the totality of the circumstances, that the arresting officer's failure to comply with this section was both wilful and malicious, the court may prohibit the prosecutor from introducing evidence related to such charges or may enter such other relief as it deems just under the circumstances. To the extent any provision of law is inconsistent with the provisions of this subsection, the provisions of this subsection shall govern.

(I) This section shall not apply to cameras worn by any investigating officer or any cameras not under control of the investigating officers.

(J) This section shall not apply to drug recognition expert examinations." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 3

Senators CORBIN and HEMBREE proposed the following amendment (18R001.KMM.TDC), which was adopted:

Amend the bill, as and if amended, page 17, by striking line 4 and inserting:

/ vehicle the person drives, except a moped <u>or motorcycle</u>, an ignition interlock /

Amend the bill further, as and if amended, page 17, by striking line 28 and inserting:

/ the person drives, except a moped <u>or motorcycle</u>. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 6

Senator MALLOY proposed the following amendment (JUD0018.006), which was tabled:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety, and inserting therein the following:

/ SECTION 3. Section 56-1-400 of the 1976 Code is amended to read:

"Section 56-1-400. (A)<u>(1)</u> The Department of Motor Vehicles, upon suspending or revoking a license, shall require that the license be surrendered to the department. At the end of the suspension period, other than a suspension for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or pursuant to the point system, the department shall issue a new license to the person.

<u>(2)</u> If the person has not held a license within the previous nine months, the department shall not issue or restore a license which has been suspended for reckless driving, driving under the influence of

intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or for violations under the point system, until the person has filed an application for a new license, submitted to an examination as upon an original application, and satisfied the department, after an investigation of the person's driving ability, that it would be safe to grant the person the privilege of driving a motor vehicle on the public highways. The department, in the department's discretion, where the suspension is for a violation under the point system, may waive the examination, application, and investigation. A record of the suspension must be endorsed on the license issued to the person, showing the grounds of the suspension.

(B) If a person is permitted to operate a motor vehicle only with an ignition interlock device installed pursuant to Section 56-5-2941, the restriction on the license issued to the person must conspicuously identify the person as a person who only may drive a motor vehicle with an ignition interlock device installed, and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Section~~s~~ 56-1-286~~,~~; 56-1-1090; 56-5-2945~~,~~; ~~and 56-5-2947 except if the conviction was for Section 56-5-750,~~ 56-5-2951~~,~~; ~~or~~ 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.

(C) For purposes of Title 56, the license must be referred to as an ignition interlock restricted license. The fee for an ignition interlock restricted license is one hundred dollars, which shall be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

(D) Unless the person establishes that the person is entitled to the exemption set forth in subsection ~~(B)~~(G), no ignition interlock restricted license may be issued by the department without written notification from the authorized ignition interlock service provider that the ignition interlock device has been installed and confirmed to be in working order.

(E) If a person chooses to not have an ignition interlock device installed when required by law, the license will remain suspended indefinitely. If the person subsequently decides to have the ignition interlock device installed, the device must be installed for the length of time set forth in ~~Sections 56-1-286, 56-5-2945, and 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990~~ subsection (B).

(F) This provision does not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of

intoxicating liquor or narcotic drugs, as provided in Article 23, Chapter 5 of this title.

~~(B)(1) A person who does not own a vehicle, as shown in the Department of Motor Vehicles' records, and who certifies that the person:~~

~~(a) cannot obtain a vehicle owner's permission to have an ignition interlock device installed on a vehicle;~~

~~(b) will not be driving a vehicle other than a vehicle owned by the person's employer; and~~

~~(c) will not own a vehicle during the ignition interlock period, may petition the department, on a form provided by the department, for issuance of an ignition interlock restricted license that permits the person to operate a vehicle specified by the employee according to the employer's needs as contained in the employer's statement during the days and hours specified in the employer's statement without having to show that an ignition interlock device has been installed.~~

~~(2) The form must contain:~~

~~(a) identifying information about the employer's noncommercial vehicles that the person will be operating;~~

~~(b) a statement that explains the circumstances in which the person will be operating the employer's vehicles; and~~

~~(c) the notarized signature of the person's employer.~~

~~(3) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.~~

~~(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(4) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the form specified by this subsection.~~

~~(5) The determination of eligibility for the waiver is subject to periodic review at the discretion of the department. The department shall revoke a waiver issued pursuant to this exemption if the department determines that the person has been driving a vehicle other than the vehicle owned by the person's employer or has been operating the person's employer's vehicle outside the locations, days, or hours specified by the employer in the department's records. The person may seek relief from the department's determination by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings.~~

~~(C) A person whose license has been suspended or revoked for an offense within the jurisdiction of the court of general sessions shall provide the department with proof that the fine owed by the person has been paid before the department may issue the person a license. Proof that the fine has been paid may be a receipt from the clerk of court of the county in which the conviction occurred stating that the fine has been paid in full.~~" /

Amend the bill further, as and if amended, page 23, by striking lines 12 through 43, and inserting therein the following:

/ ~~(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.~~

~~(2) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.~~

~~(b) a person who is self employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).~~

~~(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).~~ /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HUTTO spoke against the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--40

NAYS

Malloy

Total--1

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

Senator MASSEY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--39

NAYS

Kimpson Malloy

Total--2

The Senate agreed to stand adjourned.

WEDNESDAY, MARCH 6, 2019

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Florence County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Holly Huggins Wall, 545 Persimmon Ford Road, Johnsonville, SC 29555-6704
VICE Roger N. Langley

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Dominic Owens, 2757 Crepe Myrtle Road, Florence, SC 29505-7025
VICE Sandra M. Grimsley

ADJOURNMENT

At 3:39 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

***

Thursday, March 7, 2019
(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:

John 15:13

"Greater love has no one than this: to lay down one's life for one's friends."

Let us pray. Gracious God, As we honor You this day in prayer we also remember those among us and before us that fought for our freedom and our survival. The pages of history are red with the blood of heroes who fell and died on our behalf. Help us to always remember that life is sacred and that our freedom was achieved at a very high cost by the thousands that served before us. We also remember and pray for those who in their service to our country sustained severe injuries -- loss of limbs, eyesight, mobility and cognitive skills. May we as a State and a nation remember to support these wounded heroes as they continue to fight personal battles with health, work and family concerns. Gracious Lord, give our leaders in these difficult days special wisdom and discernment to not ever fight foolish wars but only to put our military men and women in harm's way when the cause is clearly just and our very survival is at stake. These matters we humbly place before You, O God, knowing that You and You alone can reach into the conscience of our nation to make honorable decisions of this magnitude. 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.

THURSDAY, MARCH 7, 2019

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	Cash	Corbin
Cromer	Davis	Fanning
Goldfinch	Grooms	Harpootlian
Kimpson	Leatherman	Martin
Massey	Peeler	Rice
Sabb	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator NICHOLSON introduced Dr. Robert Bryant of Ninety-Six, S.C., Doctor of the Day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 298 Sens. Davis and Gambrell
S. 621 Sen. Corbin

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bill:

S. 492 Sens. Shealy and Gambrell

RECALLED

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator GAMBRELL 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 AND ADOPTED

S. 430 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 10-16, 2019, AS "MEDICAL ASSISTANTS WEEK" IN SOUTH CAROLINA AND TO RECOGNIZE THE VITAL AND VALUABLE WORK OF MEDICAL ASSISTANTS IN THE HEALTHCARE PROFESSION.

Senator CROMER asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator CROMER 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.

On motion of Senator CROMER, the Resolution was adopted and ordered sent to the House.

RECOMMITTED

S. 541 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

S. 542 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - CONTRACTOR'S LICENSING BOARD, RELATING TO CONTRACTOR'S LICENSING BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4848, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

S. 543 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

S. 544 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF SOCIAL WORK EXAMINERS, RELATING TO CONTINUING EDUCATION ADVISORY COMMITTEE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4864, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 626 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE LESLEE DAVID SPIVEY UPON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF THE WILLIAMSBURG HOMETOWN CHAMBER, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE TO THE WILLIAMSBURG COMMUNITY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 627 -- Senator Campbell: A BILL TO AMEND SECTION 12-37-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXTEND AN EXEMPTION FOR INSTITUTIONS OF HIGHER LEARNING TO CERTAIN INTERESTS IN PROPERTY USED FOR STUDENT

HOUSING, PARKING, DINING, OR OTHER EDUCATION-RELATED PURPOSES THAT IS HELD BY A PRIVATE PARTY THAT IS CONTRACTUALLY OBLIGATED TO OPERATE THE PROPERTY FOR THE BENEFIT OF THE INSTITUTION.
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Read the first time and referred to the Committee on Finance.

S. 628 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-15-398 SO AS TO REQUIRE BOTH IN PERSON AND BY MAIL ABSENTEE VOTING IN PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS HELD PURSUANT TO SECTION 7-11-20 AND TO DEFINE WHEN THE IN PERSON AND BY MAIL ABSENTEE VOTING REQUIRED BY THIS SECTION SHALL BEGIN, AND TO REQUIRE THE STATE ELECTION COMMISSION TO FURNISH CERTAIN LISTS TO THE STATE'S CERTIFIED POLITICAL PARTIES.
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Read the first time and referred to the Committee on Judiciary.

S. 629 -- Senators M. B. Matthews, Hutto, Grooms, Campbell, Campsen, Hembree, Cromer, J. Matthews, Sabb, Rankin, Reese and Kimpson: A BILL TO AMEND SECTIONS 6-1-530 AND 6-1-730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF REVENUE FROM THE LOCAL ACCOMMODATIONS TAX AND HOSPITALITY TAX, RESPECTIVELY, SO AS TO REDUCE A THRESHOLD FROM NINE HUNDRED THOUSAND DOLLARS IN ACCOMMODATIONS TAXES COLLECTED TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS.
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Read the first time and referred to the Committee on Finance.

H. 3200 -- Reps. Henderson-Myers, Allison, Bernstein, Govan, Ridgeway, Clyburn, Brawley, McDaniel, Cogswell, Caskey, Norrell and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA LACTATION SUPPORT ACT" BY ADDING SECTION 41-1-130 SO AS TO DEFINE NECESSARY DEFINITIONS, TO PROVIDE EMPLOYERS DAILY SHALL PROVIDE EMPLOYEES WITH REASONABLE UNPAID BREAK TIME OR SHALL PERMIT EMPLOYEES TO USE PAID BREAK TIME OR MEAL TIME TO

EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS SHALL MAKE REASONABLE EFFORTS TO PROVIDE CERTAIN AREAS WHERE EMPLOYEES MAY EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS MAY NOT DISCRIMINATE AGAINST EMPLOYEES FOR CHOOSING TO EXPRESS BREAST MILK IN THE WORKPLACE IN COMPLIANCE WITH THE PROVISIONS OF THIS ACT, AND TO PROVIDE REMEDIES FOR VIOLATIONS; AND TO PROVIDE RELATED FINDINGS AND EXPRESS RELATED POLICIES.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3263 -- Reps. G. M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR,

LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Read the first time and referred to the Committee on Banking and Insurance.

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY

COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 4113 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4114 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Judiciary.

H. 4115 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Judiciary.

H. 4117 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF NURSING, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4863, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4123 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO LONG TERM HEALTH CARE ADMINISTRATORS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4844, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4157 -- Reps. Lucas, G. M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

Read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF

ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable with amendment report on:

S. 155 -- Senator Allen: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EARLY RELEASE, DISCHARGE, AND COMMUNITY SUPERVISION ELIGIBILITY FOR AN INMATE CONVICTED OF A "NO PAROLE OFFENSE", SO AS TO PROVIDE ELIGIBILITY FOR AN INMATE WHO HAS COMPLETED SIXTY-FIVE PERCENT OF HIS SENTENCE UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE THAT AN INMATE'S WORK CREDITS, EDUCATION CREDITS, AND GOOD CONDUCT CREDITS MUST BE USED TO CALCULATE HIS DATE OF ELIGIBILITY FOR THESE PROGRAMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 430 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 10-16, 2019, AS "MEDICAL ASSISTANTS WEEK" IN SOUTH CAROLINA AND TO RECOGNIZE THE VITAL AND VALUABLE WORK OF MEDICAL ASSISTANTS IN THE HEALTHCARE PROFESSION.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS

AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 478 favorable:

S. 478 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 16, 2019, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0

AYES

Verdin	Peeler	Hutto
Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	Kimpson
Margie Matthews	Gambrell	Senn
Cash		

Total--16

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 533 favorable:

S. 533 -- Senators Massey and Young: A SENATE RESOLUTION TO RECOGNIZE MAY 2019 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0

AYES

Verdin	Peeler	Hutto
Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	Kimpson
Margie Matthews	Gambrell	Senn
Cash		

Total--16

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2017, and to expire June 30, 2021

5th Congressional District:

Richard V. Lee, Jr., 623 Meadowbrook Lane, Rock Hill, SC 29730-3730 *VICE* Ann B. Kirol

Received as information.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2018, and to expire December 31, 2022

Director:

Theresa Mills - Floyd, 47 Love Valley Court, Chapin, SC 29036-8591 *VICE* Daniel F. Saad

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 Bill was read the third time and ordered sent to the House of Representatives:

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO

PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (CZ\359C003.JN.CZ19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

/ SECTION 6. Except for Section 38-71-2220 in SECTION 1 and SECTION 3, this act takes effect on January 1, 2021. The provisions of Section 38-71-2220 in SECTION 1 and SECTION 3 take effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
Peeler	Rankin	Reese
Rice	Sabb	Senn

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill, as amended, was read the third time and ordered sent to the House of Representatives.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 156 -- Senators Allen, Turner and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

AMENDED, CARRIED OVER

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A

LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER

STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator McELVEEN proposed the following amendment (105R012.SP.JTM), which was adopted:

Amend the bill, as and if amended, page 5, by striking lines 12 through 16 and 19 through 22, and page 6, by striking lines 11 through 15.

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

Senators RICE, VERDIN and CAMPBELL proposed the following amendment (105R014.SP.RFR), which was carried over:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Chapter 1, Title 47 of the 1976 Code is amended by adding:

"ARTICLE 3

Tethering Dogs

Section 47-1-300. As used in this article:

(1) 'Cruelly tether' means tethering a dog in a manner that causes injury or illness to the dog as determined by a veterinarian, utilizes a tether that is too short or too heavy for an unattended dog to move around, or does not permit the dog to have access to adequate sustenance or shelter as defined in Section 47-1-10.

(2) 'Tether' means to confine a dog by attaching it to a stationary object by means of a chain, rope, cable, trolley, running line, or similar device.

(3) 'Unattended' means beyond the visual sight of the owner, handler, or caretaker.

Section 47-1-310. (A) It is unlawful to tether a dog:

(1) if the dog is unattended for more than sixty minutes without continuous access to sustenance and shelter as defined in Section 47-1-10;

(2) by means of a choke collar, prong collar, logging chain, or tow chain;

(3) if the dog is younger than six months of age; or

(4) in a manner that limits the dog to access an area of usable space that is less than the greater of fifty square feet or one square foot for every one pound of the dog's weight.

(B)(1) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined fifty dollars for a first offense and not more than one hundred dollars for each subsequent offense.

(2) The provisions of this section do not constitute an unlawful tethering if:

(a) the owner, handler, or caretaker has been mandated by an animal control or law enforcement authority of the State to keep a dangerous dog restrained by use of a tether;

(b) the owner, handler, or caretaker has tethered a dog pursuant to the requirements of a park or camping or recreational area;

(c) the owner, handler, or caretaker has tethered a dog while actively engaged in the activity of shepherding or herding cattle, sheep, or other livestock or in conduct that is directly related to the business of cultivating agricultural products;

(d) the owner, handler, or caretaker has tethered a dog while actively engaged in lawful hunting or in training a dog for the purposes of lawful hunting;

(e) the owner, handler, or caretaker has tethered a dog while actively engaged in training for or participation in recognized exhibitions, events, tests, and trials; or

(f) the dog is tethered while being groomed, receiving veterinary care, or participating in other accepted dog husbandry purposes.

(C) Law enforcement may issue a uniform traffic ticket pursuant to Section 56-7-10 for violations of this section.

Section 47-1-320. It is unlawful to cruelly tether a dog. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be punished by imprisonment not to exceed ninety days, by a fine of not less than one hundred dollars and not more than one thousand dollars, or by both; or

(2) for a second or subsequent offense, by imprisonment not to exceed one year, by a fine of not less than five hundred dollars and not more than one thousand dollars, or by both." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

SECTION _. Section 56-7-10(A) of the 1976 Code is amended to read:

"Section 56-7-10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

~~Offense Citation~~

~~Interfering with Police Officer Serving Process Section 16-5-50~~

~~Dumping Trash on Highway/Private Property Section 16-11-700~~

~~Indecent Exposure Section 16-15-130~~

~~Disorderly Conduct Section 16-17-530~~

~~Damaging Highway Section 57-7-10~~

~~Place Glass, Nails, Etc. on Highway Section 57-7-20~~

~~Obstruction of Highway by Railroad Cars, Etc. Section 57-7-240~~

~~Signs Permitted on Interstate Section 57-25-140~~

~~Brown Bagging Section 61-5-20~~

~~Drinking Liquors in Public Conveyance Section 61-13-360~~

~~Poles Dragging on Highway Section 57-7-80~~

~~Open Container Section 61-9-87~~

~~Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440~~

~~Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty-One Section 63-19-2450~~

~~Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30~~

~~Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20~~

~~Falsification of Age to Purchase Beer or Wine Section 61-9-50~~

~~Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy Section 61-9-60~~

~~Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another Section 61-9-85~~

~~Employment of a Person Under the Age of Twenty-One as an Employee in Retail or Wholesale or Manufacturing Liquor Business Section 61-13-340~~

~~Failure to Remove Doors from Abandoned Refrigerators Section 16-3-1010~~

~~Malicious Injury to Animals or Personal Property - Section 16-11-510 -~~

~~Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars Section 16-11-580 -~~

~~Littering Section 16-11-700 -~~

~~Larceny of a Bicycle Valued at Less Than One Hundred Dollars Section 16-13-80 -~~

~~Shoplifting Section 16-13-110 -~~

~~Cock Fighting Section 16-17-650 -~~

~~Ticket Scalping Section 16-17-710 -~~

~~Domestic Violence, second and third degree - Section 16-25-20~~

~~Glue Sniffing Section 44-53-1110 -~~

~~Trespassing Section 16-11-755 -~~

~~Trespassing Section 16-11-600 -~~

~~Trespassing Section 16-11-610 -~~

~~Trespassing Section 16-11-620 -~~

~~Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs - Section 50-21-110 -~~

~~Negligence of Boat Livery to Provide Proper Equipment and RegistrationSection 50-21-120 -~~

~~Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170 -~~

~~Operation of Watercraft Without a Certificate of TitleSection 50-23-190 -~~

~~Parking on private property without permission - Section 16-11-760 -~~

~~Certificate of Veterinary Inspection; Requirement for Out-of-State Livestock or Poultry Section 47-4-60 -~~

~~Inhibition of Livestock Inspection Section 47-4-120 -~~

~~Imported Swine Section 47-6-50 -~~

~~Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20 -~~

~~Liability of Person Removing Livestock for Slaughter - Section 47-11-120 -~~

~~Notice to Disinfect Section 47-13-310 -~~

~~Quarantine of Livestock or Poultry - Section 47-4-70 -~~

~~Unlawful for Horse to Enter State Unless Tested Section 47-13-1350 -~~

~~Quarantine of Exposed Horses Section 47-13-1360 -~~

~~Proof of Test Required for Public Assembly of Horses - Section 47-13-1370~~

~~False Certificates - Section 47-13-1390~~

~~Unlawful to Feed Garbage to Swine Section 47-15-20~~

~~Notification Required from Certain Persons Disposing of Garbage Section 47-15-40~~

~~Sale of Uninspected Meat and Meat Products - Section 47-17-60~~

~~Sale of Uninspected Poultry and Poultry Product Section 47-19-70~~

(1) Interfering with Police Officer Serving Process Section 16-5-50;

(2) Dumping Trash on Highway/Private Property Section 16-11-700;

(3) Indecent Exposure Section 16-15-130;

(4) Disorderly Conduct Section 16-17-530;

(5) Damaging Highway Section 57-7-10;

(6) Place Glass, Nails, Etc. on Highway Section 57-7-20;

(7) Obstruction of Highway by Railroad Cars, Etc. Section 57-7-240;

(8) Signs Permitted on Interstate Section 57-25-140;

(9) Brown Bagging Section 61-5-20;

(10) Drinking Liquors in Public Conveyance Section 61-13-360;

(11) Poles Dragging on Highway Section 57-7-80;

(12) Open Container Section 61-9-87;

(13) Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440;

(14) Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty One Section 63-19-2450;

(15) Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30;

(16) Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20;

(17) Falsification of Age to Purchase Beer or Wine Section 61-9-50;

(18) Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy Section 61-9-60;

(19) Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another Section 61-9-85;

(20) Employment of a Person Under the Age of Twenty One as an Employee in Retail or Wholesale or Manufacturing Liquor Business Section 61-13-340;

(21) Failure to Remove Doors from Abandoned Refrigerators Section 16-3-1010;

(22) Malicious Injury to Animals or Personal Property Section 16-11-510;

(23) Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars Section 16-11-580;

(24) Littering Section 16-11-700;

(25) Larceny of a Bicycle Valued at Less Than One Hundred Dollars Section 16-13-80;

(26) Shoplifting Section 16-13-110;

(27) Cock Fighting Section 16-17-650;

(28) Ticket Scalping Section 16-17-710;

(29) Domestic Violence, second and third degree Section 16-25-20;

(30) Glue Sniffing Section 44-53-1110;

(31) Trespassing Section 16-11-755;

(32) Trespassing Section 16-11-600;

(33) Trespassing Section 16-11-610;

(34) Trespassing Section 16-11-620;

(35) Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs Section 50-21-110;

(36) Negligence of Boat Livery to Provide Proper Equipment and Registration Section 50-21-120;

(37) Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170;

(38) Operation of Watercraft Without a Certificate of Title Section 50-23-190;

(39) Parking on private property without permission Section 16-11-760;

(40) Certificate of Veterinary Inspection; Requirement for Out of State Livestock or Poultry Section 47-4-60;

(41) Inhibition of Livestock Inspection Section 47-4-120;

(42) Imported Swine Section 47-6-50;

(43) Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20;

(44) Liability of Person Removing Livestock for Slaughter Section 47-11-120;

(45) Notice to Disinfect Section 47-13-310;

(46) Quarantine of Livestock or Poultry Section 47-4-70;

(47) Unlawful for Horse to Enter State Unless Tested Section 47-13-1350;

(48) Quarantine of Exposed Horses Section 47-13-1360;

(49) Proof of Test Required for Public Assembly of Horses Section 47-13-1370;

(50) False Certificates Section 47-13-1390;

(51) Unlawful to Feed Garbage to Swine Section 47-15-20;

(52) Notification Required from Certain Persons Disposing of Garbage Section 47-15-40;

(53) Sale of Uninspected Meat and Meat Products Section 47-17-60;

(54) Sale of Uninspected Poultry and Poultry Product Section 47-19-70;

(55) Unlawfully Tethering a Dog 47-1-310." /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

On motion of Senator RICE, the amendment was carried over.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

On motion of Senator KIMPSON, the Bill was carried over.

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

On motion of Senator CAMPSEN, the Bill was carried over.

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

On motion of Senator MARTIN, the Bill was carried over.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:58 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 18 -- Senators Hutto, Young, Climer and Davis: A BILL TO AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A

LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVERS' LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED

WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator MALLOY spoke on the Bill.

The question then was third reading of the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator LEATHERMAN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Tracie Files of Florence, S.C. Tracie was a Florence County Teacher of the Year at Lester Elementary. Tracie was a loving wife and devoted mother who will be dearly missed.

THURSDAY, MARCH 7, 2019

ADJOURNMENT

At 12:15 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, March 8, 2019
(Local 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 ACTING PRESIDENT, Senator SETZLER.

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gus Wilson of Abbeville, S.C. Gus was a City Councilman in Abbeville and a radio disc jockey. He served his community well and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Nichols of Loris, S.C. Henry was a retired lieutenant colonel in the U.S. Marine Corp and the first African American Mayor for the town of Loris. He attended Silent Grove Baptist Church and had a great love for the Loris community. Henry was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, March 12, 2019, at 2:00 P.M.

* * *

Tuesday, March 12, 2019
(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:

Ephesians 4:3

"Make every effort to keep yourselves unified in spirit, binding yourselves together in peace."

Let us pray. Gracious and loving God, the preparation of a state budget looms heavy on the horizon. Our Senators find themselves readying their legislative boat to maneuver the winds of public opinion as they work together for a successful voyage. Though they launch their vessel into familiar waters, their trip will not be routine. For this year, the presence of a budget surplus will create a tailwind. Though this is a blessing You have bestowed upon our State, it is indeed an unusual navigational challenge. Now more than ever, O God, we need the import of Your vision to set the priorities that will be a judicious use of this surplus for many years to come. As they trim their sails and struggle to set a new and exciting course for our State, we humbly pray for unity, fairness and vision as the Senate navigates this promising voyage. 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 2:04 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	Goldfinch
Gregory	Hembree	Leatherman

Malloy	Martin	Massey
Peeler	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
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, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Alton O. Smith, Jr., 164 Cardinal Court, Chesnee, SC 29323-9686

Referred to the Committee on Education.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2017, and to expire June 30, 2021

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634 *VICE* Christopher Glenn Neeley

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Juwan X. Ayers, 22 Routhland Court, Columbia, SC 29209-3084 *VICE* Eddie Clay Guess

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

At-Large:

Andrea C. Sancho-Baker, 2612 Sheryl Lane, Columbia, SC 29204-2253 *VICE* Louis C. Chavis

Referred to the Committee on Judiciary.

Local Appointments

Initial Appointment, Allendale County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Willard Branch, Post Office Box 57, Fairfax, SC 29827-0057

Reappointment, Allendale County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Willard Branch, Post Office Box 57, Fairfax, SC 29827-0057

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

David James Turner, 106 Miller Road, Spartanburg, SC 29376-3707

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jason Wall, 448 Old Boiling Springs Road, Spartanburg, SC 29303-1921

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James Willingham, 105 Edge Road, Moore, SC 29369-9521

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Quenton M. Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306

REGULATIONS WITHDRAWN AND RESUBMITTED

Document No. 4834
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-

11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210
SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 12, 2019

Document No. 4850
Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 12, 2019

Document No. 4868
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Residential Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 12, 2019

Document No. 4869
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Mechanical Code

TUESDAY, MARCH 12, 2019

Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 12, 2019

Doctor of the Day

Senator RANKIN introduced Dr. Gary Vukov of Myrtle Beach, S.C., Doctor of the Day.

Leave of Absence

At 2:06 P.M., Senator CROMER requested a leave of absence beginning at 2:30 P.M.

Leave of Absence

On motion of Senator SCOTT, at 2:07 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 53 Sen. Bennett
S. 259 Sen. Senn
S. 332 Sen. Grooms
S. 492 Sen. Shealy
S. 508 Sen. Turner
S. 510 Sen. Turner
S. 511 Sen. Turner
S. 513 Sen. Gregory
S. 574 Sens. Williams and Gambrell
S. 585 Sen. Nicholson

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 74 M.B. Matthews

RECALLED AND ADOPTED

S. 615 -- Senator Campbell: A SENATE RESOLUTION TO RECOGNIZE TUESDAY, MARCH 12, 2019, AS "4-H DAY" IN SOUTH CAROLINA.

Senator CAMPBELL asked unanimous consent to make a motion to recall the Resolution from the Committee on Agriculture and Natural Resources.

The Resolution was recalled from the Committee on Agriculture and Natural Resources.

Senator CAMPBELL 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.

On motion of Senator CAMPBELL, the Resolution was adopted.

RECALLED AND ADOPTED

S. 616 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" IN HONOR OF THE IMPORTANT SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.
Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.
The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator ALEXANDER 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.

On motion of Senator ALEXANDER, the Resolution was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 630 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE STATE LINE BAPTIST CHURCH OF GAFFNEY ON THE OCCASION OF ITS HISTORIC TWO HUNDRED TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE

CHURCH FOR TWO AND A QUARTER CENTURIES OF SERVICE TO GOD AND THE COMMUNITY.
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The Senate Resolution was adopted.

S. 631 -- Senator Massey: A SENATE RESOLUTION TO EXPRESS PROFOUND GRATITUDE TO DR. ROBERT MADDOX FOR HIS WORK AS EDGEFIELD COUNTY SCHOOL DISTRICT SUPERINTENDENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE EDGEFIELD COMMUNITY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
l:\s-res\asm\036robe.kmm.asm.docx
The Senate Resolution was adopted.

S. 632 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE PLEASANT GROVE BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN EDGEFIELD, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.
l:\s-res\asm\034plea.kmm.asm.docx
The Senate Resolution was adopted.

S. 633 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND RECOGNIZE REV. DR. AMBASSADOR SUZAN JOHNSON COOK FOR HER SIGNIFICANT CAREER AND COUNTLESS ACCOMPLISHMENTS AS A FAITH LEADER, ENTREPRENEUR, EDUCATOR, SUCCESS STRATEGIST, INTERNATIONAL INFLUENCER, COMMUNICATIONS EXPERT, AND DIPLOMAT.
l:\s-res\js\007susa.kmm.js.docx
The Senate Resolution was adopted.

S. 634 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CLEMSON OFFENSIVE LINEMAN GAGE CERVENKA FOR AN OUTSTANDING SEASON IN CLEMSON FOOTBALL AND TO WISH HIM CONTINUED SUCCESS IN THE 2019 SEASON.
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The Senate Resolution was adopted.

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.
l:\s-res\try\024driv.kmm.try.docx
Read the first time and referred to the Committee on Transportation.

S. 636 -- Senators Hutto, Rankin, Sabb, Young and Talley: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.
l:\s-jud\bills\hutto\jud0033.mdb.docx
Read the first time and referred to the Committee on Judiciary.

S. 637 -- Senator Davis: A BILL TO AMEND SECTION 30-4-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FREEDOM OF INFORMATION ACT, SO AS TO REQUIRE THE RESULTS OF A TOXICOLOGY REPORT OR A DRUG OR ALCOHOL SCREENING PERFORMED ON AN EMPLOYEE OF A STATE OR LOCAL GOVERNMENTAL AGENCY AT THE REQUEST OF HIS EMPLOYER MUST BE RELEASED AS PUBLIC INFORMATION IF THE REPORT OR SCREENING WAS AS A RESULT OF OR RELATED TO AN ACCIDENT OR INCIDENT WHILE IN THE COURSE OF EMPLOYMENT.
l:\s-jud\bills\davis\jud0041.rem.docx
Read the first time and referred to the Committee on Judiciary.

S. 638 -- Senators Gambrell and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 11, TITLE 58 SO AS TO ENACT THE "SOUTH CAROLINA SMALL WIRELESS FACILITIES DEPLOYMENT ACT"; TO MAKE LEGISLATIVE FINDINGS; TO DEFINE RELEVANT TERMS; TO PROVIDE, AMONG OTHER THINGS, THAT UNITS OF STATE OR LOCAL GOVERNMENT "AUTHORITIES" WITH CONTROL OVER RIGHTS-OF-WAY MAY NOT PROHIBIT, REGULATE, OR CHARGE FOR THE COLLOCATION OF CERTAIN SMALL WIRELESS FACILITIES; TO PROVIDE THAT SMALL WIRELESS FACILITIES MUST BE CLASSIFIED AS PERMITTED USES AND NOT SUBJECT TO ZONING REVIEW AND APPROVAL UNDER SPECIFIED CIRCUMSTANCES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS, FEES, APPLICATION REVIEW, AND ISSUANCE OF PERMITS FOR COLLOCATION OF SMALL WIRELESS FACILITIES; TO REQUIRE AUTHORITIES TO ALLOW THE COLLOCATION OF SMALL WIRELESS FACILITIES ON AUTHORITY UTILITY POLES UNDER SPECIFIED CIRCUMSTANCES; TO PROHIBIT AUTHORITIES FROM REGULATING THE DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION, OR OPERATION OF ANY SMALL WIRELESS FACILITY IN SPECIFIED CIRCUMSTANCES; TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT HAS JURISDICTION TO RESOLVE ALL DISPUTES ARISING UNDER THE ACT; AND TO PROHIBIT AN AUTHORITY FROM REQUIRING A WIRELESS PROVIDER TO INDEMNIFY THE AUTHORITY OR ITS OFFICERS OR EMPLOYEES AND FROM NAMING THE AUTHORITY AS AN ADDITIONAL INSURED ON A WIRELESS PROVIDER'S INSURANCE POLICY.
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Read the first time and referred to the Committee on Judiciary.

S. 639 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO AMEND SECTION 17-25-322, RELATING TO A RESTITUTION HEARING, SO AS TO REQUIRE THAT THE COURT MUST TAKE INTO CONSIDERATION THE FINANCIAL RESOURCES OF THE DEFENDANT AND ABILITY OF DEFENDANT TO PAY, TO REQUIRE IF A COURT FINDS A DEFENDANT FACES FINANCIAL HARDSHIP THAT THAT DEFENDANT MUST PAY

NO LESS THAN A SPECIFIED AMOUNT, AND TO REQUIRE A HEARING IF THE DEFENDANT IS SIX MONTHS IN ARREARS; TO AMEND SECTION 24-21-280, RELATING TO DUTIES AND POWERS OF PROBATION AGENTS, SO AS TO REQUIRE PROBATION AGENTS TO TAKE INTO CONSIDERATION AN OFFENDER'S EFFECTIVE USE OF DISCRETIONARY FUNDS, TO PROVIDE FOR SUPERVISION FOR SENTENCES OF THREE HUNDRED SIXTY-FIVE DAYS OR MORE, TO SPECIFY HOW COMPLIANCE CREDITS MAY BE AWARDED AND HOW PROGRAMS MAY BE RECOGNIZED BY REGULATION AS PROPER FOR INCENTIVES, TO INFORM THE SENTENCING REFORM OVERSIGHT COMMITTEE OF THE PROGRAMS DESIGNATED FOR COMPLIANCE CREDITS, AND TO PROVIDE THAT OFFENDER ELIGIBILITY FOR COMPLIANCE CREDITS AS PROVIDED IN THIS SECTION BE EXTENDED TO OFFENDERS WHOSE OFFENSES OCCURRED PRIOR TO JANUARY 1, 2011; TO AMEND SECTION 24-21-440, RELATING TO PERIOD OF PROBATION, SO AS TO PROVIDE THAT THE PERIOD BE DEPENDENT UPON THE OFFENSE FOR WHICH THE DEFENDANT HAS BEEN SENTENCED, THAT RESTITUTION PAYMENTS MUST NOT BE REQUIRED FOR THE FIRST THREE MONTHS OF SUPERVISION AND THAT THE PERIOD FOR SUPERVISION OF RESTITUTION PAYMENTS MUST BE DETERMINED BY A JUDGE, THAT THE SUPERVISION OF RESTITUTION PAYMENT MUST NOT EXCEED FIVE YEARS AND IS ONLY REVOCABLE AFTER THE COMPLETION OF PROBATION FOR FAILURE TO MAKE RESTITUTION PAYMENTS; TO AMEND SECTION 24-21-560, RELATING TO THE COMMUNITY SUPERVISION PROGRAM, SO AS TO CLARIFY THAT ONCE COMMUNITY SUPERVISION IS COMPLETED AN OFFENDER IS STILL SUBJECT TO THE OTHER REQUIREMENTS OF SUPERVISION; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 43-5-1191, SO AS TO EXEMPT INDIVIDUALS FROM THE ELIGIBILITY RESTRICTION ON SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AND TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BENEFITS FOR INDIVIDUALS WITH DRUG CONVICTIONS THAT WOULD OTHERWISE BE ELIGIBLE AND TO PROVIDE FOR INELIGIBILITY IN THE EVENT AN INDIVIDUAL VIOLATES PROBATION, COMMUNITY SUPERVISION, OR PAROLE; AND TO PROVIDE THAT THE

SENTENCING REFORM OVERSIGHT COMMITTEE STUDY AND MAKE A REPORT TO THE GENERAL ASSEMBLY CONCERNING THE COLLECTION OF RESTITUTION AND THE RISK AND NEEDS TOOL USED TO EVALUATE THE ENTIRE SUPERVISION POPULATION; TO ADD ARTICLE 7, TO CHAPTER 27, TITLE 24 TO PROVIDE THE CIRCUMSTANCES IN WHICH AN INMATE WHO HAS BEEN INCARCERATED AT LEAST FIFTEEN YEARS MAY PETITION THE COURT TO HAVE HIS SENTENCE MODIFIED; TO AMEND SECTION 24-13-150, RELATING TO THE EARLY RELEASE OF AN INMATE TO REDUCE THE NUMBER OF YEARS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION, AND TO PROVIDE A PROCEDURE THAT ALLOWS CERTAIN INMATES TO PETITION THE COURT TO MODIFY THEIR SENTENCE; TO AMEND SECTION 24-13-210, RELATING TO CREDIT GIVEN TO AN INMATE FOR GOOD BEHAVIOR TO INCREASE THE NUMBER OF GOOD BEHAVIOR DAYS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MAY RECEIVE; TO AMEND SECTION 24-13-230, RELATING TO CREDIT GIVEN TO AN INMATE FOR WORK AND EDUCATION CREDITS TO INCREASE THE NUMBER OF WORK AND EDUCATION CREDIT DAYS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MAY RECEIVE; TO AMEND SECTION 24-21-110, RELATING TO ADMINISTRATIVE SANCTIONS TO ALLOW FOR CONFINEMENT PERIODS OF UP TO THIRTEEN DAYS AS A JAIL SANCTION; TO AMEND SECTION 24-21-430, RELATING TO CONDITIONS OF PROBATION TO ALLOW FOR CONFINEMENT PERIODS NOT TO EXCEED THIRTEEN DAYS AS A CONDITION OF PROBATION AND AS AN ADMINISTRATIVE SANCTION; TO AMEND SECTION 24-21-460, RELATING TO ACTIONS OF THE COURT IN CASES OF PROBATION VIOLATIONS TO LIMIT REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-610, RELATING TO ELIGIBILITY FOR PAROLE TO ALLOW FOR PAROLE ELIGIBILITY TO BE COMPUTED USING AN INMATE'S ACTIVE INCARCERATIVE SENTENCE AND AMENDING REQUIREMENTS RELATED TO MEDICAL PAROLE; TO AMEND SECTION 24-21-620, RELATING TO A PAROLE BOARD'S REVIEW TO ALLOW FOR AUTOMATIC RELEASE ON PAROLE OF NON-VIOLENT INMATES WHO HAVE MET CERTAIN

CONDITIONS; TO AMEND SECTION 24-21-645, RELATING TO PAROLE AND PROVISIONAL PAROLE ORDERS TO LIMIT REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-660, RELATING TO THE EFFECT OF PAROLE TO LIMIT PAROLE REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-680, RELATING TO VIOLATION OF PAROLE TO LIMIT PAROLE REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-715, RELATING TO PAROLE FOR TERMINALLY ILL, GERIATRIC, OR PERMANENTLY DISABLED INMATES TO AMEND THE ELIGIBILITY REQUIREMENTS AND EXTEND ELIGIBILITY TO OTHER CATEGORIES OF INMATES AND LIMIT THE REASONS THE PAROLE BOARD CAN DENY THIS TYPE OF PAROLE; AND TO AMEND ARTICLE 7 OF CHAPTER 21 OF TITLE 24, RELATING TO PAROLE AND RELEASE FOR GOOD CONDUCT, SO AS TO ADD SECTION 24-21-720, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO CREATE AN INTAKE CASE PLAN FOR ALL PAROLE ELIGIBLE INMATES; TO AMEND SECTION 1-7-400, RELATING TO CIRCUIT SOLICITORS DISABLED BY INTOXICATION, TO DELETE THE MINIMUM PENALTY; TO AMEND SECTION 1-11-26, RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY, TO AMEND THE PENALTY FOR A VIOLATION FROM SIX MONTHS TO NOT MORE THAN SIX MONTHS IN PRISON; TO AMEND SECTION 2-17-50, RELATING TO FAILURE TO FILE BY A LOBBYIST, TO AMEND THE PENALTIES FOR A SECOND OFFENSE; TO AMEND SECTION 4-11-60, RELATING TO COUNTY OFFICERS KEEPING RECORDS OF MONEY, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION; TO AMEND SECTION 5-21-130, RELATING TO THE UNLAWFUL USE OF A SPECIALLY LEVIED TAX, BY AMENDING THE PENALTY FOR A VIOLATION TO NOT MORE THAN SIX MONTHS IN PRISON; TO AMEND SECTION 5-21-500, RELATING TO A COUNTY OR MUNICIPAL COUNCIL MEMBER VOTING TO DIVERT FUNDS, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION; TO AMEND SECTION 5-25-40, RELATING TO FAILURE TO INSTALL FIRE ALARM BOXES IN HOSPITALS AND SCHOOLS, TO DELETE THE MINIMUM PENALTY OF TEN DAYS IN PRISON FOR A VIOLATION; TO AMEND SECTION 5-31-20, RELATING TO INTERFERENCE WITH SEWERS AND WATERWORKS, TO AMEND THE PENALTY FOR A VIOLATION FROM THIRTY DAYS TO NOT MORE THAN

THIRTY DAYS; TO AMEND SECTION 7-13-1910, RELATING TO THE UNLAWFUL POSSESSION OF VOTING MACHINES, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION OF TEN DAYS IN JAIL; TO AMEND SECTION 7-13-1920, RELATING TO THE UNLAWFUL TAMPERING OF VOTING MACHINES, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION OF NOT LESS THAN THREE MONTHS IN PRISON; TO AMEND SECTION 8-1-40, RELATING TO FAILURE OF CLERK, SHERIFF, OR MAGISTRATE TO PAY OVER FINES OR PENALTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 8-3-60, RELATING TO PUBLIC OFFICIALS ASSUMPTION OF OFFICE BEFORE GIVING BOND, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 8-13-1510, RELATING TO ETHICS AND GOVERNMENT ACCOUNTABILITY, LATE FILING OR FAILURE TO FILE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-7-230, RELATING TO PUBLIC OFFICIALS FAILURE TO OBTAIN INSURANCE ON PUBLIC BUILDINGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-9-260, RELATING TO INTERFERING WITH STATE, DEPARTMENT, OR LICENSEES; PHOSPHATE MINING WITHOUT LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-11-325, RELATING TO POSSESSING, TRANSPORTING, DETONATING EXPLOSIVE OR INCENDIARY DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 11-15-90, RELATING TO FAILURE OF POLITICAL SUBDIVISION DISBURSEMENT OFFICER TO MAKE PAYMENT OR REMIT FUNDS FOR PAYMENT OF OBLIGATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 11-15-290, RELATING TO FAILURE TO MAKE INVESTMENTS FROM SINKING FUNDS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-2470, RELATING TO OPERATING A PLACE OF AMUSEMENT WITHOUT A LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-2830, RELATING TO RECORD REQUIRED OF GROSS RECEIPTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-3080, RELATING TO

INTERFERENCE WITH AMUSEMENT TAX ENFORCEMENT OR REFUSAL TO ALLOW INSPECTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-37-1130, RELATING TO PENALTIES FOR FALSE STATEMENTS TO THE DEPARTMENT OF REVENUE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-54-44, RELATING TO TAX OR REVENUE LAW PENALTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 14-9-240, RELATING TO JUDGES AND SOLICITORS PROHIBITED FROM PRACTICING LAW IN CERTAIN CAUSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 14-25-65, RELATING TO MAXIMUM PENALTIES THAT MUNICIPAL COURT MAY IMPOSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 15-43-70, RELATING TO VIOLATION OF INJUNCTION AND PUNISHMENT FOR CONTEMPT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-610 RELATING TO CERTAIN OFFENSES COMMITTED WITH A CARRIED OR CONCEALED DEADLY WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-625, RELATING TO RESISTING ARREST WITH DEADLY WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-755, RELATING TO SEXUAL BATTERY WITH A STUDENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1045, RELATING TO USE OR EMPLOYMENT OF PERSON UNDER EIGHTEEN TO COMMIT CERTAIN CRIMES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1280, RELATING TO THE OFFENSE OF FALSE CLAIMS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTIONS 16-3-1710, AND 16-3-1720, RELATING TO THE OFFENSES OF HARASSMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1730, RELATING TO THE OFFENSE OF STALKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1770, RELATING TO RESTRAINING ORDERS, TO AMEND THE SENTENCE; TO AMEND SECTION 16-3-2090,

RELATING TO FORFEITURE OF PROPERTY USED IN TRAFFICKING IN PERSONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-9-230, RELATING TO PERSONS HOLDING OFFICE ACCEPTING EXTRA COMPENSATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-9-250, RELATING TO UNLAWFUL ACCEPTANCE OF REMUNERATION BY PEACE OFFICERS FOR PERFORMING OFFICIAL DUTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-130, RELATING TO BURNING PERSONAL PROPERTY TO DEFRAUD INSURER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-180, RELATING TO NEGLIGENTLY ALLOWING FIRE TO SPREAD TO PROPERTY OF ANOTHER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-350, RELATING TO TRAIN ROBBERY BY STOPPING TRAIN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-360, RELATING TO ROBBERY AFTER ENTRY UPON TRAIN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-510, RELATING TO MALICIOUS INJURY TO ANIMALS AND OTHER PERSONAL PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-520, RELATING TO MALICIOUS INJURY TO TREE, HOUSE, OUTSIDE FENCE, OR FIXTURE; TRESPASS UPON REAL PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-535, RELATING TO MALICIOUS INJURY TO PLACE OF WORSHIP, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-590, RELATING TO DESTRUCTION OF SEA OAT OR VENUS'S FLYTRAP PLANTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-650, RELATING TO REMOVING, DESTROYING, OR LEAVING DOWN FENCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-13-10, RELATING TO THE OFFENSE OF FORGERY, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-30, RELATING TO PETIT LARCENY AND GRAND LARCENY, TO AMEND THE PENALTIES; TO AMEND SECTION

16-13-40, RELATING TO STEALING OF BONDS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-50, RELATING TO STEALING OF LIVESTOCK, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-66, RELATING TO STEALING OR DAMAGING AQUACULTURE OPERATIONS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-70, RELATING TO STEALING OF VESSELS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-110, RELATING TO THE OFFENSE OF SHOPLIFTING, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-180, RELATING TO THE OFFENSE OF RECEIVING STOLEN GOODS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-230, RELATING TO THE OFFENSE OF BREACH OF TRUST WITH FRAUDULENT INTENT, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-240, RELATING TO THE OFFENSE OF OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-260, RELATING TO THE OFFENSE OF OBTAINING PROPERTY UNDER FALSE TOKENS OR LETTERS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-300, RELATING TO FRAUDULENT REMOVAL OR SECRETING OF PERSONAL PROPERTY ATTACHED OR LEVIED UPON, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-420, RELATING TO THE OFFENSE OF FAILURE TO RETURN LEASED OR RENTED PROPERTY, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-430, RELATING TO FRAUDULENT ACQUISITION OR USE OF FOOD STAMPS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-14-60, RELATING TO FINANCIAL TRANSACTION CARD FRAUD, TO AMEND THE JURISDICTION OF MAGISTRATE'S COURT AND TO AMEND THE PENALTIES; TO AMEND SECTION 16-14-80, RELATING TO RECEIVING STOLEN GOODS, TO AMEND THE JURISDICTION OF THE MAGISTRATE'S COURT AND AMEND THE PENALTIES; TO AMEND SECTION 16-15-10, RELATING TO THE OFFENSE OF BIGAMY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-20, RELATING TO THE OFFENSE OF INCEST, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-60, RELATING TO THE OFFENSE OF ADULTERY OR FORNICATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-110, RELATING TO THE OFFENSE OF PROSTITUTION, TO DELETE

THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-120, RELATING TO THE ABOMINABLE CRIME OF BUGGERY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-310, RELATING TO THE OFFENSE OF IMITATION OF ORGANIZATIONS' NAMES OR EMBLEMS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-520, RELATING TO THE OFFENSE OF DISTURBANCE OF RELIGIOUS WORSHIP, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-570, RELATING TO INTERFERENCE WITH FIRE AND POLICE ALARM BOXES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-580, RELATING TO REMOVING STATE LINE MARKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-600, RELATING TO DESTRUCTION OR DESECRATION OF HUMAN REMAINS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-610, RELATING TO THE OFFENSE OF SOLICITING EMIGRANTS WITHOUT LICENSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-690, RELATING TO THE OFFENSE OF FORTUNETELLING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-735, RELATING TO THE OFFENSE OF IMPERSONATING OFFICIALS OR LAW ENFORCEMENT OFFICERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-19-10, RELATING TO THE UNLAWFUL SETTING UP OF LOTTERIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-19-160, RELATING TO UNLAWFUL PUNCHBOARDS FOR GAMING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-21-80, RELATING TO THE OFFENSE OF RECEIVING, POSSESSING, CONCEALING, SELLING, OR DISPOSING OF STOLEN VEHICLE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-450, RELATING TO THE OFFENSE OF PLACING LOADED TRAP GUN, SPRING GUN, OR LIKE DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-460, RELATING TO

THE OFFENSE OF CARRYING A CONCEALED WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-730, RELATING TO HOAX DEVICE OR REPLICA OF DESTRUCTIVE DEVICE OR DETONATOR, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-740, RELATING TO HINDERING AN EXPLOSIVE ORDINANCE TECHNICIAN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-750, RELATING TO CONVEYING FALSE INFORMATION REGARDING ATTEMPTED USE OF A DESTRUCTIVE DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTIONS 16-27-30 AND 16-27-40, RELATING TO THE OFFENSE OF ANIMAL FIGHTING OR BAITING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 17-25-20, RELATING TO PUNISHMENT FOR FELONY WHEN A PENALTY IS NOT SPECIALLY PROVIDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION AND TO REMOVE REFERENCE TO WORKHOUSE, HARD LABOR, AND SOLITARY CONFINEMENT; TO AMEND SECTION 20-1-210, RELATING TO LICENSE REQUIRED FOR MARRIAGE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 20-1-220, RELATING TO PROBATE JUDGE MARRIAGE LICENSE VIOLATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 20-3-220, RELATING TO UNLAWFUL ADVERTISING FOR PURPOSE OF PROCURING DIVORCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-1-70, RELATING TO DISPOSITION OF FINES AND PENALTIES IMPOSED AND COLLECTED IN CRIMINAL CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-1-140, RELATING TO RETURN OF BOOKS RECEIVED BY MAGISTRATE FROM COURT CLERK AT EXPIRATION OF MAGISTRATE'S TERM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-5-170, RELATING TO DUTY OF SPECIAL OFFICER APPOINTED BY MAGISTRATE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-7-40, RELATING TO RECEIPT OF CERTAIN COMPENSATION BY

MAGISTRATE IN CRIMINAL CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-1-140, RELATING TO RURAL POLICEMEN SHALL NOT COLLECT FEES IN CERTAIN CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-310, RELATING TO IMPROPER RELEASE OF INFORMATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, TO REQUIRE THE COURT TO MAKE A FINDING ON THE RECORD THAT THE OFFENSE INCLUDED A CRIMINAL SEXUAL OFFENSE FOR A PERSON CONVICTED OF KIDNAPPING IN ORDER FOR THE OFFENDER TO BE PLACED ON THE SEX OFFENDER REGISTRY; TO AMEND SECTION 23-3-470, RELATING TO FAILURE TO REGISTER AS A SEX OFFENDER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-475, RELATING TO REGISTERING WITH FALSE INFORMATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-15-70, RELATING TO VIOLATION OF THE CALL OUT FOR ASSISTANCE OR POSSE COMITATUS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-35-150, RELATING TO FIREWORKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-36-170, RELATING TO EXPLOSIVES CONTROL ACT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-410, RELATING TO SALE OF PRISON-MADE PRODUCTS ON OPEN MARKET GENERALLY PROHIBITED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-420, RELATING TO PRISON INDUSTRIES VIOLATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-950, RELATING TO PRISON CONTRABAND, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-5-130, RELATING TO LEAVING JAILS UNATTENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-7-155, RELATING TO FURNISHING OR POSSESSING CONTRABAND IN JAIL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO

AMEND SECTION 24-13-260, RELATING TO FAILURE OF OFFICER HAVING CHARGE OF INMATE TO ALLOW DEDUCTION IN TIME OF SERVING SENTENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-410, RELATING TO UNLAWFUL ESCAPE OR POSSESSING TOOLS OR WEAPONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-430, RELATING TO RIOTING OR INCITING TO RIOT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-460, RELATING TO FURNISHING PRISONERS ALCOHOLIC BEVERAGES OR NARCOTIC DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 27-23-30, RELATING TO PUNISHMENT OF PARTIES TO FRAUDULENT CONVEYANCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 29-1-30, RELATING TO THE WILFUL SALE OF PROPERTY ON WHICH LIEN EXISTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 29-7-20, RELATING TO FAILURE TO PAY LABORERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 33-45-170, RELATING TO MEMBERSHIP IN COTTON COOPERATIVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-3-10, RELATING TO UNLAWFUL USE OF THE WORD "BANK" OR "BANKING", TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-3-80, RELATING TO CRIMINAL LIABILITY OF BANK OFFICIAL FURNISHING FALSE CERTIFICATE TO COMPTROLLER GENERAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-11-30, RELATING TO RECEIPT OF DEPOSITS OR TRUSTS AFTER KNOWLEDGE OF INSOLVENCY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-11-90, RELATING TO FRAUDULENT CHECKS, TO AMEND THE JURISDICTION OF MAGISTRATE'S COURT AND TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 36-9-410, RELATING TO UNLAWFUL SALE OR DISPOSAL OF PERSONAL PROPERTY SUBJECT TO SECURITY INTEREST, TO AMEND THE PENALTIES; TO AMEND SECTION 38-2-30, RELATING TO

INSURANCE AND ACTING WITHOUT A LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 38-55-170, RELATING TO PRESENTING FALSE CLAIMS FOR PAYMENT, TO AMEND THE PENALTIES; TO AMEND SECTION 39-1-20, RELATING TO MAKING INTENTIONALLY UNTRUE STATEMENT IN ADVERTISING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-1-80, RELATING TO INDUSTRIAL HYGIENE AND SAFETY PROFESSIONALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-10, RELATING TO MANUFACTURER'S USE OF MARKED BEER, SODA WATER OR MINERAL WATER CONTAINERS OF OTHERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-15, RELATING TO REQUIREMENTS FOR LABELING PRODUCT AS "PEAT", TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-480, RELATING TO UNAUTHORIZED POSSESSION OF MARKED OR BRANDED CONTAINERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-750, RELATING TO DESTRUCTION OF BRAND OR REMOVAL OR TRANSFER OF TIMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-19-510, RELATING TO FRAUD IN SALE OF LEAF TOBACCO, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-33-1320, RELATING TO BUTTERFAT CONTENT AND WEIGHT OF MILK, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-33-1540, RELATING TO UNAUTHORIZED USE OF STAMPED BOTTLES OF OTHER DEALERS IN MILK IN SAME COUNTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-41-160, RELATING TO FRAUDULENT VIOLATION OF PETROLEUM REQUIREMENTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-41-360, RELATING TO SALE OF LUBRICATING OILS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-51-120, RELATING TO ANTI-FREEZE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-2-590, RELATING TO

REGULATION OF ACCOUNTING PRACTITIONERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-8-190, RELATING TO PERPETUAL CARE CEMETERY ACT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-36-30, RELATING TO OCCUPATIONAL THERAPISTS PRACTICING WHILE LICENSE SUSPENDED OR REVOKED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-41-710, RELATING TO RETAILERS RECORD OF STOLEN PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-51-220, RELATING TO PODIATRY OR CHIROPODY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-56-200, RELATING TO FIRE CODES AND REGULATIONS ADOPTED BY STATE FIRE MARSHAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-59-30, RELATING TO RESIDENTIAL SPECIALTY CONTRACTING LICENSE REQUIREMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-69-200, RELATING TO UNLAWFUL PRACTICE OR FILING FALSE INFORMATION TO OBTAIN VETERINARY LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-82-200, RELATING TO OBTAINING LICENSE TO DO BUSINESS IN LIQUID PETROLEUM GAS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-1-20, RELATING TO UNLAWFUL DISCRIMINATION AGAINST UNION MEMBERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-1-60, RELATING TO TRANSACTIONS BETWEEN CARRIERS OR SHIPPERS AND LABOR ORGANIZATIONS PROHIBITED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-3-140, RELATING TO IMPEDING DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN PERFORMANCE OF HIS DUTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-7-80, RELATING TO RIGHT TO WORK, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 42-5-45, RELATING TO PENALTY FOR FAILURE OF EMPLOYER TO

SECURE PAYMENT OF COMPENSATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 42-5-240, RELATING TO ACTING AS AN INSURANCE AGENT WHILE SUSPENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-1-150, RELATING TO VIOLATION OF RULES OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-1-151, RELATING TO VIOLATIONS INVOLVING SHELLFISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-23-1080, RELATING TO PATIENTS AND PRISONERS DENIED ACCESS TO ALCOHOLIC BEVERAGES, FIREARMS, DANGEROUS WEAPONS, AND CONTROLLED SUBSTANCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-52-165, RELATING TO PATIENTS RECEIVING ADDICTION SERVICES PROHIBITED FROM POSSESSING ALCOHOL, FIREARMS, WEAPONS, OR DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, TO AMEND THE PENALTIES, WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, TO AMEND THE PENALTIES, WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; TO AMEND SECTION 44-55-700, RELATING TO SEPTIC TANK INSTALLATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-61-70, RELATING TO EMERGENCY SERVICES AND HINDERING AN AGENT OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-2-40, RELATING TO VIOLATIONS COMMITTED BY PERSON ON PREMISES OR PROPERTY OF LODGING ESTABLISHMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-3-20, RELATING TO OBSTRUCTION OF

HOTEL AND RESTAURANT INSPECTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-9-90, RELATING TO VIOLATION OF RIGHT TO EQUAL ENJOYMENT OF AND PRIVILEGES TO PUBLIC ACCOMMODATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-1-20, RELATING TO STEALING CROPS FROM THE FIELD, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-40, RELATING TO STEALING TOBACCO PLANTS FROM BEDS, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-60, RELATING TO MAKING AWAY WITH OR DISPOSING OF PRODUCE BEFORE PAYING, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-70, RELATING TO FACTORS OR COMMISSION MERCHANTS FAILING TO ACCOUNT FOR PRODUCE, TO AMEND THE PENALTIES; TO AMEND SECTION 46-9-80, RELATING TO INTERFERING WITH AGRICULTURE COMMISSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-9-90, RELATING TO STATE CROP PEST COMMISSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-17-400, RELATING TO AGRICULTURAL COMMODITIES MARKETING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-29-20, RELATING TO FRAUDULENT PACKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-1-40, RELATING TO ILL-TREATMENT OF ANIMALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-1-60, RELATING TO CUTTING MUSCLES OF TAILS OF HORSES, ASSES, AND MULES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-530, RELATING TO STEALING OR KILLING IDENTIFIABLE DOG, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-630, RELATING TO TEASING, MALTREATING, AND INJURING POLICE DOGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-950, RELATING TO UNAUTHORIZED CONTROL OVER GUIDE DOG OR SERVICE ANIMAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-7-160, RELATING TO UNLAWFUL RESCUING ANIMAL FROM

CUSTODY OF PERSON IMPOUNDING IT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-9-410, RELATING TO LIVESTOCK BRANDING OR EARMARKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-13-70, RELATING TO SELLING FLESH OF DISEASED OR INJURED ANIMALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 48-23-265, RELATING TO PAYMENT TO LANDOWNER FOR FOREST PRODUCTS PURCHASED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 48-43-550, RELATING TO REMOVAL OF DISCHARGES OF POLLUTANTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 49-1-50, RELATING TO SALE OR PURCHASE OF DRIFTED LUMBER OR TIMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-85, RELATING TO USE OF FIREARMS OR ARCHERY TACKLE IN CRIMINALLY NEGLIGENT MANNER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-125, RELATING TO TRAFFICKING IN WILDLIFE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-130, RELATING TO FISH, GAME, AND WATERCRAFT VIOLATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-5-730, RELATING TO TRAWLING NEAR PUBLIC FISHING PIER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-5-2535, RELATING TO MARINE RESOURCES ACT, ENGAGING IN PROHIBITED ACTIVITIES WHILE UNDER SUSPENSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-100, RELATING TO ENCLOSURE IMPEDING FREE RANGE OF DEER BEING HUNTED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-730, RELATING TO UNLAWFUL TO HUNT, SHOOT, OR KILL DEER FROM A WATER CONVEYANCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-810, RELATING TO GAME BIRDS FOR WHICH NO SPECIFIC OPEN SEASON IS DESIGNATED, TO DELETE THE MINIMUM

SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-852, RELATING TO THE UNLAWFUL MOLESTATION OR KILLING OF BIRDS OF PREY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1105, RELATING TO AUTHORITY OF DEPARTMENT OF NATURAL RESOURCES TO DECLARE CLOSED SEASON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1110, RELATING TO AUTHORITY OF DEPARTMENT TO CLOSE OR SHORTEN OPEN SEASON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1340, RELATING TO RESPONSIBILITY OF MANAGER, OWNER, OR LICENSEE FOR VIOLATIONS ON PRESERVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1730, RELATING TO TRANSPORTING OF GAME BIRDS OR ANIMALS OUT OF STATE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-2210 RELATING TO ABUSE OF WILDLIFE MANAGEMENT AREA, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-2640, RELATING TO IMPORTING FOXES AND COYOTES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1210, RELATING TO PROHIBITION OF THE PERMANENT OBSTRUCTION TO MIGRATION OF FISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1410, RELATING TO POLLUTION OF WATERS INJURING FISH AND SHELLFISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1420, RELATING TO POISONING WATERS OR PRODUCING ELECTRIC CURRENTS TO CATCH FISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1430, RELATING TO CASTING IMPURITIES IN WATERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1630, RELATING TO IMPORTING, POSSESSING, OR SELLING CERTAIN FISH UNLAWFUL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-2015, RELATING TO FISH SANCTUARY IN ST. STEPHEN REDIVERSION CANAL, TO DELETE THE MINIMUM SENTENCE

REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-18-285, RELATING TO TAMPERING, DAMAGING, VANDALIZING, POISONING, OR STEALING OF AQUACULTURE PRODUCTS OR FACILITIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-251, RELATING TO SLADE LAKE FISHING AND RECREATIONAL REQUIREMENTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-590, RELATING TO FISHING NEAR GREENWOOD POWER PLANT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-1190, RELATING TO SHELLY LAKE FISH SANCTUARY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-112, RELATING TO BOATING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-113, RELATING TO BOATING UNDER THE INFLUENCE RESULTING IN PROPERTY DAMAGE, GREAT BODILY INJURY, OR DEATH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-117, RELATING TO OPERATION OF WATER DEVICE WHILE PRIVILEGES SUSPENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-23-385, RELATING TO HOUSEBOATS WITH WASTE-HOLDING TANKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-1-40, RELATING TO CIRCUSES, CARNIVALS, AND TRAVELING SHOWS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-13-10, RELATING TO OPERATION OF DANCING HALL ON SUNDAY FORBIDDEN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-13-40, RELATING TO DANCE HALLS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 54-11-50, RELATING TO DESTROYING, DAMAGING, OR OBSTRUCTING MONUMENTS OR BUILDINGS OF UNITED STATES COAST SURVEYS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-1-40, RELATING TO UNLAWFUL ENTRY OF AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-1-100, RELATING TO OPERATING OR

ACTING AS FLIGHT CREW MEMBER OF AIRCRAFT WHILE UNDER INFLUENCE OF ALCOHOL OR DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-13-40, RELATING TO TRESPASSING, PARKING, DRIVING OR DRAG RACING ON AIRPORT PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-350, RELATING TO FAILURE TO RETURN CANCELLED OR SUSPENDED DRIVER'S LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-450, RELATING TO PENALTIES FOR UNLAWFUL OPERATION AFTER CONVICTION FOR WHICH SUSPENSION OR REVOCATION OF LICENSE MANDATORY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-460, RELATING TO PENALTIES FOR DRIVING WHILE LICENSE CANCELLED, SUSPENDED OR REVOKED FOR DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-2070, RELATING TO DRIVING COMMERCIAL MOTOR VEHICLE WITHOUT VALID LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-1910, RELATING TO FORGERY OF LICENSE PLATES FOR HANDICAPPED PERSONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-1960, RELATING TO TEMPORARY AND PERMANENT PARKING PLACARDS, ILLEGAL DUPLICATION OR FORGERY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-5400, RELATING TO FRATERNAL ORDER OF POLICE SPECIAL LICENSE PLATES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2930, RELATING TO DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2933, RELATING TO DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2945, RELATING TO FELONY DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM

SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-9-340, RELATING TO FAILURE TO SURRENDER LICENSE AND REGISTRATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-240, RELATING TO REQUIREMENT THAT UPON LOSS OF INSURANCE, INSURED OBTAIN NEW INSURANCE OR SURRENDER REGISTRATION AND PLATES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-250, RELATING TO THE UNLAWFUL SELLING OF A VEHICLE WITH SUSPENDED REGISTRATION TO FAMILY MEMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-260, RELATING TO FALSE CERTIFICATE OR FALSE EVIDENCE OF INSURANCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-520, RELATING TO OPERATING A MOTOR VEHICLE WITHOUT PAYING UNINSURED MOTOR VEHICLE FEE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-7-20, RELATING TO PUTTING FOREIGN SUBSTANCES ON HIGHWAYS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-13-110, RELATING TO INJURY TO OR DESTRUCTION OF BRIDGES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-17-110, RELATING TO COUNTY APPORTIONMENT OF ROAD FUNDS THROUGH YEAR, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-15-840, RELATING TO TAKING OR REMOVING BRASSES, BEARINGS, WASTE OR PACKING FROM RAILROAD CARS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-17-2760, RELATING TO RAILROADS, CONNECTING CARRIERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-17-4090, RELATING TO OBSTRUCTION OF RAILROAD, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-23-80, RELATING TO MOTOR VEHICLE CARRIERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-23-920, RELATING TO INSURANCE REQUIRED OF OWNERS OF MOTOR VEHICLES TRANSPORTING GOODS FOR HIRE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR

A VIOLATION; TO AMEND SECTION 59-5-130, RELATING TO STATE BOARD OF EDUCATION, MEMBERS SHALL NOT CONTRACT WITH BOARD, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-19-310, RELATING TO EXERCISING OFFICE OF SCHOOL TRUSTEE AFTER TERMINATION OF OFFICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-25-30, RELATING TO OFFICIALS NOT PERMITTED TO DESIGNATE PLACE FOR TEACHER TO BOARD OR LIVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-29-560, RELATING TO SCHOOL DISBURSEMENT OF AND ACCOUNTABILITY FOR FUNDS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-31-590, RELATING TO SCHOOL PERSONNEL NOT PERMITTED TO ACT AS AGENTS FOR PUBLISHERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-120, RELATING TO PROHIBITION OF TAMPERING WITH SCHOOL BUS GOVERNORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-210, RELATING TO UNLAWFUL SCHOOL BUS PASSING ANOTHER SCHOOL BUS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-280, RELATING TO TRANSPORTATION OF PUPILS, SCHOOL BUSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-69-260, RELATING TO OFFICIALS SHALL NOT ACQUIRE INTEREST IN CLAIMS OR CONTRACTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-111-180, RELATING TO MISREPRESENTATION OF SCHOLARSHIP ELIGIBILITY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-116-80, RELATING TO IMPERSONATION OF CAMPUS POLICE OFFICER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-150-250, RELATING TO LOTTERY TICKET SALE TO A MINOR OR ACCEPTING LOTTERY PRIZE WHILE INCARCERATED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-152-150, RELATING TO DEVELOPMENT AND ADOPTION OF STANDARD FISCAL

ACCOUNTABILITY SYSTEM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-2-240, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, INTERFERENCE WITH OFFICER AND ABUSIVE LANGUAGE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-2-250, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-20, RELATING TO SALE OF ALCOHOL WITHOUT TAXES LEVIED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-160, RELATING TO DISCOUNT PRICING FOR ON-PREMISES ALCOHOL CONSUMPTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-560, RELATING TO BEER, ALE, PORTER, AND WINE, OPERATION WITHOUT A PERMIT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-600, RELATING TO SURRENDER OF BEER OR WINE SALES LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-610, RELATING TO UNLAWFUL SALES OF BEER AND WINE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-780, RELATING TO PROVISIONS AFFECTING WINE SALES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-910, RELATING TO PROVISIONS AFFECTING BEER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4010, RELATING TO UNLAWFUL MANUFACTURE, POSSESSION, OR SALES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4025, RELATING TO POSSESSION OF UNLAWFULLY ACQUIRED OR MANUFACTURED ALCOHOLIC LIQUORS IN VEHICLE, VESSEL, OR AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4030, RELATING TO TRANSPORTATION OF ALCOHOLIC LIQUORS IN A VEHICLE FOR HIRE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4040, RELATING TO RENDERING AID IN UNLAWFUL TRANSPORTATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND

SECTION 61-6-4050, RELATING TO PURCHASE FROM UNLICENSED ALCOHOL RETAIL DEALER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4060, RELATING TO UNLICENSED STORAGE OF ALCOHOLIC LIQUORS IN PLACE OF BUSINESS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4100, RELATING TO DISTILLERIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4110, RELATING TO KNOWING PERMISSION TO LOCATE DISTILLERY ON PREMISES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4120, RELATING TO MATERIALS USED IN THE MANUFACTURE OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4130, RELATING TO PRESENCE AT DISTILLERY PRIMA FACIE EVIDENCE OF GUILT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4140, RELATING TO EMPLOYMENT OF PERSONS UNDER THE AGE OF TWENTY-ONE YEARS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4150, RELATING TO SALE OF ALCOHOLIC LIQUORS FROM VEHICLE, VESSEL, OR AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4160, RELATING TO SUNDAY AND CHRISTMAS DAY SALES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4170, RELATING TO BILLBOARDS ENCOURAGING UNDERAGE DRINKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4180, RELATING TO POSSESSION OF FIREARM OR WEAPON BY SELLERS OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4200, RELATING TO DISPOSSESSION OR ATTEMPTED DISPOSSESSION OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4550, RELATING TO DISCOUNTING OF PRICES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4700, RELATING TO CONSUMPTION OF

ALCOHOLIC LIQUOR ON PREMISES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-8-50, RELATING TO CONTEMPT PROCEEDINGS RELATED TO REGULATION OF ALCOHOL SALES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 63-19-1670, RELATING TO CONTRABAND IN DEPARTMENT OF JUVENILE JUSTICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 63-19-2420, RELATING TO JUVENILE LOITERING IN A BILLIARD ROOM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; AND TO AMEND CHAPTER 22, TITLE 17, RELATING TO CRIMINAL INTERVENTION PROGRAMS, BY ADDING ARTICLE 13, TO ENACT THE "DRUG COURT PROGRAM ACT"; TO DIRECT EACH CIRCUIT SOLICITOR TO ESTABLISH A DRUG COURT PROGRAM FOR ADULTS AND JUVENILES; TO PROVIDE CRITERIA FOR THE ELIGIBILITY OF PERSONS CHARGED WITH NONVIOLENT OFFENSES; TO ALLOW EACH CIRCUIT SOLICITOR TO ESTABLISH AN OFFICE OF DRUG COURT PROGRAM COORDINATOR; TO DIRECT THE COMMISSION ON PROSECUTION COORDINATION TO ESTABLISH A STATE OFFICE OF DRUG COURT COORDINATION; TO PROVIDE FOR FEES FOR PARTICIPATION IN A DRUG COURT PROGRAM; TO PROVIDE FOR ANNUAL REPORTS DETAILING THE ACTIVITIES OF DRUG COURT PROGRAMS TO THE COMMISSION ON PROSECUTION COORDINATION, WITH A COPY PROVIDED TO THE SENTENCING REFORM OVERSIGHT COMMITTEE; AND TO PROVIDE FOR THE APPOINTMENT OF DRUG COURT JUDGES AND THEIR COMPENSATION.
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Read the first time and referred to the Committee on Judiciary.

S. 640 -- Senator Malloy: A BILL TO AMEND SECTION 14-17-325 OF THE 1976 CODE, RELATING TO THE CLERK OF COURT REPORTING THE DISPOSITION OF EACH CASE IN THE COURT OF GENERAL SESSIONS, TO REQUIRE EVERY CLERK OF COURT TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING

ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 22 OF THE 1976 CODE, RELATING TO MAGISTRATES GENERALLY, BY ADDING SECTION 22-1-200, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-250, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TWENTY-FOUR HOURS THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; AND TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO THE COURTS, BY ADDING CHAPTER 32, TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE AND

TO ESTABLISH ITS MEMBERSHIP, DUTIES, AND RESPONSIBILITIES, INCLUDING THE STUDY OF AND RECOMMENDATIONS FOR THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING.
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Read the first time and referred to the Committee on Judiciary.

S. 641 -- Senator Grooms: A BILL TO ENACT THE CAMPUS INTELLECTUAL DIVERSITY ACT, TO AMEND CHAPTER 59, TITLE 101 OF THE 1976 CODE, RELATING TO COLLEGES AND INSTITUTIONS OF HIGHER LEARNING GENERALLY, BY ADDING ARTICLE 4, TO PROVIDE FOR AN OFFICE OF PUBLIC POLICY EVENTS ON EVERY CAMPUS OF CERTAIN COLLEGES OR UNIVERSITIES, WHICH SHALL ORGANIZE, PUBLICIZE, AND STAGE DEBATES, GROUP FORUMS, AND INDIVIDUAL LECTURES THAT ADDRESS PUBLIC POLICY ISSUES, AND TO REQUIRE EACH OFFICE OF PUBLIC POLICY EVENTS TO KEEP CERTAIN RECORDS AND MAKE CERTAIN INFORMATION PUBLICLY AVAILABLE.
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Read the first time and referred to the Committee on Education.

S. 642 -- Senators Campbell and Leatherman: A BILL TO AMEND SECTION 42-9-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND PAYMENTS IN WORKERS' COMPENSATION, SO AS TO PROVIDE WHEN EMPLOYEES SUFFER COMPENSABLE INJURIES AND RECEIVE COMPENSATION FOR THOSE INJURIES FROM THEIR EMPLOYER OR CERTAIN OTHER PARTIES UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, THEIR EMPLOYER OR EMPLOYER'S REPRESENTATIVE IS ENTITLED TO A DOLLAR-FOR-DOLLAR CREDIT FOR PAYMENT OF INDEMNITY BENEFITS UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT AGAINST INDEMNITY BENEFITS DUE TO THE EMPLOYEE UNDER THE ACT FOR THE SAME INJURY, TO PROVIDE THE WORKERS' COMPENSATION COMMISSION IS NOT PREVENTED FROM AWARDING THE CREDIT ON CONCURRENT JURISDICTION CASES ARISING OUT OF ACCIDENTS OCCURRING PRIOR TO JULY 1, 2019, AND TO

PROVIDE PAYMENT OF BENEFITS BY THE EMPLOYER UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT DOES NOT CONSTITUTE AN ELECTION OF REMEDIES BY THE CLAIMANT UNDER EITHER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT OR THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT AND SHALL NOT PRECLUDE PAYMENT OF A LUMP SUM AWARD TO CLAIMANT UNDER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT.
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Senator CAMPBELL spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 643 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR STANDING AGAINST VIOLENCE EVERYDAY, INC., FOR ITS IMPRESSIVE ACCOMPLISHMENTS IN THIS GREAT STATE, TO COMMEND ITS FINE STAFF AND VOLUNTEERS, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN CARRYING OUT THE ORGANIZATION'S WORTHY MISSION.
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The Senate Resolution was adopted.

H. 3759 -- Reps. Lucas, Allison, Felder, Pope, Simrill, Rutherford, Whitmire, G. M. Smith, McCoy, Hiott, Sandifer, Clary, G. R. Smith, Murphy, Taylor, Govan, W. Newton, Funderburk, Elliott, B. Newton, Weeks, Hewitt, Bailey, Hixon, Calhoon, Bennett, Young, Norrell, Hyde, Jordan, Bamberg, Ligon, Sottile, Cogswell, Daning, Loftis, Burns, Wheeler, Kirby, Tallon, Caskey, West, Collins, Forrester, Spires, Thayer, Wooten, Huggins, Willis, Herbkersman, Stringer, Erickson, Bradley, McCravy, Lowe, Clemmons, Davis, Bannister, Ridgeway, Atkinson, Bryant, Bales, Alexander, R. Williams, B. Cox, Martin, Jefferson, Fry, Hosey, Clyburn, Chellis, Kimmons, Rivers, Forrest, Mace, Johnson, Robinson, Dillard, Rose, Anderson, McGinnis, Hardee, Brown, Long, D. C. Moss, V. S. Moss, Gilliam, Chumley, Gagnon, Blackwell, Bernstein, Stavrinakis, Morgan, Finlay, Crawford, Henderson-Myers, Gilliard, Trantham, Garvin, S. Williams and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CAREER OPPORTUNITY AND ACCESS FOR ALL ACT"; BY ADDING

SECTION 59-1-485 SO AS TO PROVIDE A STATEWIDE COLLEGE AND CAREER READINESS GOAL FOR 2030; BY ADDING ARTICLE 15 TO CHAPTER 63, TITLE 59 SO AS TO CREATE THE "STUDENT BILL OF RIGHTS"; TO AMEND SECTION 59-5-10, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ADD A PUBLIC SCHOOL STUDENT APPOINTED BY THE GOVERNOR TO SERVE A TWO-YEAR TERM AS A NONVOTING ADVISORY MEMBER; BY ADDING CHAPTER 12 TO TITLE 1 SO AS TO CREATE THE "ZERO TO TWENTY COMMITTEE" AND TO PROVIDE FOR THE PURPOSES, MEMBERSHIP, AND DUTIES OF THE COMMITTEE; BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN HIGH SCHOOLS; TO AMEND SECTION 59-18-310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REMOVE SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59-18-320, RELATING TO FIELD TESTS IN THE STATEWIDE ASSESSMENT PROGRAM AND ADMINISTRATION OF ASSESSMENTS UNDER THE PROGRAM, SO AS TO MAKE CHANGES TO CONFORM TO THE REMOVAL OF SOCIAL STUDIES FROM THE ACADEMIC AREAS ASSESSED; TO AMEND SECTION 59-18-325, RELATING TO REQUIREMENTS THAT THE DEPARTMENT PROCURE AND ADMINISTER CERTAIN STANDARDS-BASED ASSESSMENTS, SO AS TO REMOVE THE REQUIREMENT FOR PROCURING AND ADMINISTERING STANDARDS-BASED ASSESSMENTS IN SOCIAL STUDIES TO STUDENTS IN FIFTH GRADE AND SEVENTH GRADE; BY ADDING SECTION 59-156-250 SO AS TO PROVIDE THE STATE OFFICE OF FIRST STEPS TO SCHOOL READINESS AND THE STATE DEPARTMENT OF EDUCATION SHALL COMPILE AND REPORT TO THE GENERAL ASSEMBLY CERTAIN INFORMATION ABOUT EARLY CHILDHOOD READING EFFORTS, PLANS TO INCREASE PARTICIPATION IN RELATED PROGRAMS IN CERTAIN DISTRICTS, AND TO REQUIRE A SUBSEQUENT REPORT IN FIVE YEARS; TO AMEND SECTION 59-104-20, RELATING TO THE CRITERIA FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING PALMETTO FELLOWS SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND

MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019-2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59-149-50, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2019-2020 SENIOR CLASS FROM THESE REQUIREMENTS; TO AMEND SECTION 59-59-210, RELATING TO ARTICULATION AGREEMENTS PROVIDING DUAL ENROLLMENT BETWEEN HIGH SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO EXPAND SUCH DUAL ENROLLMENT OPPORTUNITIES BY CREATING A UNIFORM SYSTEM OF DUAL ENROLLMENT COLLEGE COURSES OFFERED TO HIGH SCHOOL STUDENTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-18-365 SO AS TO PROVIDE A SYSTEM FOR ACCOUNTABILITY FOR STUDENT PROGRESS TOWARD COLLEGE AND CAREER READINESS FROM KINDERGARTEN THROUGH TWELFTH GRADE; TO AMEND SECTION 59-5-65, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE REMEDIAL COURSEWORK FOR COLLEGE READINESS ONLY MAY BE PROVIDED AT THE HIGH SCHOOL LEVEL AND MAY NOT BE PROVIDED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTIONS 59-18-1950 AND 59-101-350, BOTH RELATING TO REMEDIAL COURSEWORK, SO AS TO MAKE A CONFORMING CHANGE TO THE ELIMINATION OF REMEDIAL COURSEWORK BEING OFFERED AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-155-155 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL APPROVE NO MORE THAN FIVE RELIABLE AND VALID EARLY LITERACY AND NUMERACY SCREENING ASSESSMENT INSTRUMENTS FOR SELECTION AND USE BY SCHOOL DISTRICTS FOR KINDERGARTEN THROUGH THIRD GRADE, AND TO PROVIDE REQUIREMENTS FOR SUCH INSTRUMENTS; TO AMEND SECTION 59-155-110, RELATING TO THE READ TO SUCCEED

OFFICE, SO AS TO CORRECT A TYPOGRAPHICAL ERROR; TO AMEND SECTION 59-155-120, RELATING TO DEFINITIONS IN THE READ TO SUCCEED ACT, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 59-155-130, RELATING TO DUTIES OF THE READ TO SUCCEED OFFICE, SO AS TO REVISE THE REQUIREMENTS CONCERNING COURSEWORK NECESSARY FOR LITERACY ADD-ON ENDORSEMENTS AND TO REVISE REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT IN READING AND COACHING FOR CERTIFIED READING/LITERACY COACHES AND LITERACY TEACHERS; TO AMEND SECTION 59-155-140, RELATING TO THE STATE READING PROFICIENCY PROGRAM, SO AS TO REMOVE THE USE OF BOOK CLUBS FOR CERTAIN REQUIRED SUPPLEMENTAL INSTRUCTION; TO AMEND SECTION 59-155-150, RELATING TO THE READINESS ASSESSMENT PROVIDED BY THE READ TO SUCCEED ACT, SO AS TO REVISE THE REQUIREMENTS FOR SCREENING AND DIAGNOSTIC ASSESSMENTS AND INTERVENTIONS; TO AMEND SECTION 59-155-160, RELATING TO MANDATORY STUDENT RETENTION PROVISIONS OF THE READ TO SUCCEED ACT, SO AS TO REVISE CRITERIA FOR RETENTION AND EXEMPTIONS FROM RETENTION, TO ELIMINATE AN APPEALS PROCESS, AND TO REVISE CRITERIA FOR INTENSIVE INSTRUCTIONAL SERVICES AND SUPPORT PROVIDED TO RETAINED STUDENTS; TO AMEND SECTION 59-155-180, RELATING TO PROVISIONS CONCERNING TEACHER EDUCATION PROGRAMS IN THE READ TO SUCCEED ACT, SO AS TO REMOVE THE REQUIREMENT THAT READING/LITERACY COACHES BE EMPLOYED IN ALL ELEMENTARY SCHOOLS, TO REVISE REQUIREMENTS CONCERNING THE ROLES AND FUNCTIONS OF READING/LITERACY COACHES, TO PROVIDE MEASURES TO ENSURE TEACHER CANDIDATES UNDERSTAND THE FOUNDATIONS OF READING AND ARE PREPARED TO TEACH READING TO ALL STUDENTS, AND TO PROVIDE THE COMMISSION ON HIGHER EDUCATION AND THE LEARNING DISORDERS TASK FORCE ANNUALLY SHALL ASSESS THE EFFECTIVENESS OF TEACHER EDUCATION PROGRAMS IN PREPARING TEACHERS TO DIAGNOSE READING PROBLEMS IN STUDENTS AND PROVIDE APPROPRIATE INTERVENTIONS, AND TO PROVIDE THE COMMISSION SHALL REPORT FINDINGS OF THIS

ASSESSMENT TO THE STATE DEPARTMENT OF EDUCATION AND TO THE GENERAL ASSEMBLY; TO AMEND SECTION 59-59-20, RELATING TO CAREER-CLUSTER CURRICULUM, SO AS TO REVISE THE CURRICULUM TO ALIGN WITH WORKFORCE NEEDS, AMONG OTHER THINGS; TO AMEND SECTION 59-59-50, RELATING TO STATE MODELS AND PROTOTYPES FOR INDIVIDUAL GRADUATION PLANS, SO AS TO REVISE THE REQUIREMENTS TO INCLUDE CAREER CLUSTERS AND RELATED PATHWAYS AND PROGRAMS OF STUDY, AMONG OTHER THINGS; TO AMEND SECTION 59-59-60, RELATING TO THE ORGANIZATION OF HIGH SCHOOL CURRICULA AROUND CLUSTERS OF STUDY AND CLUSTER MAJORS, SO AS TO REORGANIZE THE CURRICULA AROUND CAREER PATHWAYS AND TO PROMOTE RELATED INCREASED AWARENESS AND CAREER COUNSELING; BY ADDING SECTION 59-53-30 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH COMMON MINIMUM ADMISSIONS SCORES FOR ITS INSTITUTIONS, TO PROVIDE VARIATIONS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE ADVICE INSTITUTIONS SHOULD GIVE INDIVIDUALS WHO MEET THESE MINIMUM SCORES; TO AMEND SECTION 59-150-360, RELATING TO TUITION ASSISTANCE FOR STUDENTS WHO ATTEND TECHNICAL COLLEGES OR TWO-YEAR PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO PROVIDE THIS ASSISTANCE FOR STUDENTS SEEKING CERTAIN BUSINESS OR INDUSTRY CREDENTIALS, AMONG OTHER THINGS; BY ADDING SECTION 12-6-3800 SO AS TO ALLOW AN INCOME TAX CREDIT FOR A TAXPAYER WHO EMPLOYS A PUBLIC SCHOOL K4-12 TEACHER AS AN INTERN, TO PROVIDE THAT THE INTERNSHIP MUST BE APPROVED BY THE SCHOOL DISTRICT IN WHICH THE TEACHER IS EMPLOYED BASED ON CRITERIA PROVIDED BY THE DEPARTMENT OF EDUCATION, AND TO PROVIDE FOR REPORTING REQUIREMENTS; TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND THE STATE BOARD OF EDUCATION TO REPORT RECOMMENDATIONS FOR TRANSFERRING ADULT BASIC EDUCATION AND ADULT SECONDARY EDUCATION TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND HOW TO BEST USE CAREER AND TECHNOLOGY CENTERS TO

PROVIDE IMPROVED AND UPDATED TECHNICAL EDUCATION; TO AMEND SECTION 59-111-110, RELATING TO CERTAIN PEOPLE EXEMPT FROM PAYING TUITION TO ATTEND PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO INCLUDE FULL-TIME CERTIFIED CLASSROOM TEACHERS EMPLOYED IN SCHOOLS WITH ABSOLUTE RATINGS OF BELOW AVERAGE OR UNSATISFACTORY FOR THREE OF THE FOUR PRECEDING YEARS; BY ADDING SECTION 59-111-155 SO AS TO PROVIDE A NECESSARY DEFINITION; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE SCHOOL BOARDS MAY REIMBURSE TEACHERS WHO MUST TRAVEL MORE THAN TWENTY-FIVE MILES EACH WAY BETWEEN HOME AND SCHOOL FOR MILEAGE AT A RATE NOT TO EXCEED THE FEDERAL RATE; TO AMEND SECTION 59-19-350, RELATING TO SCHOOLS OF CHOICE, SO AS TO PROVIDE SCHOOL DISTRICTS INSTEAD MAY CREATE MULTIPLE SCHOOLS OF INNOVATION; BY ADDING SECTION 59-8-1115 SO AS TO PROVIDE SCHOOLS RECEIVING OVERALL RATINGS OF "GOOD" OR "EXCELLENT" ON THEIR ANNUAL REPORT CARDS FOR AT LEAST TWO CONSECUTIVE YEARS MAY HIRE NONCERTIFIED TEACHERS FOR UP TO TWENTY-FIVE PERCENT OF ITS TEACHING STAFF AND TO PROVIDE REQUIREMENTS FOR NONCERTIFIED TEACHERS; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE EDUCATOR PREPARATION PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION MAY SUBMIT SEPARATE AND DISTINCT EDUCATOR PREPARATION PROGRAMS FOR ALTERNATIVE PREPARATION TO THE STATE BOARD OF EDUCATION FOR APPROVAL, TO PROVIDE THESE PROGRAMS ARE NOT REQUIRED TO BE NATIONALLY ACCREDITED BUT MUST MEET CERTAIN OTHER REQUIREMENTS, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL REPORT RELATED DATA TO THE STATE BOARD OF EDUCATION AND THE GENERAL ASSEMBLY; TO AMEND SECTION 59-26-20, RELATING TO DUTIES OF THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION CONCERNING THE TRAINING, CERTIFICATION, AND EVALUATION OF PUBLIC EDUCATORS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS REGARDING A CYCLICAL EVALUATION PROCESS FOR APPROVED TEACHER

EDUCATOR PROGRAMS, AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT; BY ADDING SECTION 59-25-52 SO AS TO INCREASE EFFORTS TO RETAIN EDUCATORS BY CONDUCTING A SEMIANNUAL WORKPLACE SATISFACTION OPINION SURVEY OF SOUTH CAROLINA PUBLIC SCHOOL TEACHERS, AND TO PROVIDE FOR THE REPORTING OF THE RESULTS OF THESE SURVEYS; TO AMEND SECTION 59-20-50, RELATING TO TEACHER SALARY SCHEDULES, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE DISTRICTS MAY PAY TEACHERS ANNUAL SALARIES AT LEAST EQUAL TO THE MINIMUM STARTING SCHEDULE FOR THEIR EXPERIENCE AND EDUCATIONAL ATTAINMENT, TO PROVIDE A MINIMUM STARTING SALARY FOR NEW TEACHERS, TO PROVIDE THIS STARTING SALARY MUST BE ESTABLISHED WITH THE GOAL OF REACHING THE SOUTHEASTERN AVERAGE, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO MAKE CERTAIN RECOMMENDATIONS FOR A PLAN TO REMOVE THE EXISTING TEACHER SALARY SCHEDULE AND IMPLEMENT BETWEEN FIVE AND NINE CAREER BANDS, AMONG OTHER THINGS; BY ADDING ARTICLE 16 TO CHAPTER 18, TITLE 59 SO AS TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; BY ADDING SECTION 59-17-15 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION SHALL DEVELOP AND PROVIDE CERTAIN RECOMMENDATIONS CONCERNING THE CONSOLIDATION OF SCHOOL DISTRICTS; TO AMEND SECTION 59-39-100, RELATING TO REQUIREMENTS FOR HIGH

SCHOOL DIPLOMAS, SO AS TO PROVIDE LOCAL SCHOOL BOARDS MAY REQUIRE ADDITIONAL UNITS OF STUDY FOR HIGH SCHOOL DIPLOMAS BEGINNING WITH STUDENTS ENTERING NINTH GRADE IN THE 2020-2021 SCHOOL YEAR; BY ADDING ARTICLE 5 TO CHAPTER 19, TITLE 59 SO AS TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE REQUIREMENTS FOR LOCAL SCHOOL BOARD GOVERNANCE AND BOARD MEMBER CONDUCT, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL CODE OF ETHICS FOR LOCAL SCHOOL BOARD MEMBER CONDUCT, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT CODES OF ETHICS BASED ON THIS MODEL CODE, TO PROVIDE LOCAL SCHOOL BOARDS SHALL ADOPT NEPOTISM POLICIES THAT MEET CERTAIN MINIMUM REQUIREMENTS, TO PROHIBIT CONFLICTS OF INTEREST BY SCHOOL BOARD MEMBERS, TO PROVIDE FOR THE REFERRAL OF CONFLICT OF INTEREST ALLEGATIONS TO THE STATE ETHICS COMMISSION UPON A TWO-THIRDS VOTE OF SCHOOL BOARD MEMBERS PRESENT FOR SUCH A VOTE, TO REQUIRE NOTICE TO THE STATE BOARD OF EDUCATION WHEN A PUBLIC SCHOOL ACCREDITING BODY PLACES A DISTRICT OR SCHOOL ON A LEVEL OF ACCREDITATION THAT IMMEDIATELY PRECEDES ACCREDITATION LOSS FOR GOVERNANCE REASONS, TO PROVIDE THE STATE BOARD OF EDUCATION SHALL CONDUCT A HEARING ON THE MATTER AND MAY RECOMMEND SUSPENSION OF A BOARD TO THE GOVERNOR, AND TO PROVIDE THE GOVERNOR MAY SUSPEND AN ENTIRE BOARD AND APPOINT A TEMPORARY BOARD; TO AMEND SECTION 59-18-920, RELATING TO THE REQUIREMENT THAT THE PERFORMANCE OF STUDENTS IN CHARTER SCHOOLS SPONSORED BY THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT MUST BE INCLUDED IN OVERALL PERFORMANCE RATINGS, SO AS TO PROVIDE THIS REQUIREMENT ALSO APPLIES TO CHARTER SCHOOLS SPONSORED BY REGISTERED INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-19-55 SO AS TO PROVIDE SCHOOL BOARD TRUSTEES AND SCHOOL OFFICIALS SHALL COMPLY WITH CERTAIN ETHICS PROVISIONS APPLICABLE TO PUBLIC OFFICERS AND EMPLOYEES; BY ADDING SECTION 8-13-810 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL NOTIFY THE STATE ETHICS COMMISSION

OF ANY SCHOOL BOARD TRUSTEE WHO FAILS TO COMPLETE REQUIRED ETHICS TRAINING, TO PROVIDE FAILURE OF A SCHOOL BOARD MEMBER TO COMPLETE THIS TRAINING CONSTITUTES A VIOLATION OF THE STATE ETHICS ACT AND SUBJECTS THE MEMBER TO CERTAIN CIVIL AND CRIMINAL PENALTIES, TO PROVIDE THE COMMISSION ALSO MAY IMPOSE ORAL OR WRITTEN WARNINGS OR REPRIMANDS, AND TO PROVIDE TRUSTEES MUST BE PROVIDED NOTICE AND OPPORTUNITY FOR A HEARING BEFORE THEIR POSITION ON THE SCHOOL BOARD MAY BE TERMINATED FOR VIOLATIONS OF THE STATE ETHICS ACT; TO AMEND SECTION 1-3-240, RELATING TO STATE AND COUNTY OFFICIALS SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR IN CERTAIN CIRCUMSTANCES, SO AS TO INCLUDE SCHOOL BOARD TRUSTEES; TO AMEND SECTION 59-19-45, RELATING TO MANDATORY ORIENTATION FOR SCHOOL BOARD MEMBERS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL ADOPT A MODEL TRAINING PROGRAM FOR SCHOOL BOARD MEMBERS WHICH DISTRICTS SHALL ADOPT, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT LOCAL TRAINING PROGRAMS, AND TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH TRAINING TO BOARD MEMBERS WITHIN ONE YEAR AFTER TAKING OFFICE; TO AMEND SECTION 59-19-60, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES, SO AS TO REVISE THE GROUNDS FOR REMOVAL, THE MANNER OF REMOVAL, AND PROVISIONS CONCERNING THE FILLING OF SEATS VACATED BY REMOVAL, AMONG OTHER THINGS; BY ADDING SECTION 59-1-444 SO AS TO PROVIDE THE DEPARTMENT SHALL POST ALL REPORTS, STUDIES, PUBLISHED FINDINGS, MEMORANDA, GUIDELINES, RULES, AND CERTAIN OTHER DOCUMENTS ON ITS INTERNET WEBSITE WITHIN TWENTY-FOUR HOURS AFTER BEING MADE PUBLIC, TO PROVIDE THE POSTING MUST BE IN A CERTAIN FORM AND MANNER EASILY LOCATABLE AND ACCESSIBLE FOR VIEWING AND DOWNLOADING BY THE PUBLIC, AND TO SUBJECT THE DEPARTMENT TO CERTAIN MONETARY FINES FOR NONCOMPLIANCE; TO AMEND SECTION 59-19-90, AS AMENDED, RELATING TO GENERAL POWERS AND DUTIES OF LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES MEMBERS, SO AS TO PROVIDE RULES

ADOPTED BY THESE BOARDS MUST ALIGN WITH APPLICABLE STATE AND FEDERAL ACCOUNTABILITY STANDARDS; AND TO REPEAL ARTICLE 15 OF CHAPTER 18, TITLE 59 RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT AND SECTION 59-59-30 RELATING TO IMPLEMENTATION OF THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT.

Read the first time and referred to the Committee on Education.

H. 4054 -- Rep. Sandifer: A JOINT RESOLUTION TO ALLOW FOR THE SUBMISSION OF LESS THAN THREE QUALIFIED APPLICANTS TO THE GOVERNOR TO SERVE AS EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4118 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS AND MARITAL AND FAMILY THERAPISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4862, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4119 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO GENERAL LICENSING PROVISIONS; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4858, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4122 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO LICENSURE BY REGISTRATION; AND LICENSURE BY ENDORSEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4851, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4124 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4822, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4188 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHANDLER SMALLEY FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE HIM FOR WINNING THE 2019 SOUTH

CAROLINA HIGH SCHOOL LEAGUE CLASS AA/A INDIVIDUAL STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4190 -- Rep. McDaniel: A CONCURRENT RESOLUTION TO COMMEND THE RICHLAND COUNTY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INCORPORATED FOR TWENTY-FIVE YEARS OF OUTSTANDING PUBLIC SERVICE TO THE COMMUNITY, TO WISH ITS MEMBERS MANY YEARS OF CONTINUED GROWTH AND DEVELOPMENT, AND TO DESIGNATE APRIL 24TH AS RICHLAND COUNTY ALUMNAE CHAPTER, DELTA SIGMA THETA SORORITY, INCORPORATED DAY.

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

REPORTS OF STANDING COMMITTEES

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 162 -- Senators Bennett and Johnson: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754 *VICE* Tim M. Hofferth

Received as information.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence June 30, 2018, and to expire June 30, 2020

Independent College:

Mark A. Smith, Columbia International University, 7435 Monticello Rd., Columbia, SC 29203-1599 *VICE* Evans P. Whitaker

Received as information.

TUESDAY, MARCH 12, 2019

Message from the House

Columbia, S.C., March 7, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.4, S. 335 by a vote of 95 to 1:

(R4, S335) -- Senator Massey: AN ACT TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM OF OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER THIRTY-FIRST OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER AND TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE PROCEDURES FOR ADVERTISING ELECTIONS FOR COMMISSIONERS IN A NEWSPAPER OF GENERAL CIRCULATION, TO REQUIRE COMMISSION CANDIDATES TO FILE STATEMENTS OF INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, AND TO ESTABLISH THE FILING PERIOD FOR THE ELECTION OF COMMISSIONERS.

Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 31 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2019, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY, ANNUALLY, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO

HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH MYALGIC ENCEPHALOMYELITIS.

Returned with concurrence.

Received as information.

S. 532 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 2019 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA IN ORDER TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

Returned with concurrence.

Received as information.

S. 578 -- Senators Shealy, Setzler and Peeler: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2019.

Returned with concurrence.

Received as information.

S. 618 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE TWENTY-FIFTH ANNIVERSARY OF THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION AS A STATE AGENCY AND TO COMMEND DIRECTOR EMILY H. FARR, THE AGENCY'S EMPLOYEES, AND ALL FORMER AGENCY LEADERS AND PUBLIC SERVANTS WHO HAVE CONTRIBUTED TO THE AGENCY'S SUCCESSES.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION

47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY

MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator RICE explained the Bill.

Senator FANNING objects to further consideration of the Bill.

CARRIED OVER

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

On motion of Senator KIMPSON, the Bill was carried over.

COMMITTEE AMENDMENT WITHDRAWN
AMENDED AND CARRIED OVER

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF

2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND

SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN

CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (132R001.SP.TD) which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40-47-195 of the 1976 Code is amended to read:

"Section 40-47-195. (A) A licensee who supervises another practitioner shall hold a permanent, active, unrestricted authorization to practice in this State and be currently engaged in the active practice of their respective profession or shall hold an active unrestricted academic license to practice medicine in this State.

(B) Pursuant to this chapter, only licensed physicians may supervise another practitioner who performs delegated medical acts in accordance

with the practitioner's applicable scope of professional practice authorized by state law. It is the supervising physician's responsibility to ensure that delegated medical acts to other practitioners are performed under approved written scope of practice guidelines or approved written protocol in accordance with the applicable scope of professional practice authorized by state law. A copy of approved written scope of practice guidelines or approved written protocol, dated and signed by the supervising physician and the practitioner, must be provided to the board by the supervising physician within seventy-two hours of request by a representative of the department or board.

(C) In evaluating a written guideline or protocol, the board and supervising physician or medical staff shall consider the:

(1) training and experience of the supervising physician;

(2) nature and complexity of the delegated medical acts being performed;

(3) geographic proximity of the supervising physician to the supervised practitioner; when the supervising physician is not located at the same site as the supervised practitioner, special consideration must be given to the manner in which the physician intends to monitor the practitioner, and prior board approval must be received for this practice unless otherwise provided in this chapter; and

(4) number of other practitioners the physician or medical staff supervises. Reference must be given to the number of supervised practitioners, as prescribed by law. When the supervising physician assumes responsibility for more than the number of practitioners prescribed by law, special consideration must be given to the manner in which the physician intends to monitor, and prior board approval must be received for this practice.

(D)(1) A physician or medical staff who is engaged in practice with ~~an~~ a PA, NP, CNM, or CNS must:

(a)(i) hold permanent, active, and unrestricted authorization to practice medicine in this State and be actively practicing medicine within the geographic boundaries of this State; or

(ii) hold an active, unrestricted academic license to practice medicine in this State and be actively practicing medicine within the geographic boundaries of this State;

(b) have in place prior to beginning practice and during its continuation a practice agreement as defined in Section 40-47-20(35) or scope of practice guidelines as defined in Section 40-47-20(5), a copy of which the physician must make available to the board within seventy-two hours of a request;

(c) not enter into scope of practice guidelines or practice agreements with more than the equivalent of six full-time PAs, NPs, CNMs, or CNSs and must not practice in a situation in which the number of NPs, CNMs, or CNSs providing clinical services with whom the physician is working, combined with the number of ~~physician assistants~~ PAs providing clinical services whom the physician is supervising, is greater than six individuals at any one time, provided, however, that the board may approve an exception to these requirements upon application by the physician, if the board determines that an exception is warranted and that quality of care and patient safety will be maintained;

(d) not enter into a practice agreement with ~~an~~ a PA, NP, CNM, or CNS performing a medical act, task, or function that is outside the usual practice of that physician or outside of the physician's training or experience, provided, however, that the board may approve an exception to this requirement upon application by the physician, if the board determines that an exception is warranted and that quality of care and patient safety will be maintained; and

(e) maintain responsibility in the practice agreement for the health care delivery team pursuant to rules and regulations of the Board of Medical Examiners.

(2) The board is authorized to conduct random audits of scope of practice guidelines and practice agreements."

SECTION 6. Article 7, Chapter 47, Title 40 of the 1976 Code is amended to read:

"Section 40-47-905. This article may be cited as the 'South Carolina Physician Assistants Practice Act'.

Section 40-47-910. As used in this article:

(1) 'Alternate physician supervisor' or 'alternate supervising physician' means a South Carolina licensed physician currently possessing an active, unrestricted permanent license to practice medicine in South Carolina who accepts the responsibility to supervise a ~~physician assistant's~~ PA's activities in the absence of the supervising physician and this physician is approved by the physician supervisor in writing in the scope of practice guidelines.

(2) 'Board' means the Board of Medical Examiners of South Carolina.

(3) 'Committee' means the Physician Assistant Committee as established by this article as an advisory committee responsible to the board.

(4) 'Immediate consultation' means a supervising physician must be available for direct communication by telephone or other means of telecommunication.

(5) 'NCCPA' means the National Commission on Certification of Physician Assistants, Inc., the agency recognized to examine and evaluate the education of ~~physician assistants~~ PAs, or its successor organization as recognized by the board.

(6) 'Physician assistant' or 'PA' means a health care professional licensed to assist in the practice of medicine with a physician supervisor.

(7) 'Physician supervisor' or 'supervising physician' means a South Carolina licensed physician currently possessing an active, unrestricted permanent license to practice medicine in South Carolina who is approved to serve as a supervising physician ~~for no more than three full-time equivalent physician assistants~~. The physician supervisor is the individual who is responsible for supervising a ~~physician assistant's~~ PA's activities.

(8) 'Supervising' means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant PA as part of a physician led team in a manner approved by the board.

Section 40-47-915. This article does not apply to a person:

(1) who is employed as a ~~physician assistant~~ PA by the United States Government, where such services are provided solely under the direction or control of the United States Government.

(2) pursuing a course of study leading to a degree or certificate to practice as a physician assistant in a program ~~approved~~ accredited by the ~~Commission on Accreditation of Allied Health Education Programs or its successor agency, where such activities and services constitute a part of a supervised course of study;~~ Accreditation Review Commission on Education for the Physician Assistant, or its successor agency, provided, however, the person must be clearly identified by a badge or other adornment with that person's name and the words 'Physician Assistant Student' clearly legible. The badge or adornment must be at least one inch by three inches in size.

Section 40-47-920. The Director of the Department of Labor, Licensing and Regulation may employ additional staff as necessary for the performance of the department's duties under this article.

Section 40-47-925. (A) There is created the Physician Assistant Committee as an advisory committee to the board which consists of nine members to be appointed by the Board of Medical Examiners. Three of the members must be licensed ~~physician assistants~~ PAs with a minimum of three years of patient care experience in this State. Two members must

be consumers, and three members must be physicians who are licensed to practice in this State. Of the three physician members, at least ~~one~~ two must regularly employ a ~~physician assistant~~ PA. One member of the Board of Medical Examiners shall serve on the committee ex officio. All organizations, groups, or interested individuals may submit recommendations to the board of at least two individuals for each position to be filled on the committee.

(B) The members shall serve for terms of four years and until their successors are appointed and qualify, except the initial term of two ~~physician assistants~~ PAs, the consumer member, and one physician are for two years. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. The board, after notice and opportunity for hearing, may remove any member of the committee for negligence, neglect of duty, incompetence, revocation or suspension of license, or other dishonorable conduct. Members of the committee shall receive mileage, subsistence, and per diem as provided by law for members of state boards, commissions, and committees for each meeting attended. No member may serve more than two full four-year terms consecutively, but may be eligible for reappointment four years from the date the last full four-year term expired.

(C) The committee shall meet at least two times yearly and at other times as may be necessary. A quorum for all meetings shall consist of five members. At its initial meeting, and at the beginning of each year thereafter, the committee shall elect from its membership a chairman, vice chairman, and secretary to serve for a term of one year.

(D) The committee shall receive and account for all monies under the provisions of this article and shall pay all monies collected to the board for deposit with the State Treasurer as provided for by law.

Section 40-47-930. (A) The committee shall evaluate the qualifications ~~and supervise the examinations of applicants~~ for licensure and make recommendations to the board.

(B) The board may issue subpoenas, examine witnesses, and administer oaths and may investigate allegations of practices violating the provisions of this article.

(C) The committee:

(1) may recommend regulations to the board relating to professional conduct to carry out the provisions of this article including, but not limited to, professional certification and the establishment of ethical standards of practice for persons holding a license to practice as ~~physician assistants~~ PAs in this State;

(2) shall conduct hearings and keep records and minutes necessary to carry out its functions;

(3) shall provide notice of all hearings authorized under this article pursuant to the Administrative Procedures Act;

(4) shall determine the qualifications and make recommendations regarding the issuance of licenses to qualified ~~physician assistants~~ PAs;

(5) shall recommend to the board whether to issue or renew licenses under those conditions prescribed in this article;

(6) may recommend requirements to the board for continuing professional education of ~~physician assistants~~ PAs to the board;

(7) shall keep a record of its proceedings and a register of all licensees, including their names and last known places of employment and residence. The board shall annually compile and make available on its website a list of ~~physician assistants~~ PAs authorized to practice in this State~~. An interested person may obtain a copy of this list upon application to the board and payment of an amount sufficient to cover the cost of printing and mailing~~;

(8) shall report annually to the board on duties performed, actions taken, and recommendations;

(9) shall hear disciplinary cases and recommend findings of fact, conclusions of law, and sanctions to the board~~. The board shall conduct a final hearing at which it shall make a final decision~~; and

(10) shall perform such duties and tasks as may be delegated to the committee by the board.

Section 40-47-935. (A) ~~Physician assistants~~ PAs may perform:

(1) medical acts, tasks, or functions ~~with~~ within written scope of practice guidelines under physician supervision;

(2) those duties and responsibilities, including the prescribing and dispensing of drugs and medical devices, that are lawfully delegated by their supervising physicians; provided, however, only ~~physician assistants~~ PAs holding a permanent license may prescribe drug therapy as provided in this article; and

(3) telemedicine in accordance with the requirements of Section 40-47-37 including, but not limited to, Section 40-47-37(C)(6) requiring board authorization prior to prescribing Schedule II and Schedule III prescriptions~~,~~; Section 40-47-113, approved written scope of practice guidelines, and pursuant to all physician supervisory requirements imposed by this chapter.

(B) Notwithstanding any provisions of state law other than this chapter, and to the extent permitted by federal law, a PA may perform

the following medical acts unless otherwise provided in the scope of practice guidelines:

(1) provide non-controlled prescription drugs at an entity that provides free medical care for indigent patients;

(2) certify that a student is unable to attend school but may benefit from receiving instruction given in his home or hospital;

(3) refer a patient to physical therapy for treatment;

(4) pronounce death, certify the manner and cause of death, and sign death certificates;

(5) issue an order for a patient to receive appropriate services from a licensed hospice as defined in Chapter 71, Title 44;

(6) certify that an individual is handicapped and declare that the handicap is temporary or permanent for the purposes of the individual's application for a placard; and

(7) execute a do not resuscitate order pursuant to the provisions of Chapter 78, Title 44.

~~A physician assistant is an agent of his or her supervising physician in the performance of all practice related activities including, but not limited to, the ordering of diagnostic, therapeutic, and other medical services.~~

(C)(1) If provided in the scope of practice guidelines, a PA may delegate the following tasks to unlicensed assistive personnel to be performed under the PA's supervision:

(a) meeting patients' needs for personal hygiene;

(b) meeting patients' needs relating to nutrition;

(c) meeting patients' needs relating to ambulation;

(d) meeting patients' needs relating to elimination;

(e) taking vital signs;

(f) maintaining asepsis; and

(g) observing, recording, and reporting any of the tasks enumerated in this subsection.

(2) A PA may not delegate the administration of medication to unlicensed assistive personnel.

(D) A PA is an agent of his supervising physician in the performance of all practice related activities including, but not limited to, the ordering of diagnostic, therapeutic, and other medical services.

(E) A PA may sign specified documents on behalf of the supervising physician or alternate supervising physician if authorized in the scope of practice guidelines.

Section 40-47-938. (A) A physician currently possessing an active, unrestricted permanent license to practice medicine under the provisions

of this chapter, who accepts the responsibility to supervise a ~~physician assistant's~~ PA's activities, must enter into a supervisory relationship with a ~~physician assistant~~ PA licensed pursuant to this article, subject to approval of scope of practice guidelines by the board. The physician must notify the board, in writing, of the proposed supervisory relationship and include the proposed scope of practice guidelines for the relationship. ~~Upon receipt of board approval, the~~ The ~~physician assistant~~ PA may begin clinical practice with the named supervising physician and alternate physicians ten business days after the scope of practice guidelines have been submitted to the board and until a final determination is made by the board.

(B) A supervising physician may determine that there are additional medical acts, tasks, or functions for which a ~~physician assistant~~ PA under the physician's supervision needs additional training or education to meet the needs of the physician's practice and that the physician would like to incorporate into the ~~physician assistant's~~ PA's scope of practice guidelines. The physician must determine, in consultation with the ~~physician assistant~~ PA, the means of educating the ~~physician assistant~~ PA, which may include training under the direct supervision of the physician, education, or certification of proposed practices or other appropriate educational methods. The physician must notify the board in writing of the requested changes to the ~~physician assistant's~~ PA's scope of practice guidelines and must provide documentation to the board of the competence of the ~~physician assistant~~ PA to perform the additional medical acts, tasks, or functions. ~~Upon receipt of board approval of the requested changes, the~~ The ~~physician assistant~~ PA may incorporate these additional medical acts, tasks, or functions into practice ten business days after the proposed changes have been submitted to the board and until a final determination is made by the board.

(C) The board shall review and determine whether to approve these proposed scope of practice guidelines or requested changes to the scope of practice guidelines within ten business days after receipt of notice from the supervising physician as required by subsections (A) and (B). If the board needs additional information or clarification, a physician member of the board must contact the supervisory physician within ten business days of receipt of the physician's notice. If the board requests additional information or clarification to consider approval of scope of practice guidelines or changes to these guidelines, the supervising physician shall provide it in a timely manner; and upon receipt, a determination regarding approval must be made within ~~ten~~ three business days. If the proposed scope of practice guidelines or proposed change,

or portion thereof, is disapproved by the board, the board must provide a written explanation for its determination and a suggested remedy if possible. Upon receipt of the board's determination, the supervising physician and the PA must practice in accordance with the board's determination.

(D) If a PA is to be employed by a hospital system or provider group with a credentialing committee, the credentialing committee may begin the credentialing process necessary to employ the PA upon submittal of the proposed scope of practice guidelines to the board.

(E) A physician and a PA beginning practice pursuant to this section under a proposed scope of practice guidelines or proposed changes to a scope of practice guidelines ten business days after submittal to the board, but before a determination is made by the board, must not be subject to any disciplinary action for beginning practice.

Section 40-47-940. ~~(A)~~ ~~An~~ A license application must be submitted to the board on forms supplied by the board. The application must be complete in every detail before licensure may be granted and must be accompanied by a nonrefundable fee; provided, however, that a PA may not practice until the supervising physician and the PA comply with the requirements of Section 40-47-938. ~~As part of the application process, the supervising physician and physician assistant must specify clearly in detail those medical acts, tasks, or functions for which approval is being sought. The specific medical acts, tasks, or functions must be included in the scope of practice guidelines, and the scope of practice guidelines must accompany the application.~~

~~(B) When a board member or board designee or the administrative staff of the board has reviewed the entire application for completeness and correctness and has determined the eligibility or appropriateness of the application a temporary authorization may be issued immediately. At the next board meeting the application may be recommended for approval for a permanent license or other authorization consistent with this article. If a temporary authorization is not considered appropriate, the application must be reviewed by the committee and may be recommended to the board for approval as presented to or modified by the committee.~~

Section 40-47-945. (A) Except as otherwise provided in this article, an individual shall obtain a permanent license from the board before the individual may practice as a ~~physician assistant~~ PA. The board shall grant a permanent license as a ~~physician assistant~~ PA to an applicant who has:

(1) submitted a completed application on forms provided by the board;

(2) paid the nonrefundable application fees established in this article;

(3) successfully completed an educational program for ~~physician assistants~~ PAs approved by the Accreditation Review Commission on Education for the Physician Assistant or its predecessor or successor organization;

(4) successfully ~~completed the NCCPA certifying examination and provide documentation that the applicant possesses a current, active, NCCPA certificate~~ passed the PA National Certifying Examination administered by the National Commission on the Certification of Physician Assistants (NCCPA) and provided documentation that the applicant possesses a current, active NCCPA certificate;

(5) certified that the applicant is mentally and physically able to engage safely in practice as a ~~physician assistant~~ PA;

(6) no licensure, certificate, or registration as a ~~physician assistant~~ PA under current discipline, revocation, suspension, probation, or investigation for cause resulting from the applicant's practice as a ~~physician assistant~~ PA;

(7) good moral character;

(8) submitted to the board other information the board considers necessary to evaluate the applicant's qualifications or participated in an interview if requested by the board, or both; and

(9) ~~appeared before a board member or board designee with all original diplomas and certificates and demonstrated knowledge of the contents of this article. A temporary authorization to practice may be issued as provided in Section 4047940 pending completion of this requirement and subject to satisfactory interview as provided below; and~~

~~(10)~~ successfully completed an examination administered by the committee on the statutes and regulations regarding ~~physician assistant~~ PA practice and supervision.

(B) ~~Not later than ninety days from the date a temporary authorization is issued, each applicant shall appear before a board member or board designee and demonstrate knowledge of the contents of this article. Failure to appear within the prescribed time automatically results in the immediate invalidation of the authorization to practice pending compliance and further order of the board. If approved, a permanent license may be issued immediately. If not approved, the application must be reviewed by the committee and may be~~

~~recommended to the board for approval as presented to or modified by the committee.~~

~~(C) The supervising physician of a limited licensee physically must be present on the premises at all times when the limited licensee is performing a task.~~

Section 40-47-950. (A) The board may issue a limited ~~physician assistant~~ PA license to an applicant who has:

(1) submitted a completed application on forms provided by the board;

(2) paid the nonrefundable application fees established by this regulation;

(3) successfully completed an educational program for ~~physician assistants~~ PAs approved by the Accreditation Review Commission on Education for the Physician Assistant or its predecessor or successor organization;

(4) ~~never~~ not previously failed two consecutive NCCPA certifying examinations and has registered for, or intends to register to take the next offering of, the NCCPA examination;

(5) certified that the applicant mentally and physically is able to engage safely in practice as a ~~physician assistant~~ PA;

(6) no licensure, certificate, or registration as a ~~physician assistant~~ PA under current discipline, revocation, suspension, probation, or investigation for cause resulting from the applicant's practice as a ~~physician assistant~~;

(7) good moral character; and

(8) submitted to the board any other information the board considers necessary to evaluate the applicant's qualifications;

(9) appeared before a board member or board designee ~~with all original diplomas and certificates~~ if requested by the board with any documents requested by the board and demonstrated knowledge of the contents of this article; and

(10) successfully completed an examination administered by the committee on the statutes and regulations regarding ~~physician assistant~~ PA practice and supervision.

(B) A limited license is not renewable and is valid only until the results of a limited licensee's two consecutive NCCPA certifying examinations are reported to the board. When a limited licensee has failed two consecutive NCCPA certifying examinations, or fails one exam and does not take the NCCPA certifying examination at the next opportunity or, after applying for a limited license, fails to register for the next offering of the examination, the limited license immediately is

void and the applicant is no longer eligible to apply for further limited licensure.

(C) The supervising physician of a limited licensee physically must be present on the premises at all times when the limited licensee is performing a task.

Section 40-47-955. (A) The supervising physician is responsible for all aspects of the ~~physician assistant's~~ PA's practice. Supervision must be continuous but must not be construed as necessarily requiring the physical presence of the supervising physician at the time and place where the services are rendered, except as otherwise required for limited licensees. The supervising physician shall identify the ~~physician assistant's~~ PA's scope of practice and determine the delegation of medical acts, tasks, or functions. Medical acts, tasks, or functions must be defined in written scope of practice guidelines which must be appropriate to the ~~physician assistant's~~ PA's ability and knowledge.

(B) Pursuant to scope of practice guidelines, a ~~physician assistant~~ PA may:

(1) practice in a public place, a private place, or a facility where the supervising physician regularly sees patients; and

(2) ~~may~~ make house calls, perform hospital duties, perform telemedicine, and perform any functions performed by the supervising physician if the ~~physician assistant~~ PA is also qualified to perform those functions.

(C) (1) ~~A physician assistant must have six months of clinical experience with the current supervising physician before being permitted to practice at a location off site from the supervising physician, except that a physician assistant~~ A PA who has ~~at least~~ less than two years continuous practice ~~in the same specialty~~ or who is changing specialties may not practice at a location off site from the supervising physician ~~after three months~~ until the PA has sixty days clinical experience on-site with the supervising physician ~~and upon request of the supervising physician~~. This ~~three month~~ sixty-day requirement, or portion thereof, may be waived by the supervising physician in writing on a form approved by the board and submitted to the board. ~~for experienced physician assistants and supervisors upon recommendation of the committee and approval by the board. The offsite location may not be more than sixty miles of travel from the supervising physician or alternate supervising physician without written approval of the board. Notice of offsite practice must be filed with the administrative staff of the board before offsite practice may be authorized.~~ The supervising physician or alternate must review, initial, and date the offsite physician

assistant's charts periodically as ~~provided~~ specified in the written scope of practice guidelines~~, provided the supervising physician must review and verify the adequacy of clinical practice of ten percent of these charts monthly~~ to ensure quality of care and patient safety.

~~(D) A supervising physician may simultaneously supervise no more than three physician assistants providing clinical service at one time.~~

~~(E) Upon written request, and recommendation of the committee, the board may authorize exceptions to the requirements of this section.~~

Section 40-47-960. (A) A ~~physician assistant~~ PA practicing at all sites shall practice pursuant to written scope of practice guidelines signed by all supervisory physicians and the ~~physician assistant~~ PA. Copies of the guidelines must be on file at all practice sites. The guidelines shall include at a minimum the:

(1) name, license number, and practice addresses of all supervising physicians;

(2) name and practice address of the ~~physician assistant~~ PA;

(3) date the guidelines were developed and dates they were reviewed and amended;

(4) medical conditions for which therapies may be initiated, continued, or modified;

(5) treatments that may be initiated, continued, or modified;

(6) drug therapy, if any, that may be prescribed with drug specific classifications; and

(7) situations that require direct evaluation by or immediate referral to the physician, including Schedule II controlled substance prescription authorization as provided for in Section 40-47-965.

(B) In a hospital practice setting, a list of alternate supervising physicians may be submitted to the board without the signatures of the alternate supervising physicians.

Section 40-47-965. (A) If the written scope of practice guidelines authorizes the ~~physician's assistant~~ PA to prescribe drug therapy:

(1) prescriptions for authorized drugs and devices shall comply with all applicable state and federal laws;

(2) prescriptions must be limited to drugs and devices authorized by the supervising physician and set forth in the written scope of practice guidelines;

(3) prescriptions must be signed or electronically submitted by the ~~physician assistant~~ PA and must bear the ~~physician assistant's~~ PA's identification number as assigned by the board and all prescribing numbers required by law. The preprinted prescription form shall include both the ~~physician assistant's~~ PA's and physician's name, address, and

phone number, and, if possible, the physician through the electronic system, and shall comply with the provisions of Section 39-24-40;

(4) drugs or devices prescribed must be specifically documented in the patient record;

(5) the ~~physician assistant~~ PA may request, receive, and sign for professional samples of drugs authorized in the written scope of practice guidelines and may distribute professional samples to patients in compliance with appropriate federal and state regulations and the written scope of practice guidelines;

(6) the ~~physician assistant~~ PA may authorize prescriptions for an orally administered Schedule II controlled substance, as defined in the federal Controlled Substances Act, pursuant to the following requirements:

(a) the authorization to prescribe is expressly approved by the supervising physician as set forth in the ~~physician assistant's~~ PA's written scope of practice guidelines;

(b) the ~~physician assistant~~ PA has directly evaluated the patient, provided, however, that a PA may authorize a prescription if the PA is assigned to take calls for the supervising physician or alternate supervising physician treating the patient;

(c) the authority to prescribe a Schedule II narcotic controlled substance is limited to an initial prescription ~~and must~~ not to exceed a ~~seventy two hour~~ five-day supply;

(d) any subsequent prescription authorization for a Schedule II narcotic controlled substance after the initial prescription must be in consultation with ~~and upon patient examination and evaluation by~~ and approved by the supervising physician, and must be documented in the patient's chart; and

(e) any prescription for continuing drug therapy must include consultation with the supervising physician and must be documented in the patient's chart;

(7) the ~~physician assistant~~ PA may authorize a medical order for parenteral administration of a Schedule II controlled substance, as defined in the federal Controlled Substances Act, pursuant to the following requirements:

(a) the authorization to write a medical order is expressly approved by the supervising physician as set forth in the ~~physician assistant's~~ PA's written scope of practice guidelines;

(b) the ~~physician assistant~~ PA is providing patient care in a hospital setting, including emergency and outpatient departments affiliated with the hospital;

(c) an initial patient examination and evaluation has been performed by the supervising physician, or his delegate physician, and has been documented in the patient's chart; however, in a hospital emergency department, a ~~physician assistant~~ PA may authorize such a medical order if the supervising or delegate physician is unavailable due to clinical demands, but remains on the premises and is immediately available, and the supervising or delegate physician conducts the patient evaluation as soon as practicable and is documented in the patient's chart;

(d) the ~~physician assistant~~ PA has directly evaluated the patient; and

(e) the written medical order may not exceed a one-time administration within a twenty-four hour period without approval of the supervising physician or alternate supervising physician documented in the patient's chart.

(B) When applying for controlled substance prescriptive authority, the applicant shall comply with the following requirements:

(1) the ~~physician assistant~~ PA shall provide evidence ~~of completion of sixty contact hours~~ of education in pharmacotherapeutics ~~acceptable to~~ as determined by the board before application;

(2) the ~~physician assistant~~ PA shall provide ~~at least fifteen contact hours~~ evidence of education in controlled substances ~~acceptable to~~ as determined by the board;

(3) every two years, the ~~physician assistant~~ PA shall provide documentation of four continuing education hours related to approved procedures of prescribing and monitoring controlled substances listed in Schedules II, III, and IV of the schedules provided for in Sections 44-53-210, 44-53-230, and 44-53-250;

(4) the ~~physician assistant~~ PA must have a valid Drug Enforcement Administration (DEA) registration and prescribe in accordance with DEA rules; and

(5) the ~~physician assistant~~ PA and supervising physician must read and sign a document approved by the board describing the management of expanded controlled substances prescriptive authority for ~~physician assistants~~ PAs in South Carolina which must be kept on file for review. Within the two-year period, the ~~physician assistant~~ PA and the supervising physician periodically shall review this document and the ~~physician assistant's~~ PA's prescribing practices to ensure proper prescribing procedures are followed. This review must be documented in writing with a copy kept at each practice site.

(C) A ~~physician assistant's~~ PA's prescriptive authorization may be terminated by the board if the ~~physician assistant~~ PA:

(1) practices outside the written scope of practice guidelines;

(2) violates any state or federal law or regulation applicable to prescriptions; or

(3) violates a state or federal law applicable to ~~physician assistants~~ PAs.

Section 40-47-970. A ~~physician assistant~~ PA may not:

(1) perform a medical act, task, or function which has not been listed ~~and~~ approved on the scope of practice guidelines; (2)

prescribe drugs, medications, or devices not specifically authorized by the supervising physician and documented in the written scope of practice guidelines;

(3) prescribe, under any circumstances, controlled substances in Schedule II except as authorized in Section 40-47-965;

(4) perform a medical act, task, or function that is outside the usual practice of the supervising physician or outside the supervising physician's training or experience unless the board approves an exception pursuant to Section 40-47-195(D)(1)(d).

Section 40-47-985. The board or a person designated by the board may make unscheduled inspections of any office or facility employing a ~~physician assistant~~ PA.

Section 40-47-990. A ~~physician assistant~~ PA must clearly identify himself ~~or herself~~ as a ~~physician assistant~~ PA to ensure that the ~~physician assistant~~ PA is not mistaken or misrepresented as a physician. A ~~physician assistant~~ PA shall wear a clearly legible identification badge or other adornment of at least one inch by three inches in size bearing the ~~physician assistant's~~ PA's name and the words 'Physician Assistant', 'PA-C', or 'PA'.

Section 40-47-995. If the supervisory relationship between a ~~physician assistant~~ PA and the supervising physician is terminated for any reason, the ~~physician assistant~~ PA and the supervising physician shall inform the board immediately in writing of the termination, including the reasons for the termination. The approval of the practice setting terminates coterminous with the termination of the relationship, and practice shall cease until new scope of practice guidelines are submitted by a supervising physician and are approved by the board. A current alternate supervising physician for the PA may serve as the supervising physician under the existing scope of practice guidelines, for a period not to exceed ninety days, until a new supervising physician is designated and new scope of practice guidelines are approved.

Section 40-47-1000. (A) It is unlawful for a person who is not licensed under this article to hold himself out as a ~~physician assistant~~ PA. A person who holds himself out as a ~~physician assistant~~ PA without being licensed under this article, during a period of suspension, or after his license has been revoked by the board is guilty of a misdemeanor and, upon conviction, must be fined not more than three hundred dollars or imprisoned for not more than ninety days, or both.

(B) For the purpose of any investigation or proceeding under the provisions of this article, the board or a person designated by the board may administer oaths and affirmations, subpoena witnesses, take testimony, and require the production of any documents or records which the board considers relevant to the inquiry.

(C) If the board has sufficient evidence that a person is violating a provision of this article, the board, in addition to all other remedies, may order the person to immediately desist and refrain from this conduct. The board may apply to an administrative law judge as provided under Article 5 of Chapter 23 of Title 1 for an injunction restraining the person from this conduct. An administrative law judge may issue a temporary injunction ex parte and upon notice and full hearing may issue any other order in the matter it considers proper. No bond may be required of the board by an administrative law judge as a condition to the issuance of any injunction or order contemplated by the provisions of this section.

(D) Investigations and disciplinary proceedings under this article must be conducted in accordance with the provisions of Article 1.

(E) No provision of this article may be construed as prohibiting the respondent or his legal counsel from exercising the respondent's constitutional right of due process under the law or prohibiting the respondent from normal access to the charges and evidence filed against him as a part of due process under the law.

Section 40-47-1005. Misconduct constituting grounds for revocation, suspension, probation, reprimand, restrictions, or denial of a license must be found when a ~~physician assistant~~ PA:

(1) has knowingly allowed himself or herself to be misrepresented as a physician;

(2) has filed or has had filed on his or her behalf with the board any false, fraudulent, or forged statement or documents;

(3) has performed any work assignment, task, or other activity which is not on the ~~physician assistant~~ PA scope of practice guidelines;

(4) misuses alcohol or drugs to such a degree to render him or her unfit to practice as a ~~physician assistant~~ PA~~;~~

(5) has been convicted of a felony or a crime involving moral turpitude or drugs;

(6) has sustained any physical or mental disability which renders further practice dangerous to the public;

(7) has engaged in any dishonorable or unethical conduct that is likely to deceive or harm patients;

(8) has used or made any false or fraudulent statement in any document connected with practice or licensure as a ~~physician assistant~~ PA;

(9) has obtained or assisted another person in obtaining fees under dishonorable, false, or fraudulent circumstances;

(10) has violated or conspired with another person to violate any provision of this article; or

(11) otherwise demonstrates a lack of the ethical or professional competence required to act as a ~~physician assistant~~ PA.

Section 40-47-1010. A license issued pursuant to this chapter may be renewed biennially or as otherwise provided by the board and department. A person who has not demonstrated continuing education, as required by this article, is not eligible for issuance or renewal of an authorization to practice.

Section 40-47-1015. (A) Fees for ~~physician assistant~~ PA licensure are established as follows:

(1) initial licensing fee, not to exceed five hundred dollars;

(2) renewal of license fee, not to exceed one hundred and fifty dollars;

(3) late renewal fee, not to exceed the renewal fee doubled; and

(4) reactivation application fee, not to exceed two hundred dollars;

~~(5) change in supervisor fee, not to exceed one hundred and fifty dollars;~~

~~(6) additional primary supervisor for dual employment fee, not to exceed one hundred and fifty dollars~~.

(B) Fees may be adjusted biennially pursuant to Section 40-1-50 to ensure that they are sufficient but not excessive to cover expenses including the total of the direct and indirect costs to the State for the operations of the committee.

Section 40-47-1020. Nothing in this article may be construed to require third party reimbursement directly to a ~~physician assistant~~ PA for services rendered.

SECTION 7. This act takes effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

On motion of Senator DAVIS, the amendment was withdrawn.

Senator DAVIS proposed the following amendment (132R002.SP.TD), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40-47-195 of the 1976 Code is amended to read:

"Section 40-47-195. (A) A licensee who supervises another practitioner shall hold a permanent, active, unrestricted authorization to practice in this State and be currently engaged in the active practice of their respective profession or shall hold an active unrestricted academic license to practice medicine in this State.

(B) Pursuant to this chapter, only licensed physicians may supervise another practitioner who performs delegated medical acts in accordance with the practitioner's applicable scope of professional practice authorized by state law. It is the supervising physician's responsibility to ensure that delegated medical acts to other practitioners are performed under approved written scope of practice guidelines or approved written protocol in accordance with the applicable scope of professional practice authorized by state law. A copy of approved written scope of practice guidelines or approved written protocol, dated and signed by the supervising physician and the practitioner, must be provided to the board by the supervising physician within seventy-two hours of request by a representative of the department or board.

(C) In evaluating a written guideline or protocol, the board and supervising physician or medical staff shall consider the:

(1) training and experience of the supervising physician;

(2) nature and complexity of the delegated medical acts being performed;

(3) geographic proximity of the supervising physician to the supervised practitioner; when the supervising physician is not located at the same site as the supervised practitioner, special consideration must be given to the manner in which the physician intends to monitor the practitioner, and prior board approval must be received for this practice <u>unless otherwise provided in this chapter</u>; and

(4) number of other practitioners the physician or medical staff supervises. Reference must be given to the number of supervised practitioners, as prescribed by law. When the supervising physician

assumes responsibility for more than the number of practitioners prescribed by law, special consideration must be given to the manner in which the physician intends to monitor, and prior board approval must be received for this practice.

(D)(1) A physician or medical staff who is engaged in practice with ~~an~~ a PA, NP, CNM, or CNS must:

(a)(i) hold permanent, active, and unrestricted authorization to practice medicine in this State and be actively practicing medicine within the geographic boundaries of this State; or

(ii) hold an active, unrestricted academic license to practice medicine in this State and be actively practicing medicine within the geographic boundaries of this State;

(b) have in place prior to beginning practice and during its continuation a practice agreement as defined in Section 40-47-20(35) or scope of practice guidelines as defined in Section 40-47-20(5), a copy of which the physician must make available to the board within seventy-two hours of a request;

(c) not enter into scope of practice guidelines or practice agreements with more than the equivalent of six full-time PAs, NPs, CNMs, or CNSs and must not practice in a situation in which the number of NPs, CNMs, or CNSs providing clinical services with whom the physician is working, combined with the number of ~~physician assistants~~ PAs providing clinical services whom the physician is supervising, is greater than six individuals at any one time, provided, however, that the board may approve an exception to these requirements upon application by the physician, if the board determines that an exception is warranted and that quality of care and patient safety will be maintained;

(d) not enter into a practice agreement with ~~an~~ a PA, NP, CNM, or CNS performing a medical act, task, or function that is outside the usual practice of that physician or outside of the physician's training or experience, provided, however, that the board may approve an exception to this requirement upon application by the physician, if the board determines that an exception is warranted and that quality of care and patient safety will be maintained; and

(e) maintain responsibility in the practice agreement for the health care delivery team pursuant to rules and regulations of the Board of Medical Examiners.

(2) The board is authorized to conduct random audits of scope of practice guidelines and practice agreements."

SECTION 2. Article 7, Chapter 47, Title 40 of the 1976 Code is amended to read:

"ARTICLE 7

South Carolina Physician Assistants Practice Act

Section 40-47-905. This article may be cited as the 'South Carolina Physician Assistants Practice Act'.

Section 40-47-910. As used in this article:

(1) 'Alternate physician supervisor' or 'alternate supervising physician' means a South Carolina licensed physician currently possessing an active, unrestricted permanent license to practice medicine in South Carolina who accepts the responsibility to supervise a ~~physician assistant's~~ PA's activities in the absence of the supervising physician and this physician is approved by the physician supervisor in writing in the scope of practice guidelines.

(2) 'Board' means the Board of Medical Examiners of South Carolina.

(3) 'Committee' means the Physician Assistant Committee as established by this article as an advisory committee responsible to the board.

(4) 'Immediate consultation' means a supervising physician must be available for direct communication by telephone or other means of telecommunication.

(5) 'NCCPA' means the National Commission on Certification of Physician Assistants, Inc., the agency recognized to examine and evaluate the education of ~~physician assistants~~ PAs, or its successor organization as recognized by the board.

(6) 'Physician assistant' or 'PA' means a health care professional licensed to assist in the practice of medicine with a physician supervisor.

(7) 'Physician supervisor' or 'supervising physician' means a South Carolina licensed physician currently possessing an active, unrestricted permanent license to practice medicine in South Carolina who is approved to serve as a supervising physician ~~for no more than three full-time equivalent physician assistants~~. The physician supervisor is the individual who is responsible for supervising a ~~physician assistant's~~ PA's activities.

(8) 'Supervising' means overseeing the activities of, and accepting responsibility for, the medical services rendered by a physician assistant PA as part of a physician led team in a manner approved by the board.

Section 40-47-915. This article does not apply to a person:

(1) who is employed as a ~~physician assistant~~ PA by the United States Government, where such services are provided solely under the direction or control of the United States Government.

(2) pursuing a course of study leading to a degree or certificate to practice as a physician assistant in a program ~~approved~~ accredited by the ~~Commission on Accreditation of Allied Health Education Programs or its successor agency, where such activities and services constitute a part of a supervised course of study;~~ Accreditation Review Commission on Education for the Physician Assistant, or its successor agency, provided, however, the person must be clearly identified by a badge or other adornment with that person's name and the words 'Physician Assistant Student' clearly legible. The badge or adornment must be at least one inch by three inches in size.

Section 40-47-920. The Director of the Department of Labor, Licensing and Regulation may employ additional staff as necessary for the performance of the department's duties under this article.

Section 40-47-925. (A) There is created the Physician Assistant Committee as an advisory committee to the board which consists of nine members to be appointed by the Board of Medical Examiners. Three of the members must be licensed ~~physician assistants~~ PAs with a minimum of three years of patient care experience in this State. Two members must be consumers, and three members must be physicians who are licensed to practice in this State. Of the three physician members, at least ~~one~~ two must regularly ~~employ~~ supervise a ~~physician assistant~~ PA. One member of the Board of Medical Examiners shall serve on the committee ex officio. All organizations, groups, or interested individuals may submit recommendations to the board of at least two individuals for each position to be filled on the committee.

(B) The members shall serve for terms of four years and until their successors are appointed and qualify, except the initial term of two ~~physician assistants~~ PAs, the consumer member, and one physician are for two years. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. The board, after notice and opportunity for hearing, may remove any member of the committee for negligence, neglect of duty, incompetence, revocation or suspension of license, or other dishonorable conduct. Members of the committee shall receive mileage, subsistence, and per diem as provided by law for members of state boards, commissions, and committees for each meeting attended. No member may serve more than two full four-year terms consecutively, but may be eligible for reappointment four years from the date the last full four-year term expired.

(C) The committee shall meet at least two times yearly and at other times as may be necessary. A quorum for all meetings shall consist of five members. At its initial meeting, and at the beginning of each year

thereafter, the committee shall elect from its membership a chairman, vice chairman, and secretary to serve for a term of one year.

(D) The committee shall receive and account for all monies under the provisions of this article and shall pay all monies collected to the board for deposit with the State Treasurer as provided for by law.

Section 40-47-930. (A) The committee shall evaluate the qualifications ~~and supervise the examinations of applicants~~ for licensure and make recommendations to the board.

(B) The board may issue subpoenas, examine witnesses, and administer oaths and may investigate allegations of practices violating the provisions of this article.

(C) The committee:

(1) may recommend regulations to the board relating to professional conduct to carry out the provisions of this article including, but not limited to, professional certification and the establishment of ethical standards of practice for persons holding a license to practice as ~~physician assistants~~ PAs in this State;

(2) shall conduct hearings and keep records and minutes necessary to carry out its functions;

(3) shall provide notice of all hearings authorized under this article pursuant to the Administrative Procedures Act;

(4) shall determine the qualifications and make recommendations regarding the issuance of licenses to qualified ~~physician assistants~~ PAs;

(5) shall recommend to the board whether to issue or renew licenses under those conditions prescribed in this article;

(6) may recommend requirements to the board for continuing professional education of ~~physician assistants~~ PAs to the board;

(7) shall keep a record of its proceedings and a register of all licensees, including their names and last known places of employment and residence. The board shall annually compile and make available a list of ~~physician assistants~~ PAs authorized to practice in this State. An interested person may obtain a copy of this list upon application to the board and payment of an amount sufficient to cover the cost of printing and mailing;

(8) shall report annually to the board on duties performed, actions taken, and recommendations;

(9) shall hear disciplinary cases and recommend findings of fact, conclusions of law, and sanctions to the board~~. The board shall conduct a final hearing at which it shall make a final decision~~; and

(10) shall perform such duties and tasks as may be delegated to the committee by the board.

Section 40-47-935. (A) ~~Physician assistants~~ PAs may perform:

(1) medical acts, tasks, or functions ~~with~~ within written scope of practice guidelines under physician supervision;

(2) those duties and responsibilities, including the prescribing and dispensing of drugs and medical devices, that are lawfully delegated by their supervising physicians; provided, however, only ~~physician assistants~~ PAs holding a permanent license may prescribe drug therapy as provided in this article; and

(3) telemedicine in accordance with the requirements of Section 40-47-37 including, but not limited to, Section 40-47-37(C)(6) requiring board authorization prior to prescribing Schedule II and Schedule III prescriptions~~,~~; Section 40-47-113, approved written scope of practice guidelines, and pursuant to all physician supervisory requirements imposed by this chapter.

(B) ~~A physician assistant is an agent of his or her supervising physician in the performance of all practice related activities including, but not limited to, the ordering of diagnostic, therapeutic, and other medical services~~ Notwithstanding any provisions of state law other than this chapter, and to the extent permitted by federal law, a PA may perform the following medical acts unless otherwise provided in the scope of practice guidelines:

(1) provide non-controlled prescription drugs at an entity that provides free medical care for indigent patients;

(2) certify that a student is unable to attend school but may benefit from receiving instruction given in his home or hospital;

(3) refer a patient to physical therapy for treatment;

(4) pronounce death, certify the manner and cause of death, and sign death certificates pursuant to the provisions of Chapter 63, Title 44 and Chapter 8, Title 32;

(5) issue an order for a patient to receive appropriate services from a licensed hospice as defined in Chapter 71, Title 44;

(6) certify that an individual is handicapped and declare that the handicap is temporary or permanent for the purposes of the individual's application for a placard; and

(7) execute a do not resuscitate order pursuant to the provisions of Chapter 78, Title 44.

(C)(1) If provided in the scope of practice guidelines, a PA may delegate the following tasks to unlicensed assistive personnel to be performed under the PA's supervision:

(a) meeting patients' needs for personal hygiene;

(b) meeting patients' needs relating to nutrition;

(c) meeting patients' needs relating to ambulation;

(d) meeting patients' needs relating to elimination;

(e) taking vital signs;

(f) maintaining asepsis; and

(g) observing, recording, and reporting any of the tasks enumerated in this subsection.

(2) A PA may not delegate the administration of medication to unlicensed assistive personnel.

(D) A PA is an agent of his supervising physician in the performance of all practice related activities, including, but not limited to, the ordering of diagnostic, therapeutic, and other medical services.

(E) A PA may sign specified documents on behalf of the supervising physician or alternate supervising physician if authorized in the scope of practice guidelines.

Section 40-47-938. (A) A physician currently possessing an active, unrestricted permanent license to practice medicine under the provisions of this chapter, who accepts the responsibility to supervise a ~~physician assistant's~~ PA's activities, must enter into a supervisory relationship with a ~~physician assistant~~ PA licensed pursuant to this article, subject to approval of scope of practice guidelines by the board. The physician must notify the board, in writing, of the proposed supervisory relationship and include the proposed scope of practice guidelines for the relationship. ~~Upon receipt of board approval, the physician assistant~~ The PA may begin clinical practice with the named supervising physician and alternate physicians ten business days after the scope of practice guidelines have been submitted to the board and until a final determination is made by the board.

(B) A supervising physician may determine that there are additional medical acts, tasks, or functions for which a ~~physician assistant~~ PA under the physician's supervision needs additional training or education to meet the needs of the physician's practice and that the physician would like to incorporate into the ~~physician assistant's~~ PA's scope of practice guidelines. The physician must determine, in consultation with the ~~physician assistant~~ PA, the means of educating the ~~physician assistant~~, which may include training under the direct supervision of the physician, education, or certification of proposed practices or other appropriate educational methods. The physician must notify the board in writing of the requested changes to the ~~physician assistant's~~ PA's scope of practice guidelines and must provide documentation to the board of the competence of the ~~physician assistant~~ PA to perform the additional medical acts, tasks, or functions. ~~Upon receipt of board approval of the~~

~~requested changes, the physician assistant~~ The PA may incorporate these additional medical acts, tasks, or functions into practice ten business days after the proposed changes have been submitted to the board and until a final determination is made by the board.

(C) The board shall review and determine whether to approve these proposed scope of practice guidelines or requested changes to the scope of practice guidelines within ten business days after receipt of notice from the supervising physician as required by subsections (A) and (B). If the board needs additional information or clarification, a physician member of the board must contact the supervisory physician within ten business days of receipt of the physician's notice. If the board requests additional information or clarification to consider approval of scope of practice guidelines or changes to these guidelines, the supervising physician shall provide it in a timely manner; and upon receipt, a determination regarding approval must be made within ~~ten~~ three business days. If the proposed scope of practice guidelines or proposed changes, or a portion thereof, is disapproved by the board, then the board must provide a written explanation for its determination and a suggested remedy if possible. Upon receipt of the board's determination, the supervising physician and PA must practice in accordance with the board's determination.

(D) If a PA is to be employed by a hospital system or provider group with a credentialing committee, then the credentialing committee may begin the credentialing process necessary to employ the PA upon submittal of the proposed scope of practice guidelines to the board.

(E) A physician and a PA beginning practice pursuant to this section under a proposed scope of practice guidelines or proposed changes to a scope of practice guidelines ten business days after submittal to the board, but before a determination is made by the board, must not be subject to any disciplinary action for beginning practice.

Section 40-47-940. ~~(A)~~ ~~An~~ A license application must be submitted to the board on forms supplied by the board. The application must be complete in every detail before licensure may be granted and must be accompanied by a nonrefundable fee, provided, however, that a PA may not practice until the supervising physician and PA comply with the requirements of Section 40-47-938. ~~As part of the application process, the supervising physician and physician assistant must specify clearly in detail those medical acts, tasks, or functions for which approval is being sought. The specific medical acts, tasks, or functions must be included in the scope of practice guidelines, and the scope of practice guidelines must accompany the application.~~

~~(B) When a board member or board designee or the administrative staff of the board has reviewed the entire application for completeness and correctness and has determined the eligibility or appropriateness of the application a temporary authorization may be issued immediately. At the next board meeting the application may be recommended for approval for a permanent license or other authorization consistent with this article. If a temporary authorization is not considered appropriate, the application must be reviewed by the committee and may be recommended to the board for approval as presented to or modified by the committee.~~

Section 40-47-945. ~~(A)~~ Except as otherwise provided in this article, an individual shall obtain a permanent license from the board before the individual may practice as a ~~physician assistant~~ PA. The board shall grant a permanent license as a ~~physician assistant~~ PA to an applicant who has:

(1) submitted a completed application on forms provided by the board;

(2) paid the nonrefundable application fees established in this article;

(3) successfully completed an educational program for ~~physician assistants~~ PAs approved by the Accreditation Review Commission on Education for the Physician Assistant or its predecessor or successor organization;

(4) successfully ~~completed the NCCPA certifying examination and provide documentation that the applicant possesses a current, active, NCCPA certificate~~ passed the PA National Certifying Examination administered by the National Commission on the Certification of Physician Assistants (NCCPA) and provided documentation that the applicant possesses a current, active NCCPA certificate;

(5) certified that the applicant is mentally and physically able to engage safely in practice as a ~~physician assistant~~ PA;

(6) no licensure, certificate, or registration as a ~~physician assistant~~ PA under current discipline, revocation, suspension, probation, or investigation for cause resulting from the applicant's practice as a ~~physician assistant~~ PA;

(7) good moral character; and

(8) submitted to the board other information the board considers necessary to evaluate the applicant's qualifications, participated in an interview if requested by the board, or both~~;~~

~~(9) appeared before a board member or board designee with all original diplomas and certificates and demonstrated knowledge of the~~

~~contents of this article. A temporary authorization to practice may be issued as provided in Section 4047940 pending completion of this requirement and subject to satisfactory interview as provided below; and~~

~~(10) successfully completed an examination administered by the committee on the statutes and regulations regarding physician assistant practice and supervision.~~

~~(B) Not later than ninety days from the date a temporary authorization is issued, each applicant shall appear before a board member or board designee and demonstrate knowledge of the contents of this article. Failure to appear within the prescribed time automatically results in the immediate invalidation of the authorization to practice pending compliance and further order of the board. If approved, a permanent license may be issued immediately. If not approved, the application must be reviewed by the committee and may be recommended to the board for approval as presented to or modified by the committee.~~

~~(C) The supervising physician of a limited licensee physically must be present on the premises at all times when the limited licensee is performing a task.~~

Section 40-47-950. (A) The board may issue a limited ~~physician assistant~~ PA license to an applicant who has:

(1) submitted a completed application on forms provided by the board;

(2) paid the nonrefundable application fees established by this regulation;

(3) successfully completed an educational program for ~~physician assistants~~ PAs approved by the Accreditation Review Commission on Education for the Physician Assistant or its predecessor or successor organization;

(4) ~~never~~ not previously failed two consecutive NCCPA certifying examinations and has registered for, or intends to register to take the next offering of, the NCCPA examination;

(5) certified that the applicant mentally and physically is able to engage safely in practice as a ~~physician assistant~~ PA;

(6) no licensure, certificate, or registration as a physician assistant under current discipline, revocation, suspension, probation, or investigation for cause resulting from the applicant's practice as a physician assistant;

(7) good moral character;

(8) submitted to the board any other information the board considers necessary to evaluate the applicant's qualifications; and

(9) appeared before a board member or board designee ~~with all original diplomas and certificates~~ if requested by the board with any documents requested by the board and demonstrated knowledge of the contents of this article~~; and~~

~~(10) successfully completed an examination administered by the committee on the statutes and regulations regarding physician assistant practice and supervision~~.

(B) A limited license is not renewable and is valid only until the results of a limited licensee's two consecutive NCCPA certifying examinations are reported to the board. When a limited licensee has failed two consecutive NCCPA certifying examinations, or fails one exam and does not take the NCCPA certifying examination at the next opportunity or, after applying for a limited license, fails to register for the next offering of the examination, the limited license immediately is void and the applicant is no longer eligible to apply for further limited licensure.

(C) The supervising physician of a limited licensee physically must be present on the premises at all times when the limited licensee is performing a task.

Section 40-47-955. (A) The supervising physician is responsible for all aspects of the ~~physician assistant's~~ PA's practice. Supervision must be continuous but must not be construed as necessarily requiring the physical presence of the supervising physician at the time and place where the services are rendered, except as otherwise required for limited licensees. The supervising physician shall identify the ~~physician assistant's~~ PA's scope of practice and determine the delegation of medical acts, tasks, or functions. Medical acts, tasks, or functions must be defined in written scope of practice guidelines which must be appropriate to the ~~physician assistant's~~ PA's ability and knowledge.

(B) Pursuant to scope of practice guidelines, a ~~physician assistant~~ PA may:

(1) practice in a public place, a private place, or a facility where the supervising physician regularly sees patients; and

(2) ~~may~~ make house calls, perform hospital duties, perform telemedicine, and perform any functions performed by the supervising physician if the ~~physician assistant~~ PA is also qualified to perform those functions.

(C)(1) ~~A physician assistant must have six months of clinical experience with the current supervising physician before being permitted to practice at a location off site from the supervising physician, except that a physician assistant~~ A PA who has ~~at least~~ less than two years

continuous practice ~~in the same specialty~~ or who is changing specialties may not practice at a location off site from the supervising physician ~~after three months~~ until the PA has sixty days clinical experience on-site with the supervising physician ~~and upon request of the supervising physician~~. This ~~three month~~ sixty-day requirement, or a portion thereof, may be waived by the supervising physician in writing on a form approved by the board and submitted to the board ~~for experienced physician assistants and supervisors upon recommendation of the committee and approval by the board~~. ~~The offsite location may not be more than sixty miles of travel from the supervising physician or alternate supervising physician without written approval of the board. Notice of offsite practice must be filed with the administrative staff of the board before offsite practice may be authorized.~~ The supervising physician or alternate must review, initial, and date the offsite physician assistant's charts periodically as ~~provided~~ specified in the written scope of practice guidelines~~, provided the supervising physician must review and verify the adequacy of clinical practice of ten percent of these charts monthly~~ to ensure quality of care and patient safety.

(2) The requirement for sixty days on-site clinical practice with a supervising physician does not apply to a PA who will be practicing in a retail medical clinic providing a limited scope of services pursuant to a scope of practice guidelines approved by the board for that clinical setting. For the purposes of this item, 'retail medical clinic' means a walk-in health care clinic located inside of a retail store that includes a pharmacy.

~~(D) A supervising physician may simultaneously supervise no more than three physician assistants providing clinical service at one time.~~

~~(E) Upon written request, and recommendation of the committee, the board may authorize exceptions to the requirements of this section.~~

Section 40-47-960. (A) A ~~physician assistant~~ PA practicing at all sites shall practice pursuant to written scope of practice guidelines signed by all supervisory physicians and the ~~physician assistant~~ PA. Copies of the guidelines must be on file at all practice sites. The guidelines shall include at a minimum the:

(1) name, license number, and practice addresses of all supervising physicians;

(2) name and practice address of the ~~physician assistant~~ PA;

(3) date the guidelines were developed and dates they were reviewed and amended;

(4) medical conditions for which therapies may be initiated, continued, or modified;

(5) treatments that may be initiated, continued, or modified;

(6) drug therapy, if any, that may be prescribed with drug specific classifications; and

(7) situations that require direct evaluation by or immediate referral to the physician, including Schedule II controlled substance prescription authorization as provided for in Section 40-47-965.

(B) In a hospital practice setting, a list of alternate supervising physicians may be submitted to the board without the signatures of the alternate supervising physicians.

Section 40-47-965. (A) If the written scope of practice guidelines authorizes the ~~physician's assistant~~ PA to prescribe drug therapy:

(1) prescriptions for authorized drugs and devices shall comply with all applicable state and federal laws;

(2) prescriptions must be limited to drugs and devices authorized by the supervising physician and set forth in the written scope of practice guidelines;

(3) prescriptions must be signed or electronically submitted by the ~~physician assistant~~ PA and must bear the ~~physician assistant's~~ PA's identification number as assigned by the board and all prescribing numbers required by law. The preprinted prescription form shall include both the ~~physician assistant's~~ PA's and physician's name, address, and phone number, and, if possible, the physician through the electronic system, and shall comply with the provisions of Section 39-24-40;

(4) drugs or devices prescribed must be specifically documented in the patient record;

(5) the ~~physician assistant~~ PA may request, receive, and sign for professional samples of drugs authorized in the written scope of practice guidelines and may distribute professional samples to patients in compliance with appropriate federal and state regulations and the written scope of practice guidelines;

(6) the ~~physician assistant~~ PA may authorize prescriptions for an orally administered Schedule II controlled substance, as defined in the federal Controlled Substances Act, pursuant to the following requirements:

(a) the authorization to prescribe is expressly approved by the supervising physician as set forth in the ~~physician assistant's~~ PA's written scope of practice guidelines;

(b) the ~~physician assistant~~ PA has directly evaluated the patient, provided, however, that a PA may authorize a prescription if the PA is assigned to take calls for the supervising physician or alternate supervising physician treating the patient;

(c) the authority to prescribe a Schedule II narcotic controlled substance is limited to an initial prescription ~~and must~~ not to exceed a ~~seventy two hour~~ five-day supply;

(d) any subsequent prescription authorization for a Schedule II narcotic controlled substance after the initial prescription must be in consultation with ~~and upon patient examination and evaluation by~~ and approved by the supervising physician, and such approval must be documented in the patient's chart; and

(e) any prescription for continuing drug therapy must include consultation with the supervising physician and must be documented in the patient's chart;

(7) the ~~physician assistant~~ PA may authorize a medical order for parenteral administration of a Schedule II controlled substance, as defined in the federal Controlled Substances Act, pursuant to the following requirements:

(a) the authorization to write a medical order is expressly approved by the supervising physician as set forth in the ~~physician assistant's~~ PA's written scope of practice guidelines;

(b) the ~~physician assistant~~ PA is providing patient care in a hospital setting, including emergency and outpatient departments affiliated with the hospital;

(c) an initial patient examination and evaluation has been performed by the supervising physician, or his delegate physician, and has been documented in the patient's chart; however, in a hospital emergency department, a ~~physician assistant~~ PA may authorize such a medical order if the supervising or delegate physician is unavailable due to clinical demands, but remains on the premises and is immediately available, and the supervising or delegate physician conducts the patient evaluation as soon as practicable and is documented in the patient's chart;

(d) the ~~physician assistant~~ PA has directly evaluated the patient, provided, however, that a PA may authorize a prescription if the PA is assigned to take call for the supervising physician or alternate supervising physician treating the patient; and

(e) the written medical order may not exceed a one-time administration within a twenty-four hour period without the approval of the supervising physician or alternate supervising physician, and such approval must be documented in the patient's chart.

(B) When applying for controlled substance prescriptive authority, the applicant shall comply with the following requirements:

(1) the ~~physician assistant~~ PA shall provide evidence ~~of completion of sixty contact hours~~ of education in pharmacotherapeutics ~~acceptable to~~ as determined by the board before application;

(2) ~~the physician assistant shall provide at least fifteen contact hours of education in controlled substances acceptable to the board;~~

~~(3)~~ every two years, the ~~physician assistant~~ PA shall provide documentation of four continuing education hours related to approved procedures of prescribing and monitoring controlled substances listed in Schedules II, III, and IV of the schedules provided for in Sections 44-53-210, 44-53-230 and 44-53-250; and

~~(4)~~(3) the ~~physician assistant~~ PA must have a valid Drug Enforcement Administration (DEA) registration and prescribe in accordance with DEA rules~~; and~~

~~(5) the physician assistant and supervising physician must read and sign a document approved by the board describing the management of expanded controlled substances prescriptive authority for physician assistants in South Carolina which must be kept on file for review. Within the two-year period, the physician assistant and the supervising physician periodically shall review this document and the physician assistant's prescribing practices to ensure proper prescribing procedures are followed. This review must be documented in writing with a copy kept at each practice site.~~

(C) A ~~physician assistant's~~ PA's prescriptive authorization may be terminated by the board if the ~~physician assistant~~ PA:

(1) practices outside the written scope of practice guidelines;

(2) violates any state or federal law or regulation applicable to prescriptions; or

(3) violates a state or federal law applicable to ~~physician assistants~~ PAs.

Section 40-47-970. A ~~physician assistant~~ PA may not:

(1) perform a medical act, task, or function which has not been listed ~~and~~ approved on the scope of practice guidelines; (2)

prescribe drugs, medications, or devices not specifically authorized by the supervising physician and documented in the written scope of practice guidelines;

(3) prescribe, under any circumstances, controlled substances in Schedule II except as authorized in Section 40-47-965;

(4) perform a medical act, task, or function that is outside the usual practice of the supervising physician or outside the supervising physician's training or experience unless the board approves an exception pursuant to Section 40-47-195(D)(1)(d).

Section 40-47-985. The board or a person designated by the board may make unscheduled inspections of any office or facility employing a ~~physician assistant~~ PA.

Section 40-47-990. A ~~physician assistant~~ PA must clearly identify himself ~~or herself~~ as a ~~physician assistant~~ PA to ensure that the ~~physician assistant~~ PA is not mistaken or misrepresented as a physician. A ~~physician assistant~~ PA shall wear a clearly legible identification badge or other adornment of at least one inch by three inches in size bearing the ~~physician assistant's~~ PA's name and the words 'Physician Assistant', 'PA-C', or 'PA'.

Section 40-47-995. If the supervisory relationship between a ~~physician assistant~~ PA and the supervising physician is terminated for any reason, the ~~physician assistant~~ PA and the supervising physician shall inform the board immediately in writing of the termination, including the reasons for the termination. The approval of the practice setting terminates coterminous with the termination of the relationship, and practice shall cease until new scope of practice guidelines are submitted by a supervising physician and are approved by the board. After notification to the board, a current alternate supervising physician for the PA may serve as the supervising physician under the existing scope of practice guidelines, for a period not to exceed ninety days, until a new supervising physician is designated and new scope of practice guidelines are approved.

Section 40-47-1000. (A) It is unlawful for a person who is not licensed under this article to hold himself out as a ~~physician assistant~~ PA. A person who holds himself out as a ~~physician assistant~~ without being licensed under this article, during a period of suspension, or after his license has been revoked by the board is guilty of a misdemeanor and, upon conviction, must be fined not more than three hundred dollars or imprisoned for not more than ninety days, or both.

(B) For the purpose of any investigation or proceeding under the provisions of this article, the board or a person designated by the board may administer oaths and affirmations, subpoena witnesses, take testimony, and require the production of any documents or records which the board considers relevant to the inquiry.

(C) If the board has sufficient evidence that a person is violating a provision of this article, the board, in addition to all other remedies, may order the person to immediately desist and refrain from this conduct. The board may apply to an administrative law judge as provided under Article 5 of Chapter 23 of Title 1 for an injunction restraining the person from this conduct. An administrative law judge may issue a temporary

injunction ex parte and upon notice and full hearing may issue any other order in the matter it considers proper. No bond may be required of the board by an administrative law judge as a condition to the issuance of any injunction or order contemplated by the provisions of this section.

(D) Investigations and disciplinary proceedings under this article must be conducted in accordance with the provisions of Article 1.

(E) No provision of this article may be construed as prohibiting the respondent or his legal counsel from exercising the respondent's constitutional right of due process under the law or prohibiting the respondent from normal access to the charges and evidence filed against him as a part of due process under the law.

Section 40-47-1005. Misconduct constituting grounds for revocation, suspension, probation, reprimand, restrictions, or denial of a license must be found when a ~~physician assistant~~ PA:

(1) has knowingly allowed himself or herself to be misrepresented as a physician;

(2) has filed or has had filed on his or her behalf with the board any false, fraudulent, or forged statement or documents;

(3) has performed any work assignment, task, or other activity which is not on the ~~physician assistant~~ PA scope of practice guidelines;

(4) misuses alcohol or drugs to such a degree to render him or her unfit to practice as a ~~physician assistant~~ PA;

(5) has been convicted of a felony or a crime involving moral turpitude or drugs;

(6) has sustained any physical or mental disability which renders further practice dangerous to the public;

(7) has engaged in any dishonorable or unethical conduct that is likely to deceive or harm patients;

(8) has used or made any false or fraudulent statement in any document connected with practice or licensure as a ~~physician assistant~~ PA;

(9) has obtained or assisted another person in obtaining fees under dishonorable, false, or fraudulent circumstances;

(10) has violated or conspired with another person to violate any provision of this article; or

(11) otherwise demonstrates a lack of the ethical or professional competence required to act as a ~~physician assistant~~ PA.

Section 40-47-1010. A license issued pursuant to this chapter may be renewed biennially or as otherwise provided by the board and department. A person who has not demonstrated continuing education,

as required by this article, is not eligible for issuance or renewal of an authorization to practice.

Section 40-47-1015. (A) Fees for ~~physician assistant~~ PA licensure are established as follows:

(1) initial licensing fee, not to exceed five hundred dollars;

(2) renewal of license fee, not to exceed one hundred and fifty dollars;

(3) late renewal fee, not to exceed the renewal fee doubled; and

(4) reactivation application fee, not to exceed two hundred dollars~~;~~

~~(5) change in supervisor fee, not to exceed one hundred and fifty dollars;~~

~~(6) additional primary supervisor for dual employment fee, not to exceed one hundred and fifty dollars~~.

(B) Fees may be adjusted biennially pursuant to Section 40-1-50 to ensure that they are sufficient but not excessive to cover expenses including the total of the direct and indirect costs to the State for the operations of the committee.

Section 40-47-1020. Nothing in this article may be construed to require third party reimbursement directly to a ~~physician assistant~~ PA for services rendered."

SECTION 3. This act takes effect ninety days after the approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Bill was carried over.

CARRIED OVER

S. 259 -- Senators Goldfinch, Campsen, Kimpson and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO

ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

The Senate proceeded to the consideration of the Bill.

Senator CAMPBELL explained the Bill.

On motion of Senator SCOTT, the Bill was carried over.

CARRIED OVER

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

On motion of Senator MARTIN, the Bill was carried over.

POINT OF ORDER

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT,

LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 533 -- Senators Massey and Young: A SENATE RESOLUTION TO RECOGNIZE MAY 2019 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

The Resolution was adopted.

S. 478 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 16, 2019, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

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 UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call S. 474 from the Contested Calendar.

The motion under Rule 32B was adopted.

MOTION ADOPTED

At 2:56 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDMENT PROPOSED, DEBATE INTERRUPTED

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO

SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator CAMPSEN explained the Bill.

Amendment No. 1

Senator KIMPSON proposed the following amendment (474R001.SP.MEK):

Amend the bill, as and if amended, page 1, by striking line 33 and inserting:

/ exceed twenty spadefish in any one day on any boat." /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

Senator MALLOY moved that the Senate stand adjourned.

Debate was interrupted by adjournment.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Allendale County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Willard Branch, Post Office Box 57, Fairfax, SC 29827-0057

Reappointment, Allendale County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Willard Branch, Post Office Box 57, Fairfax, SC 29827-0057

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

David James Turner, 106 Miller Road, Spartanburg, SC 29376-3707

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jason Wall, 448 Old Boiling Springs Road, Spartanburg, SC 29303-1921

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James Willingham, 105 Edge Road, Moore, SC 29369-9521

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Quenton M. Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306

Motion Adopted

On motion of Senator MALLOY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:55 P.M., on motion of Senator MALLOY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, March 13, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

1 Samuel 12:23

"Far be it for me that I should sin against the Lord in ceasing to pray for you all."

Let us pray. Almighty God, You are the ultimate judge of all of us. Forgive us, we pray, for our propensity to judge others with whom we disagree. Awaken us to the danger for our spiritual lives that results from neglect of prayer for our adversaries. Sometimes we think our disagreement justifies our lack of prayer for them. Often Lord, we self righteously neglect in our prayers the very people who need Your blessing. Let not our hearts be hardened by this resentment but rather free us from the burden of keeping score. Empower us with a heart that extends forgiveness to others in the same manner that we so often desire forgiveness for ourselves. Through the power of Your Holy Spirit we pray, Amen.

Point of Quorum

At 12:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Cromer	Davis	Grooms
Harpootlian	Hembree	Hutto
Malloy	Martin	Massey
Nicholson	Peeler	Reese
Rice	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams

WEDNESDAY, MARCH 13, 2019

A quorum being present, the Senate resumed.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion to Ratify Adopted

At 12:06 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 89 Sen. Sabb
S. 179 Sen. Grooms
S. 240 Campsen
S. 298 Sens. McElveen, Rankin, J. Matthews, McLeod and M.B. Matthews
S. 508 Sens. Cromer and J. Matthews
S. 510 Sen. Cromer
S. 511 Sen. Cromer
S. 574 Sen. Hutto
S. 638 Sen. Hutto
S. 642 Sen. Gregory
S. 653 Sen. Martin

RECALLED

H. 3015 -- Reps. McDaniel, King and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3928 -- Reps. Sottile, Gilliard, McCoy, Mack, Hewitt, Pendarvis, Bennett, Cogswell, Mace and Brown: A CONCURRENT RESOLUTION TO REQUEST THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RENAME THE PORTION OF THE NAVIGATIONAL CHANNEL ADJACENT TO THE CITY OF CHARLESTON WATERFRONT CONSISTING OF THE CHARLESTON MARITIME CENTER, INTERNATIONAL AFRICAN AMERICAN MUSEUM, AND THE PEDESTRIAN WALKWAY OF THE ARTHUR RAVENEL, JR. BRIDGE TO "RILEY REACH" IN ORDER TO HONOR THE LEGACY OF MAYOR JOSEPH P. RILEY, JR.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 644 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DANAE MCNEAL ON BEING NAMED THE 2018-2019 GATORADE GIRLS' BASKETBALL PLAYER OF THE YEAR FOR SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 645 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE MOUNT CALVARY BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED TWENTY-FIRST ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN HARTSVILLE, AND TO COMMEND

ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 646 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE REVEREND EDWARD J. SQUIRE UPON THE OCCASION OF HIS TWENTIETH ANNIVERSARY AS PASTOR OF MOUNT CALVARY BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF HARTSVILLE.
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The Senate Resolution was adopted.

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.
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Read the first time and referred to the Committee on Finance.

S. 648 -- Senators Cash, Shealy, Cromer, Hembree, Climer, Grooms, Senn, Talley, Rice and Gambrell: A BILL TO AMEND ARTICLE 1, CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-65, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, PURCHASE, DONATE, ACCEPT, OR EXPERIMENT UPON THE REMAINS OF A CHILD OR AN UNBORN CHILD RESULTING FROM AN ABORTION, OR TO PERFORM OR OFFER TO PERFORM AN ABORTION FOR THE PURPOSE OF RESEARCH, AND TO PROVIDE PENALTIES.
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Read the first time and referred to the Committee on Medical Affairs.

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO

LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 650 -- Senators Turner, Grooms, Shealy and Talley: A BILL TO AMEND ARTICLE 1, CHAPTER 53, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, BY ADDING SECTION 59-53-45, TO PROVIDE FOR A WORKFORCE DIPLOMA PROGRAM, TO PROVIDE CRITERIA FOR ELIGIBLE PROVIDERS TO PARTICIPATE IN THE PROGRAM, TO PROVIDE FOR THE REIMBURSEMENT OF PROVIDERS, TO PROVIDE REPORTING REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Education.

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 653 -- Senators McElveen and Martin: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-546, TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, TO PROVIDE REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND TO PROVIDE PENALTIES.
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Read the first time and, on motion of Senator MARTIN, with unanimous consent, S. 653 was ordered placed on the Calendar without reference.

S. 654 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER AS "HUNGER ACTION MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.
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Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Finance.

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 4234 -- Rep. Lucas: A CONCURRENT RESOLUTION TO WELCOME TO THE PALMETTO STATE THE HONORABLE GUDRUN YNGVADOTTIR, INTERNATIONAL PRESIDENT OF LIONS CLUBS INTERNATIONAL, ON THE OCCASION OF THE 95TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 11 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE

IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 552 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT

THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976,

RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 478 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 16, 2019, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

Returned with concurrence.

Received as information.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator MARTIN, the Privilege of the Chamber, to that area behind the rail, was extended to Adam Appiah in recognition of his vision and commitment to charitable causes around South Carolina.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill, as amended, was read the third time and ordered sent to the House of Representatives:

S. 214 -- Senators Kimpson, Sheheen, Gregory, Campsen and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator SHEHEEN proposed the following amendment (214R008.SP.VAS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. The General Assembly finds:

(1) the South Carolina Sales and Use Tax Act requires any person engaged in business as a retailer to remit the sales and use tax on all retail sales of tangible personal property not otherwise excluded or exempted from the tax. This requirement applies to all retail sales of tangible personal property by the retailer, whether the tangible personal property is owned by the retailer or another person. Retailers selling tangible personal property at retail on consignment, by auction, or in any other manner must remit the sales and use tax on such retail sales;

(2) the Internet marketplaces where a person sells tangible personal property at retail by listing or advertising, or allowing the listing or advertising of, another person's products on an online marketplace and collects or processes the payment from the customer are retailers required to remit the sales and use tax on such retail sales under the provisions of South Carolina sales and use tax law;

(3) with the changing economy and ever expanding role of the Internet in the retail market, the longstanding requirement in the sales

and use tax law that a retailer remit the tax on retail sales of tangible personal property owned by another person must apply to all retailers, including both Internet retailers and brick and mortar retailers;

(4) retailers selling another person's tangible personal property on the Internet must clearly understand and be informed of their requirements to remit the sales and use tax in the same manner as retailers selling another person's tangible personal property in a brick and mortar store; and

(5) this act shall not be construed as a statement concerning the applicability of the South Carolina Sales and Use Tax Act to any sales and use tax liability in matters currently in litigation or being audited.

SECTION 2. Article 1, Chapter 36, Title 12 of the 1976 Code is amended by adding:

"Section 12-36-71. (A)(1) 'Marketplace facilitator' means any person engaged in the business of facilitating a retail sale of tangible personal property by:

(a) listing or advertising, or allowing the listing or advertising of, the products of another person in any marketplace where sales at retail occur; and

(b) collecting or processing payments from the purchaser, either directly or indirectly through an agreement or arrangement with a third party.

(2) If a person meets the criteria set forth in item (1), then that person is a marketplace facilitator regardless of whether the person receives compensation or other consideration in exchange for his services.

(B) A marketplace may be physical or electronic and includes, but is not limited to, any space, store, booth, catalog, website, television or radio broadcast, or similar place, medium, or forum.

(C) For purposes of subsection (A), a marketplace facilitator includes any related entities assisting the marketplace facilitator in sales, storage, distribution, payment collection, or in any other manner, with respect to the marketplace.

(D) When a marketplace facilitator is comprised of multiple entities, the entity that lists or advertises, or allows the listing or advertising of, the products sold at retail in the marketplace is the entity responsible for remitting the sales and use tax to the State."

SECTION 3. Section 12-36-70 of the 1976 Code is amended by adding a new item before the last undesignated paragraph to read:

"(3) operating as a marketplace facilitator, as defined in Section 12-36-71."

SECTION 4. Section 12-36-90(1)(a) of the 1976 Code is amended to read:

"(a) the proceeds from the sale of property sold on consignment by the taxpayer, including property sold through a marketplace by a marketplace facilitator;"

SECTION 5. Section 12-36-130(1) of the 1976 Code is amended by adding a new subitem to read:

"(c) the proceeds from the sale of property sold on consignment by the taxpayer, including property sold through a marketplace by a marketplace facilitator."

SECTION 6. Section 12-36-1340 of the 1976 Code is amended to read:

"Section 12-36-1340. Each seller making retail sales of tangible personal property for storage, use, or other consumption in this State shall collect and remit the tax in accordance with this chapter and shall obtain from the department a retail license as provided in this chapter, if the retail seller:

(1) maintains a place of business;

(2) qualifies to do business;

(3) solicits and receives purchases or orders by an agent, ~~or salesman~~ an independent contractor, a representative, an Internet website, or any other means; ~~or~~

(4) distributes catalogs, or other advertising matter, and by reason of that distribution receives and accepts orders from residents within the State;

(5) operates as a marketplace facilitator; or

(6) meets constitutional standards for economic nexus with South Carolina for purposes of the sales and use tax."

SECTION 7.-This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The amendment was adopted.

Senator LEATHERMAN spoke on the Bill.
Senator CLIMER spoke on the Bill.

Remarks by Senator CLIMER

Thank you, Mr. PRESIDENT. Members of the Senate, I again want to reiterate that I think it is good public policy to level the playing field between brick and mortar retailers and online retailers -- which is a good part of this Bill. What I disagree with, what I don't think we need to do, is pass a net tax increase in a year when we have a billion dollar surplus. We do not need to raise taxes when we have a billion dollar surplus. So my view, as expressed in the amendment I offered the last time we had this Bill up, was let's pass the Bill to get marketplace fairness, but do so in a way that doesn't yield a net tax increase on the people of South Carolina. Now I just wanted to stand up to remind members of this Body that I'm pretty sure everyone in here has already voted to spend this new money in some form or fashion. It is false, therefore, after having voted to spend the money some way, to claim that this is not a tax increase. This is a tax increase. And so my appeal to members of the Senate who do not believe in raising taxes, especially when we have a billion dollar surplus, is to vote down this Bill. Thank you Mr. PRESIDENT, I yield back my time.

Mr. PRESIDENT, thank you. Senator CLIMER thank you for agreeing to allow me the question. Senator I hear what you're saying -- I understand your position, but this was an action taken by the House and the Senate five years ago. It's not that we are today voting on increasing taxes. That tax is already there, according to the House and Senate, and should have been paid. But through negotiations with Amazon then we agreed, okay, you want a five-year moratorium, we understand that. Come locate here, provide jobs, we understand all that. But this is something that's in place, it's not that we're today voting on a tax increase -- that's on the books of this State.

Senator LEATHERMAN, my only qualm with that is in the letter that you distributed to the Body that reads, and I quote, "Without the passage of this enabling legislation there will be no additional money to appropriate." Ergo, this is a tax increase.

On motion of Senator GOLDFINCH, with unanimous consent, the remarks of Senator CLIMER, were ordered printed in the Journal.

Senator JOHNSON spoke on the Bill.

Senator MARTIN spoke on the Bill.

Remarks by Senator MARTIN

Thank you, Mr. PRESIDENT. I rise on S. 214 because I want to educate the Body a little bit. You may not know this, but I was a former school board member. I reviewed invoices to determine where the school district money was going and to make sure they were processed correctly, which they were. At my first meeting, I asked questions because there was money remitted to the State of South Carolina. I did not understand why that money was remitted to the State of South Carolina. The board explained that under state law it was their duty to pay tax on their purchases. As an example, a printer is purchased from an online retailer -- Amazon or another retailer -- and it was their duty to pay that tax and remit it to the State of South Carolina. I was unaware of this requirement. There are probably a lot of our constituents who did not know this was a requirement and to this day still do not know. Therefore, it is my understanding that this Bill is putting everybody on the same playing field. If everybody in this State is following the law, then this Bill is net neutral because they are already doing it. Either you are paying your taxes, per the law, or you are breaking the law. If this Bill is construed as a tax increase, it is because people are breaking the

law, and I hope nobody is breaking the law in this State. If they are, they are probably doing it without knowledge of this requirement.

On motion of Senator SHEALY, with unanimous consent, the remarks of Senator MARTIN, were ordered printed in the Journal.

Senator BENNETT spoke on the Bill.

Remarks by Senator BENNETT

Thank you, Mr. PRESIDENT. Members, I wanted to come up and share a few thoughts with you on this Bill but also on the overall tax policy of the State of South Carolina. I am intrinsically opposed to taxation, recognizing that we have to have taxation in the public square in order to provide public services. In general, I am opposed to that, but what I am really opposed to is unfair taxation across different classes of citizens in this State.

I've had the pleasure of co-chairing the Conference of Tax Reform Committee that Senator LEATHERMAN put together late last year. We have heard from a number of experts across this country both nationally as well as our local experts about evaluating our tax code. While there are all kinds of disagreements of what taxation should be in place and what those levels are and who should be responsible for that with respect to South Carolina, what is not in dispute is that our system is broken, severely broken, and it is unfair.

Let me give you just a couple of examples on the three primary ways that we raise public revenue in the State of South Carolina -- sales and use tax, income tax and property tax. Our sales tax -- we currently exclude as much as we collect in the State of South Carolina. Of the transactions that are subject to taxation in the first place -- before we even get to what is excluded -- we have gone from about 55% of those transactions to about 35% of those transactions in the past 20 years. Our income taxes are the highest in the southeast -- the 12th highest in the nation from a statutory rate of 7%. What's more important is that about 41% of the income taxpayers in South Carolina pay the highest marginal tax rate. What is more disturbing is 42% of those income tax filers in South Carolina pay zero -- Zero! From a property tax standpoint, we can take a piece of property, depending on who you are and what you use that property for -- you could pay three different rates. I'll use my home county of Dorchester as an example. If I have a $250,000 property and I'm living in it, I'm paying about $1,500 a year in property tax. If I happen to be living in that same piece of property and am 65, I'm paying

$700 in property taxes. If I happen to be using that property in the town of Summerville much like many communities across the country -- there are lots of old residential houses in downtown Summerville. If I've converted it and am running my business out of it, I'm paying about $6,000 in property tax for that same piece of property. Now what I've just described for you is a broken system that is unfair and it's narrowing and narrowing and narrowing our tax base every day. What you may have also recognized is that since we have come into session this year, I have voted against just about every single tax credit that has come in front of us. I will tell you that is new for me. Typically, I'm in support of those tax credits because I know if you are asking for those tax credits there is some sort of punitive scenario where you need that either as an individual or a business owner to make you competitive or probably more accurately, not having you bear a greater burden than other members of society. I will continue to do that until we are able to complete our work on the Conference Tax Reform Committee and hopefully come to you and get you an agreement of major and substantial changes to the tax code.

The bottom line is we have to broaden our taxes. The more narrow we make our tax base the more individuals, certain individuals and certain industries, are relied upon, and ultimately that will break our system.

I have been saying for a long time now, if you want proper education funding, you have to start with tax reform. If you want proper public safety funding, you have to start with tax reform. If you want proper roads funding or other core function of government, you have to start with tax reform. That is why I'm supporting this Bill today because by not doing so, whether Senator MARTIN was right and everybody was following the law, we're going to find out if that is the case or not. The reality is by not passing this Bill, we are further narrowing that tax base and putting more and more pressure on folks in an unfair manner -- in an unfair way -- and we will be compounding our problem of a broken tax system. While I recognize and I respect Senator CLIMER'S view, I do not see this as a tax increase. I think this is being fair. I've also believed, as Senator MARTIN pointed out, that getting the tax policy right and deciding where those funds are distributed and how they are spent in the State is a budgetary issue, and they are separate. There is no way we can know whether we're spending the money appropriately until we know our tax policy is appropriate and the revenue that we generate is appropriate. I will give you the example that I gave this morning to a group of educators that came up from Dorchester County, and they were

begging for more funds in education. I had to tell them again, ladies and gentleman, I believe that South Carolina is about 22nd in the country in the money we spend on education. I believe there is proper money in the education system. I don't believe that it is distributed appropriately. So in my mind, we have to fix the distribution of the education funding to truly know if we actually need more money in there or if it's sufficient. I view this Bill in much the same way. We have to have a good solid tax policy in place to know whether we collect too much, too little, or where that money can go. Again, it is a fairness issue for me. It is a way to stop at least some more eroding of the tax base and making sure every citizen of South Carolina in some way, shape, or form contributes to that system. Thank you, Mr. PRESIDENT.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator BENNETT, were ordered printed in the Journal.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Turner
Verdin	Williams	Young

Total--42

NAYS

Climer	Grooms	Talley

Total--3

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Statement by Senator TALLEY

South Carolina needs true tax reform. I agree with many comments made in this debate about taxes owed needing to be paid and creating, as this Bill purports to do, in part, a level playing field for brick and mortar stores vs. online retailers. However, this Bill contemplates a growth in state revenue which gives the General Assembly more money to spend in the state budget. I am fearful that all of this money will be spent without a true analysis of state expenditures or any rebate to taxpayers.

Expression of Personal Interest

Senator SETLZER rose for an Expression of Personal Interest.

Remarks by Senator SETZLER

On behalf of Lexington County and the midlands, I would like to thank the South Carolina Senate for the 5,000 jobs, for the $150 million investment and a second facility in Lexington County. We are not Volvo or Michelin, but we do enjoy having Amazon in Lexington County.

On motion of Senator SABB, with unanimous consent, the remarks of Senator SETZLER, were ordered printed in the Journal.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

I filed a Bill today to make it a felony to sell, purchase, donate or accept fetal remains from aborted babies for the purposes of research, experimentation or transplantation. About a month ago, I got tagged on a social media Facebook post, and when I opened the article, I was looking at an article that was headlined, "These 27 Universities Purchased Body Parts From Aborted Babies for Experimentation," and the University of South Carolina unfortunately was on that list. As I dug

into it, I came across the source for this information, which is a Congressional Report that was triggered by the Planned Parenthood baby selling parts scandal -- a 400 page report from our federal Congress and this is where the information came from. So at that time, I began to write a Bill because currently, in this State, if an abortion clinic wants to donate fetal remains for research, apparently they can. If the university wants to buy or accept fetal remains from aborted babies for research, apparently they can do that as well. I want to make it clear. I'm not up here to disparage or to attack the University of South Carolina. I've talked to Dr. Pastides, the President of the University, several times. He really was not aware of this and he assures me they are not currently conducting research of this type and that this is an isolated occurrence that happened ten years ago. Nonetheless, there is nothing in the law that would prohibit this from happening. So I've introduced this law. I want to very briefly say why I think it's wrong to use remains from aborted babies for research, experimentation or transplantation. Number one: it's wrong because the killing of unborn babies is wrong. It's wrong to kill unborn babies. So we shouldn't even be having these discussions, because there shouldn't be fetal remains from aborted babies because we shouldn't be allowing that to start with. The second reason it's wrong is because it dehumanizes human life. It dehumanizes human life. I had someone pull the DHEC regulations about what can be done with what is called infectious waste that comes from abortion clinics. The DHEC regulations say products of conception must be incinerated, et cetera or donated -- products of conception. You know, I've never heard anyone refer to their unborn child they're going to have as a product of conception. Product of conception is an Orwellian language that we use to deny humanity to what is obviously human. The third reason I think this is wrong is because the consent forms that are used when women agree to donate the remains of their aborted babies are used quite frankly in some cases as an inducement. We know this is a tough decision but we want you to know that if you choose to have your unborn baby killed, the remains can be used for medical research and maybe it will help provide a cure for paralysis or for AIDS or whatever the case may be. Now, that's all documented in this 400 page report. Anyone can access it. But that's where the information comes from. And that's why, quite frankly, I've introduced this legislation and asked for your support because I don't think that's the kind of thing we want going on in this State. I don't think those are the kind of values we hold. And if we cannot pass this Bill, in a Republican dominated Senate, it's going to raise

questions on what kind of a value we put on the sacredness of human life. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

AMENDMENT PROPOSED, OBJECTION

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian and Kimpson: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator MALLOY spoke the Bill.

Senator GOLDFINCH spoke on the Bill.

Senator KIMPSON proposed the following amendment (JUD0007.019):

Amend the committee report, as and if amended, page [7-2], by striking line 3, and inserting therein the following:

/ Insurance Reserve Fund's internet website.

(7) Notwithstanding the liability limits outlined in Section 15-78-120(a)(1) through (a)(4), where one or more claimants individually and in a representative capacity, have brought a claim or claims seeking actual damages against one or more governmental entities, and where a court has certified those claims for actual damages as a class action, there shall not be a limit on the actual damages recoverable by the named claimant or claimants, or by the members of any such class." /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MASSEY spoke on the amendment.

Senator JACKSON objected to further consideration of the Bill.

CARRIED OVER

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS,

SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE

SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Objection

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

Senator MALLOY objected.

On motion of Senator MALLOY, the Bill was carried over.

WEDNESDAY, MARCH 13, 2019

OBJECTION

S. 259 -- Senators Goldfinch, Campsen, Kimpson and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

Senator SCOTT objected to consideration of the Bill.

CARRIED OVER

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

On motion of Senator RANKIN, the Bill was carried over.

CARRIED OVER

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

Senator M.B. MATTHEWS moved to carry over the Bill.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

READ THE SECOND TIME

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD

IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

The Senate proceeded to the consideration of the Resolution.

Senator MARTIN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

WEDNESDAY, MARCH 13, 2019

READ THE SECOND TIME

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO 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 the consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 162 -- Senators Bennett and Johnson: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING

EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

WEDNESDAY, MARCH 13, 2019

POINT OF ORDER

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:43 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Frances "Frankie" Newman of Lexington, S.C. Frankie was a graduate of Columbia College and worked in Lexington School District Two for over 60 years as a teacher, coach, guidance counselor, assistant principal, assistant superintendent and substitute teacher. She was an active member of Cayce United Methodist Church where she served on numerous committees. In 2009, she was awarded the Order of the Palmetto. She was inducted into both the Brookland Cayce Athletic and Academic Halls of Fame. Frankie was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 2:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 14, 2019
(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:

Zephaniah 3:17

"The Lord your God is in your midst, a mighty one who will save; he will rejoice over you with gladness; he will quiet you by his love; he will exult over you with singing."

Let us pray. Gracious and loving God, You created us to be useful and to serve You. Just as Daniel Webster said that the greatest conviction of his life was that he was accountable to You; we too, Lord, want to walk through this life in Your favor.

Make us aware, O God, that You are the unseen guest at our every meeting, the silent observer of all our actions, and the careful listener at every conversation. In the hustle and bustle of daily life, make us more keenly aware of Your presence and Your power to sustain and guide our every action and equally as important our every reaction. And on our final day, may we hear the words, "Well done good and faithful servant". Through Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 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:

Allen	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Harpootlian	Hutto	Johnson

Leatherman	Martin	Massey
Matthews, John	Nicholson	Peeler
Reese	Rice	Sabb
Setzler	Shealy	Talley
Turner	Young	

A quorum being present, the Senate resumed.

Recorded Presence

Senator GROOMS recorded his presence subsequent to the Call of the Senate.

Doctor of the Day

Senator McLEOD introduced Dr. Rajeev Vasudeva of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MARTIN, at 11:25 A.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 11:33 A.M., Senator TURNER was granted a leave of absence for today.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 162 Sen. Climer
S. 552 Sen. Young

COMMITTED

S. 653 -- Senators McElveen and Martin: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-546, TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, TO PROVIDE REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND TO PROVIDE PENALTIES.

On motion of Senator CAMPSEN, the Bill was committed to the Committee on Fish, Game and Forestry.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 656 -- Senator Grooms: A BILL TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES AND THE DISPOSITION OF PROCEEDS, TO PROVIDE FOR THE TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER OR RECYCLER OR SECONDARY METALS RECYCLER FOR DEMOLITION, WRECKING, OR DISMANTLING; TO AMEND SECTION 56-5-5670 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-5-5945 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-19-480(A) OF THE 1976 CODE, RELATING TO THE TRANSFER AND SURRENDER OF THE CERTIFICATES, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-1380 OF THE 1976 CODE, RELATING TO THE RETURN OF A REGISTRATION CARD AND LICENSE PLATES FOR A WRECKED OR DISMANTLED VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 16-17-680(D), (E), AND (J)(1)(e) OF THE 1976 CODE, RELATING TO A SECONDARY METALS RECYCLER PERMIT TO PURCHASE NONFERROUS METALS AND A PERMIT TO TRANSPORT AND SELL NONFERROUS METALS, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Transportation.

S. 657 -- Senator Gambrell: A JOINT RESOLUTION TO REQUIRE AN ELECTRICAL UTILITY TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS ON A FIRST-COME, FIRST-SERVED BASIS, USING THE METHODOLOGY ESTABLISHED BY THE PUBLIC SERVICE COMMISSION, UNTIL JULY 1, 2019, OR FURTHER ACTION BY THE GENERAL

ASSEMBLY, WHICHEVER OCCURS EARLIER, AND TO SUSPEND THE PROVISIONS IN SOUTH CAROLINA CODE SECTION 58-40-20(B) DURING THIS PERIOD, AND TO SUPERSEDE ANY LIMITATION ON THE NUMBER OF NET METERING CUSTOMERS AS PREVIOUSLY ESTABLISHED BY THE PUBLIC SERVICE COMMISSION.
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Read the first time and referred to the Committee on Judiciary.

S. 658 -- Senator Grooms: A BILL TO AMEND SECTION 12-37-220(A)(3) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM PROPERTY TAXES, TO PROVIDE THAT VEHICLES LEASED BY CHURCHES ARE EXEMPT FROM PROPERTY TAXES.
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Read the first time and referred to the Committee on Finance.

S. 659 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 660 -- Senator Campbell: A BILL TO AMEND SECTION 58-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY" AND TO PROVIDE DEFINITIONS FOR "DOD SITING CLEARINGHOUSE", "NOTICE OF PRESUMED RISK", "ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS", "MAJOR MILITARY BASE", AND "WIND ENERGY FACILITY"; TO AMEND SECTION 58-33-120, RELATING TO APPLICATIONS FOR A CERTIFICATE TO CONSTRUCT A UTILITY FACILITY, SO AS TO PROVIDE THAT CERTAIN INFORMATION REGARDING

WIND ENERGY FACILITIES MUST BE INCLUDED ON THE APPLICATION; AND TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES ALSO SHALL INCLUDE THE SOUTH CAROLINA AERONAUTICS COMMISSION AND THE DOD SITING CLEARINGHOUSE FOR PROCEEDINGS RELATED TO WIND ENERGY FACILITIES.
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Read the first time and referred to the Committee on Judiciary.

S. 661 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WATEREE ROAD WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 662 -- Senator Senn: A BILL TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE SEX OFFENDER REGISTRY, BY ADDING SECTION 23-3-485 TO REQUIRE AN OFFENDER WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER TO INFORM AN ADMINISTRATIVE OFFICIAL, MANAGER, OR LAW ENFORCEMENT OFFICER OF HIS STATUS AS A SEX OFFENDER UPON ENTRANCE TO AN EMERGENCY SHELTER, AND TO PROVIDE PENALTIES.
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Read the first time and referred to the Committee on Judiciary.

S. 663 -- Senators Rice, Senn, Climer, Grooms, Goldfinch and Verdin: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND TO SET A LIMIT ON THE

NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES SENATE.
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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 664 -- Senators Verdin, Martin, Talley, M. B. Matthews, Allen, Turner, Alexander and Davis: A SENATE RESOLUTION TO RECOGNIZE THE CRITICAL IMPORTANCE OF THE F-35 LIGHTNING II AND F-16 FIGHTING FALCON TO AMERICA'S SECURITY AND TO SOUTH CAROLINA AND TO CALL FOR FULL FUNDING BY THE UNITED STATES CONGRESS.
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The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 665 -- Senator Shealy: A SENATE RESOLUTION TO HONOR AND RECOGNIZE BOB MERRITT FOR DONATING HIS TWO HUNDREDTH PINT OF BLOOD TO THE AMERICAN RED CROSS AND TO COMMEND HIM FOR HIS SIGNIFICANT CONTRIBUTIONS IN AIDING THE ORGANIZATION IN CARRYING OUT ITS LIFE-SAVING MISSION.
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The Senate Resolution was adopted.

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.
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Read the first time and referred to the Committee on Transportation.

S. 667 -- Senator McLeod: A BILL TO AMEND SECTION 40-22-222 OF THE 1976 CODE, RELATING TO THE LICENSING OF EXISTING ENGINEERS, TO EXTEND THE DATE BY WHICH CERTAIN ENGINEERS AND GRADUATES OF CERTAIN ENGINEERING PROGRAMS MAY BE LICENSED AS PROFESSIONAL ENGINEERS; AND TO CREATE A STUDY COMMITTEE TO MAKE RECOMMENDATIONS CONCERNING THE ALIGNMENT OF OUR STATE'S PROFESSIONAL ENGINEERING LICENSURE REQUIREMENTS WITH THOSE OF OTHER STATES.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 668 -- Senators Hutto, Jackson and Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 2, 2019, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN ORDER TO CALL ATTENTION TO THE SIGNIFICANT PROBLEM OF CHILD ABUSE AND NEGLECT.
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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 669 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-3-320 SO AS TO CLARIFY THE MEANING OF THE TERM "CONTIGUOUS" WHEN A MUNICIPALITY THAT IS LOCATED ENTIRELY WITHIN THE BORDERS OF A SPECIAL PURPOSE DISTRICT ANNEXES UNINCORPORATED PROPERTY THAT IS ALSO LOCATED WITHIN THE SAME SPECIAL PURPOSE DISTRICT AS THE ANNEXING MUNICIPALITY.
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Read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE

CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 283 -- Senator Talley: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3576 -- Reps. White, Cobb-Hunter, Garvin, Rose, Loftis, Gilliard, Moore, Clemmons and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS), TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Ordered for consideration tomorrow.

Appointment Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518 *VICE* William Lee McCullough

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 Bill was read the third time and ordered sent to the House of Representatives:

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY

FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

ORDERED ENROLLED FOR RATIFICATION

The following Bill and Resolution were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3127 -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

H. 3987 -- Reps. Gagnon and West: A BILL TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

CARRIED OVER

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

On motion of Senator MALLOY, the Bill was carried over.

THURSDAY, MARCH 14, 2019

READ THE SECOND TIME

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to the 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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE

PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO

REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED AND READ THE SECOND TIME

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS

TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (3449R001.KMM.PGC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 55, Title 46 of the 1976 Code is amended to read:

"CHAPTER 55

~~Industrial~~ The Hemp ~~Cultivation~~ Farming Act

Section 46-55-10. For the purposes of this chapter:

(1) 'Cannabidiol' or 'CBD' means the compound by the same name derived from the hemp variety of the Cannabis sativa L. plant.

(2) 'Commercial sales' means the sale of hemp products in the stream of commerce, at retail, wholesale, and online.

(3) 'Commissioner' means the Commissioner of the South Carolina Department of Agriculture.

(4) 'Cultivating' means planting, watering, growing, and harvesting a plant or crop.

(5) 'Department' means the South Carolina Department of Agriculture.

(6) 'Federally defined THC level for hemp' means a delta-9 THC concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp defined in 7 U.S.C. sec 5940, whichever is greater.

(7) 'Handling' means possessing or storing hemp for any period of time. 'Handling' also includes possessing or storing hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person. 'Handling' does not mean possessing or storing finished hemp products.

(8) 'Hemp' or 'industrial hemp' means the plant Cannabis sativa L. and any part of that plant, including the non-sterilized seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts

of isomers, whether growing or not, with the federally defined THC level for hemp. Hemp shall be considered an agricultural commodity.

~~(1)~~(9) '~~Industrial hemp~~ Hemp products' means all products ~~made from any part of industrial hemp, including, but not limited to, cannabinoids, cloth, construction materials, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal, supplements, seed oil for consumption, and seed for cultivation if the seeds originate from industrial hemp varieties~~ with the federally defined THC level for hemp derived from, or made by, processing hemp plants or hemp plant parts, that are prepared in a form available for commercial sale, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol. Unprocessed or raw plant material, including non-sterilized hemp seeds, is not considered a hemp product.

~~(2)~~(10) ~~'Industrial hemp' means the plant Cannabis sativa L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dried weight basis~~ 'Licensee' means an individual or business entity possessing a license issued by the department under the authority of this chapter to cultivate, handle, or process hemp.

~~(3)~~(11) ~~'Delta-9 tetrahydrocannabinol' means the natural or synthetic equivalents or substances contained in the plant, or in the resinous extractives of cannabis, or any synthetic substances, compounds, salts, or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity~~ 'Marijuana' has the same meaning as in Section 44-53-110 and does not include tetrahydrocannabinol in hemp or hemp products as defined herein.

~~(4)~~(12) ~~'Human consumption' means ingestion or topical application to the skin or hair~~ 'Processing' means converting an agricultural commodity into a marketable form.

(13) 'State plan' means the plan submitted by the department and approved by the Secretary of the United States Department of Agriculture pursuant to which the department regulates hemp production.

(14) 'THC' means tetrahydrocannabinol.

Section 46-55-20. (A)(1) ~~The South Carolina Industrial Hemp Program is created~~ It is unlawful for a person to cultivate, handle, or

process hemp in this State without a hemp license issued by the department pursuant to the state plan.

(2) The department may charge application, license, and renewal of license fees reasonably calculated by the department to pay the cost of administering this chapter. Licensing fees for cultivators and handlers shall not exceed one thousand dollars annually per registrant, and licensing fees for processors shall not exceed the cost calculated by the department of the processor licensing program. Fees collected by the department pursuant to this item shall continuously be appropriated to the department for the purposes of carrying out the duties of the South Carolina industrial hemp program under this chapter.

(3) Any person seeking to cultivate, handle, or process hemp shall undergo a state criminal records check, supported by fingerprints, by the State Law Enforcement Division and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The State Law Enforcement Division is authorized to retain fingerprints for certification purposes and for notification of the department regarding criminal charges. No person who has been convicted of a felony relating to a controlled substance under state or federal law during a ten-year period from the date of his conviction shall be eligible to obtain a license to cultivate, handle, or process hemp.

(4) Any person who materially falsifies any information contained in an application to participate in the program established herein shall be ineligible to participate.

(5) The commissioner shall make information regarding a licensee and that information described in subsection (B)(1) accessible in real time to federal, state, and local law enforcement.

(B)(1) ~~Industrial hemp is an agricultural crop. Any public institution of higher education offering a four-year baccalaureate degree or private institution of higher education accredited by the Southern Association of Colleges and Schools offering a four-year baccalaureate degree throughout the State may conduct research, pursuant to Public Law 113-79, contingent upon funding. The institution may conduct research or pilot programs as an agricultural commodity and may work with growers located in South Carolina. Once the institution of higher education engages in research on industrial hemp, the institution shall work in conjunction with the Department of Agriculture to identify solutions for applications, applicants, and new market opportunities for industrial hemp growers. The purchaser or manufacturer will be included under the provisions of this chapter~~ A person applying for a license to

cultivate hemp shall provide to the department a legal description and global positioning coordinates sufficient to locate the fields or greenhouses used to cultivate hemp.

(2) A person applying for a license to cultivate, handle, or process hemp shall provide the department with prior written consent:

(a) allowing representatives of the department, the State Law Enforcement Division, and local law enforcement agencies to enter onto all premises where hemp is cultivated, handled, processed, or stored for the purpose of conducting physical inspections, obtaining samples of hemp or hemp products, or otherwise ensuring compliance with the requirements of state law and any administrative regulations promulgated by the department; and

(b) to the testing procedure set forth in the state plan, using post-decarboxylation or other similarly reliable methods, delta-9 THC concentration levels of hemp produced in the State.

~~(3) The Department of Agriculture will allow up to twenty permits for the first year and up to forty permits for the second year and third year, and every year after, the Department of Agriculture, along with the institutions of higher learning, will evaluate the program to determine the number of permits to be issued. The permits are to be given to South Carolina residents for the purposes of a pilot program. Each permittee is permitted to grow industrial hemp on up to twenty acres of land the first year and up to forty acres the second year and third year, and every year after, the Department of Agriculture, along with the institutions of higher learning, will evaluate the program to determine the amount of acreage permitted. When applying for a permit, each applicant, at a minimum, must submit to the department global positioning system coordinates of where the industrial hemp will be grown and must submit any and all information, including, but not limited to, fingerprints, and the appropriate fees, required by the South Carolina Law Enforcement Division (SLED) to perform a fingerprint-based state criminal records check and for the Federal Bureau of Investigation to perform a national fingerprint-based criminal records check.~~

~~(4) The department shall require a state criminal records check, supported by fingerprints, by SLED and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. SLED is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. No person who has been convicted of any felony, or any person convicted of any drug-related misdemeanor or violation in the previous~~

~~ten years from the date of the application, shall be eligible to obtain a permit.~~

~~(5) Before the department will issue a permit to the applicant, the applicant must have proof of a signed purchaser with a contract.~~

~~(6) Industrial hemp is an agricultural crop subject to regulations by the Department of Agriculture.~~

~~(7) To grow industrial hemp, a person must be registered with the department as a grower.~~

~~(8) To register, an applicant, under this section, must submit to the department, in a manner prescribed by the department, the following information:~~

~~(a) the name and address of the applicant;~~

~~(b) the name and address of the industrial hemp operation of the applicant;~~

~~(c) the Global Positioning System coordinates of the land on which the industrial hemp will be planted, grown, cultivated, or processed;~~

~~(d) any other information required by the department through regulation; and~~

~~(e) written consent allowing SLED and the Department of Agriculture to enter onto all premises where industrial hemp is cultivated, processed, or stored for the purpose of conducting physical inspections or ensuring compliance with the Industrial Hemp Pilot Program.~~

~~(9) A grower may renew a registration under this section in the manner prescribed by the department.~~

~~(10) The department may charge growers application, registration, and renewal of registration fees reasonably calculated by the department to pay the cost of administering the South Carolina Industrial Hemp Program, not to exceed one thousand dollars annually per registrant. Monies from fees collected under this subsection shall be continuously appropriated to the department for purposes of carrying out the duties of the South Carolina Industrial Hemp Program under this section~~.

~~(11) It is lawful for a permitted individual to cultivate, produce, or otherwise grow industrial hemp in this State to be used for any lawful purpose, including, but not limited to, the manufacture of industrial hemp products, and scientific, agricultural, or other research related to other lawful applications for industrial hemp.~~

~~(12) Growers or processors may retain any industrial hemp that tests between three-tenths of one percent to one percent delta-9 tetrahydrocannabinol on a dry weight basis and recondition the hemp~~

~~product by grinding it with the stem and stalk. Industrial hemp products must not exceed three-tenths of one percent delta-9 tetrahydrocannabinol.~~

~~(13) For the purposes of Chapter 25, Title 39, industrial hemp or industrial hemp products may not be considered to be an adulterant.~~

Section 46-55-30. ~~(1) A grower may use any propagation method, including, but not limited to, planting seeds or starts or using clones or cuttings, to produce industrial hemp. Nothing in this article limits or precludes a grower from propagating or cultivating noncertified industrial hemp seed~~ The provisions contained in this chapter do not apply to the possession, handling, transport, or sale of hemp products and extracts, including those containing hemp-derived cannabinoids, including CBD. Nothing in this chapter authorizes any person to violate any federal or state law or regulation.

~~(2) Notwithstanding any other provision of law, except as subject to federal law, a person engaged in cultivating, processing, selling, transporting, possessing, or otherwise distributing industrial hemp, or selling industrial hemp products from industrial hemp, grown, processed, or produced pursuant to this chapter, is not subject to any civil or criminal actions under South Carolina law for engaging in these activities. Nothing in this chapter limits or precludes the importation or exportation of industrial hemp or industrial hemp products. The provisions of the chapter create a three-year pilot program as contained in 7 U.S.C. Section 5940.~~

Section 46-55-40. (A) ~~For purposes of this section:~~ (1) ~~'Independent testing laboratory' means any facility, entity, or site that offers or performs tests of industrial hemp or industrial hemp-based products that has been accredited by an independent accreditation body~~ A licensee in the South Carolina hemp program shall be required to conduct a corrective action plan if the commissioner, or his designee, determines that the licensee negligently violated a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan, including, but not limited to:

(a) failing to provide a legal description and global positioning coordinates of the land on which the licensee cultivates hemp;

(b) failing to obtain a proper license or other required authorization from the commissioner; or

(c) producing Cannabis sativa L. with more than the federally defined THC level for hemp.

(2) ~~'Accreditation body' means an impartial organization that provides accreditation to ISO/IEC 17025 requirements and is a signatory~~

~~to the International Laboratory Accreditation Corporation Mutual Recognition Arrangement for Testing~~ A corrective action plan required pursuant to item (1) shall include a:

(a) reasonable date by which the licensee shall correct the violation; and

(b) requirement that the licensee shall periodically report to the commissioner on his compliance with this chapter and the state plan for a period of not less than the next two calendar years, to be determined by the commissioner.

(3) ~~'Scope of accreditation' means a document issued by the accreditation body which describes the methodologies, range, and parameters for testing for which the accreditation has been granted~~ The corrective action plan provided for in item (2) is the sole remedy for negligent violations of this chapter, regulations promulgated pursuant to this chapter, or the state plan. A licensee who negligently violates a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan shall not be subject to any criminal or civil enforcement action.

(4) A licensee who negligently violates a provision of this chapter, regulations promulgated pursuant to this chapter, or the state plan three times in a five-year period shall be ineligible to produce hemp for a period of five years beginning on the date of the third violation.

(B) ~~Independent testing laboratories may test industrial hemp and industrial hemp products produced or processed by a grower or processor~~ If the commissioner determines that a licensee has violated state law with a culpable mental state greater than negligence, then the commissioner shall immediately report the hemp producer to the Attorney General and the Chief of the South Carolina Law Enforcement Division, and subsection (A)(2) shall not apply to the violation.

~~(C) All testing performed to meet regulatory requirements shall be included in an independent testing laboratory's scope of accreditation.~~

~~(D) An independent testing laboratory shall demonstrate the ability to accurately quantitate individual cannabinoids in both their acidic and neutral forms down to 0.05 percent by weight, including, but not limited to, delta-9 THC, delta-9 THCA, cannabidiol (CBD), and CBDA.~~

~~(E) Testing is required by an International Organization for Standardization (ISO) Certified Laboratory Facility as approved by an accredited body. The test results must be retained by the grower or processor for at least three years and be made readily available to any state law enforcement agency upon request. Any industrial hemp sample~~

~~testing at one percent or above delta-9 tetrahydrocannabinol shall be destroyed in a controlled environment with law enforcement present.~~

~~(F) Registered growers shall have a minimum of four random samples per grow tested for delta-9 tetrahydrocannabinol concentrations not more than thirty days prior to harvest. If the grower has planted different varieties, at least one sample from each variety must be tested for delta-9 tetrahydrocannabinol concentrations.~~

~~(G) Industrial hemp or industrial hemp products, intended by a processor for sale for human consumption, shall be tested by an independent testing laboratory to confirm that products are fit for human consumption and meet United States Food Industry standards for food products. Testing shall confirm safe levels of potential contaminants, including, but not limited to, pesticides, heavy metals, residual solvents, and microbiological contaminants.~~

~~(H) All test results and corresponding product batch numbers shall be retained by the registered processor for at least three years.~~

~~Section 46-55-50. Industrial hemp is excluded from the definition of marijuana in Section 44-53-110.~~

Section 46-55-60. An individual who manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts to, or conspires to manufacture, distribute, dispense, deliver, or purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase~~,~~ marijuana, in a manner intended to disguise the marijuana due to its proximity to industrial hemp, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years, fined not more than three thousand dollars, or both. The penalty provided for in this section may be imposed in addition to any other penalties provided by law."

SECTION 2. (A) Within sixty days after the effective date of this act, the Commissioner of the South Carolina Department of Agriculture shall submit a state plan to the Secretary of the United States Department of Agriculture pursuant to which the South Carolina Department of Agriculture proposes to regulate hemp production. The submission shall include:

(1) a practice to maintain relevant information regarding land on which hemp is produced in the State, including a legal description of the land, for a period of not less than three calendar years;

(2) a procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 THC concentration levels of hemp produced in the State;

(3) a procedure for the effective disposal of products that are produced in violation of Chapter 55, Title 46, as amended by this act; and

(4) a procedure to comply with the enforcement procedures outlined in this act.

(B) If the Secretary of the United States Department of Agriculture disapproves the state plan, then the Commissioner of the South Carolina Department of Agriculture, in consultation with the Governor and Attorney General, shall submit to the Secretary of the United States Department of Agriculture an amended state plan.

SECTION 3. The forty 2019 licenses issued pursuant to Chapter 55, Title 46 prior to the effective date of this act shall be valid for the term of the licenses, under the terms and conditions under which the licenses were issued, except that, upon the approval of the South Carolina Department of Agriculture, each licensee may expand operations beyond the forty-acre limit and may cultivate hemp for commercial purposes. Furthermore, the law under which the licenses were issued shall be in full force and effect for those licenses during the term of the licenses.

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

Senators HEMBREE, WILLIAMS, CAMPBELL and VERDIN proposed the following amendment (3449R003.KMM.PGC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. (A) The forty 2019 licenses issued pursuant to Chapter 55, Title 46 prior to the effective date of this act shall be valid for the term of the licenses, under the terms and conditions under which the licenses were issued, except that, upon the approval of the South Carolina Department of Agriculture, each licensee may expand operations beyond the forty-acre limit and may cultivate hemp for commercial purposes.

(B) Notwithstanding the provisions of Section 46-55-20(B)(3), as amended by this act, as of the date licenses were issued for 2019, the South Carolina Department of Agriculture may issue additional licenses

for 2019 to any applicant that met the licensing criteria but was denied solely because the department had already issued the legally permitted number of licenses for the year. Licenses issued pursuant to this subsection shall be for the same term, and under the same terms and conditions, under which the forty licenses identified in subsection (A) were issued. Licensees pursuant to this subsection may also expand operations beyond the forty-acre limit and may cultivate hemp for commercial purposes upon the approval of the South Carolina Department of Agriculture.

(C) The law under which licenses are issued shall be in full force and effect for those licenses during the term of the licenses. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

Senator HEMBREE spoke on the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator CAMPBELL asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

On motion of Senator HUTTO, the Bill was carried over.

READ THE SECOND TIME

S. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the 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 37; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Verdin
Young		

Total--37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 162 -- Senators Bennett, Johnson and Climer: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Reese	Rice	Sabb

Scott	Senn	Setzler
Shealy	Talley	Verdin
Young		

Total--37

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. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\440C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-65-20(4)(a) and inserting:

/ "(4)(a) 'Textile mill site' means the textile mill together with the land and other improvements on it which were used directly for textile manufacturing operations or ancillary uses. However, the area of the site is limited to the land located within the boundaries where the textile manufacturing, dying, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Young

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING

EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Transportation proposed the following amendment (509R001.KMM.LKG):

Amend the bill, as and if amended, page 3, by striking lines 4 through 7 and inserting:

/ SECTION 5. This act takes effect January 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

On motion of Senator ALEXANDER, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY

PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3595C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 12-6-3585 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( )(1) By March fifteenth of each year, the South Carolina Research Authority shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, and the Governor detailing the amount contributed to the Industry Partnership Fund in the previous tax year that entitled the taxpayer to the credit allowed by this section, the taxpayers that received the credit, and the manner in which such contributions were expended or are expected to be expended.

(2) The report shall also include, by county, the number of taxpayers who express a bona fide intention to contribute to the Industry Partnership Fund, the number of taxpayers whom the SCRA certified as entitled to receive the Industry Partnership Fund tax credit, and the amount of Industry Partnership Fund contributions that received such certification from SCRA.

(3) The report also must be posted in a conspicuous place on the website maintained by the South Carolina Research Authority."/

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2

AYES

Alexander	Allen	Campbell
Campsen	Cash	Climer

Corbin	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Johnson	Leatherman
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Verdin	Williams
Young		

Total--37

NAYS

Bennett	Massey

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 11 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND

TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH

CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006",

SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 552 -- Senators Shealy and Young: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Resolution was adopted, ordered sent to the House.

H. 3015 -- Reps. McDaniel, King and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 32 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "COUNTY COUNCILMEN DAVID BROWN & CARNELL MURPHY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 3928 -- Reps. Sottile, Gilliard, McCoy, Mack, Hewitt, Pendarvis, Bennett, Cogswell, Mace and Brown: A CONCURRENT RESOLUTION TO REQUEST THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION RENAME THE PORTION OF THE NAVIGATIONAL CHANNEL ADJACENT TO THE CITY OF CHARLESTON WATERFRONT CONSISTING OF THE CHARLESTON MARITIME CENTER, INTERNATIONAL AFRICAN AMERICAN MUSEUM, AND THE PEDESTRIAN WALKWAY OF THE ARTHUR RAVENEL, JR. BRIDGE TO "RILEY REACH" IN ORDER TO HONOR THE LEGACY OF MAYOR JOSEPH P. RILEY, JR.

The Resolution was adopted, ordered returned to the House.

THURSDAY, MARCH 14, 2019

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Medical Affairs Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

2nd Congressional District:

Llewellyn Gregory Pearce, Jr., 810 Hampton Hill Rd., Columbia, SC 29209-1024 *VICE* James Buxton Terry

On motion of Senator VERDIN, the question was confirmation of Llewellyn Gregory Pearce.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn

Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Llewellyn Gregory Pearce was confirmed.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2018, and to expire December 31, 2022

Director:

Theresa Mills - Floyd, 47 Love Valley Court, Chapin, SC 29036-8591 *VICE* Daniel F. Saad

On motion of Senator VERDIN, the question was confirmation of Theresa Mills-Floyd.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Theresa Mills-Floyd was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2017, and to expire June 30, 2021

5th Congressional District:

Richard V. Lee, Jr., 623 Meadowbrook Lane, Rock Hill, SC 29730-3730 *VICE* Ann B. Kirol

On motion of Senator VERDIN, the question was confirmation of Richard V. Lee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Richard V. Lee was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2015, and to expire February 13, 2020

At-Large :

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909 *VICE* Cary Daniel Adams

On motion of Senator LEATHERMAN, the question was confirmation of Mark D. Buyck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Johnson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--36

NAYS

Matthews, Margie

Total--1

The appointment of Mark D. Buyck was confirmed.

THURSDAY, MARCH 14, 2019

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:53 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, March 15, 2019
(Local 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 ACTING PRESIDENT, Senator McELVEEN.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 595 Sen. Hutto
S. 601 Sen. Hutto

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, March 19, 2019, at 2:00 P.M.

* * *

Tuesday, March 19, 2019
(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 acting Chaplain, Senator ALEXANDER as follows:

Proverbs 19:17

"Kindness to the poor, is a loan to the Lord, and He will give a great reward to the lender."

Let us pray. Dear heavenly Father, we come to You this legislative session day with thanksgiving for all Your blessings and the opportunity to serve You and the citizens of this great State. We look to You for Your direction and guidance as we go about the work before us. I pray for each member of the Senate and our staff who so ably assist us day in and day out. Let us all act out of kindness to each other and the less fortunate of our State. To Thee be the glory and honor. In Your name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator CROMER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Johnson
Malloy	Martin	Massey
Nicholson	Peeler	Rice
Sabb	Scott	Senn

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Motion Adopted

On motion of Senator CLIMER, with unanimous consent, Senator CLIMER was granted leave to attend a subcommittee meeting and was granted leave to vote from the balcony.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:
Document No. 4873
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 48-1-10 et seq.
SUBJECT: Air Pollution Control Regulations and Standards
Received by Lieutenant Governor March 14, 2019
Referred to Committee on Agriculture and Natural Resources

REGULATION RESUBMITTED

The following was received:
Document No. 4819
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-21-540(11), 59-33-20(c), and 59-33-30
SUBJECT: Medical Homebound Instruction
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Resubmitted March 19, 2019

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:
Document No. 4824
Agency: Department of Labor, Licensing and Regulation - Manufactured Housing Board
Chapter: 79

Statutory Authority: 1976 Code Section 40-2-10(D)(3)-(7)
SUBJECT: Manufactured Home Installation Requirements
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 19, 2019

Document No. 4833
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 56-5-180, 56-5-190, 56-5-195, 56-5-196, 59-5-60, 59-67-10, 59-67-20, 59-67-30, 59-67-40, 59-67-160, 59-67-240, 59-67-410, 59-67-470, 59-67-520, 59-67-535, and 59-67-570
SUBJECT: Operation of Public Pupil Transportation Services
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Education
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 19, 2019

Leave of Absence

On motion of Senator ALEXANDER, at 2:06 P.M., Senator LEATHERMAN was granted a leave of absence until 3:00 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 11 Sens. McElveen and Bennett
S. 259 Sen. Campbell
S. 298 Sen. Hutto
S. 663 Sens. Campsen and Talley
S. 675 Sen. Allen

RECALLED

S. 661 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WATEREE ROAD WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

S. 551 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2774 SO AS TO ALLOW THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE A CIVIL PENALTY CITATION AGAINST THE REGISTERED OWNER OF A VEHICLE THAT UNLAWFULLY PASSES A SCHOOL BUS, TO PROVIDE A METHOD TO APPEAL THE CITATION, AND TO PROVIDE FOR THE REPEAL OF THIS SECTION.

Senator GROOMS asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

There was no objection and the Bill was recalled from the Committee on Transportation.

On the motion of Senator GROOMS, with unanimous consent, the Bill was committed to the Committee on Judiciary.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 670 -- Senator M. B. Matthews: A SENATE RESOLUTION TO CONGRATULATE ROBERT HEYWARD, SR. ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 671 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-25-60 SO AS TO PROVIDE THAT CERTAIN NEW AND REMODELED MANUFACTURED HOMES MUST BE EQUIPPED WITH CARBON MONOXIDE DETECTORS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 672 -- Senator Grooms: A BILL TO AMEND CHAPTER 40, TITLE 59 OF THE 1976 CODE, RELATING TO CHARTER SCHOOLS, BY ADDING SECTION 59-40-95, TO AUTHORIZE PARTNERSHIPS TO CREATE CHARTER SCHOOLS IN THE WORKPLACE IN CERTAIN CIRCUMSTANCES.
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Read the first time and referred to the Committee on Education.

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 674 -- Senator Jackson: A SENATE RESOLUTION TO HONOR AND CONGRATULATE BENEDICT COLLEGE ON RECEIVING A 2019 ACE/FIDELITY INVESTMENTS AWARD FOR INSTITUTIONAL TRANSFORMATION.
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The Senate Resolution was adopted.

S. 675 -- Senators Turner and Allen: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO

VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 676 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 677 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-8-85 SO AS TO REQUIRE A PERSON EMPOWERED BY LAW TO CONDEMN REAL PROPERTY MUST CONSIDER PRUDENT AND FEASIBLE ALTERNATIVES TO CONDEMNING PROPERTY SUBJECT TO A CONSERVATION EASEMENT REGISTERED WITH THE NATIONAL CONSERVATION EASEMENT DATABASE BY THE HOLDER OF A CONSERVATION EASEMENT OR OWNER OF LAND SUBJECT TO A CONSERVATION EASEMENT.
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Read the first time and referred to the Committee on Judiciary.

H. 3845 -- Reps. Elliott and Loftis: A JOINT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT TO PROVIDE CERTAIN FUNDS FOR THREE- AND FOUR-YEAR-OLD CHILDREN WITH A DISABILITY WHO ARE ELIGIBLE FOR SERVICES UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AND ATTENDED SCHOOLS THAT DID NOT RECEIVE CERTAIN FUNDING.

Read the first time and referred to the Committee on Education.

H. 4237 -- Reps. Henegan, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE 107TH ANNIVERSARY OF GIRL SCOUTS OF THE UNITED STATES OF AMERICA AND TO HONOR GIRL SCOUTS OF EASTERN SOUTH CAROLINA, GIRL SCOUTS OF SOUTH CAROLINA, MOUNTAINS TO MIDLANDS, AND THE GIRL SCOUT MOVEMENT FOR PROVIDING GIRLS WITH A SAFE, INCLUSIVE, ALL-GIRL SPACE TO ENHANCE THEIR SKILLS AND DEVELOP LEADERSHIP ABILITIES BY DECLARING THE WEEK OF MARCH 10, 2019, TO BE "GIRL SCOUTS' WEEK".

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 107 -- Senators Campbell and Campsen: A BILL TO AMEND SECTION 49-11-120(4) OF THE 1976 CODE, RELATING TO THE DEFINITION OF “DAM,” TO INCLUDE THE ERECTION OF AN ARTIFICIAL BARRIER FOR THE PURPOSE OF CREATING A RESERVOIR, TO CLARIFY THAT FAILURE OF A DAM MUST CAUSE DANGER TO HUMAN LIFE OR THE PROPERTY OF OTHERS, AND TO ADD NEW EXCEPTIONS TO THE DEFINITION; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO THE DAMS AND RESERVOIRS

SAFETY ACT, TO PROVIDE THAT OWNERS OF EXISTING DAMS OR PROPERTY OWNERS INTENDING TO CONSTRUCT OR ENLARGE A DAM MAY RECEIVE FROM THE DEPARTMENT A DETERMINATION CONCERNING WHETHER THE DAM IS SUBJECT TO THE PROVISIONS OF ARTICLE 3; TO AMEND SECTION 49-11-150 OF THE 1976 CODE, RELATING TO AN OWNER'S RESPONSIBILITY FOR THE SAFE MAINTENANCE OF A DAM OR RESERVOIR, TO PROVIDE THAT THE OWNER OF A DAM OR RESERVOIR MUST PROVIDE CONTACT INFORMATION AND A COMPLETED DAM OWNER CHECKLIST TO THE DEPARTMENT ON A CERTAIN SCHEDULE, TO PROVIDE FOR A CURRENT EMERGENCY ACTION PLAN, AND TO PROVIDE FOR NOTICE OF POTENTIAL OR ACTUAL FAILURES; TO AMEND SECTION 49-11-160 OF THE 1976 CODE, RELATING TO ORDERS TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM OR RESERVOIR, TO CHANGE THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT MAY ISSUE AN ORDER DIRECTING THE OWNER OF A DAM OR RESERVOIR TO UNDERTAKE NECESSARY MAINTENANCE, ALTERATIONS, REPAIRS, OR REMOVAL; TO AMEND SECTION 49-11-170 OF THE 1976 CODE, RELATING TO BRINGING UNSAFE DAMS TO THE ATTENTION OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT CANNOT REQUIRE CHANGES TO A DAM OR RESERVOIR DUE TO RECLASSIFICATION UNLESS NECESSARY TO PREVENT THE LOSS OF HUMAN LIFE; TO AMEND SECTION 49-11-200 OF THE 1976 CODE, RELATING TO THE DEPARTMENT APPROVAL REQUIRED FOR CONSTRUCTION OR ALTERATION, TO PROVIDE THAT CONSTRUCTION OF A NEW DAM OR RESERVOIR OR THE ENLARGEMENT, REMOVAL, OR REPAIR OF AN EXISTING DAM OR RESERVOIR MAY NOT BEGIN UNLESS APPROVED BY THE DEPARTMENT AND TO PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 12-6-3370 OF THE 1976 CODE, RELATING TO TAX CREDITS FOR THE CONSTRUCTION, INSTALLATION, OR RESTORATION OF WATER IMPOUNDMENTS AND WATER CONTROL STRUCTURES, TO PROVIDE THAT A TAXPAYER MAY CLAIM A CREDIT OF UP TO FIFTY THOUSAND DOLLARS FOR REPAIRS REQUIRED AS A RESULT OF THE DEPARTMENT RECLASSIFYING THE DAM.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR "ELECTRIC FENCE", AND TO MAKE TECHNICAL CORRECTIONS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 133 -- Senator Davis: A BILL TO AMEND SECTION 38-75-485 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 34-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF

OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE

GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 552 -- Senators Shealy and Young: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 20, 2019, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA TO HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THAT THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

On motion of Senator KIMPSON, the Bill was carried over.

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. 463 -- Senator Martin: A BILL TO AMEND SECTION 40-43-86 OF THE 1976 CODE, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, TO PROVIDE THAT A PHARMACIST MAY EXERCISE HIS PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION PER REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO

PROVIDE CERTAIN REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

OBJECTION

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

Senator SHEALY objected to the consideration of the Bill.

OBJECTION

S. 162 -- Senators Bennett, Johnson and Climer: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Senator GROOMS objected to the consideration of the Bill.

OBJECTION

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY

PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

Senator SHEALY objected to the consideration of the Bill.

OBJECTION

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Senator SHEALY objected to the consideration of the Bill.

CARRIED OVER

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

On motion of Senator KIMPSON, the Bill was carried over.

OBJECTION

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN

PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS

TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING

PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

Senator JACKSON objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

S. 259 -- Senators Goldfinch, Campsen, Kimpson, Campbell and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (259R002.SP.SLG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 48 of the 1976 Code is amended by adding:

"CHAPTER 61

South Carolina Resilience Revolving Fund Act

Section 48-61-10. This chapter may be cited as the 'South Carolina Resilience Revolving Fund Act'.

Section 48-61-20. As used in this chapter:

(1) 'Authority' means the Department of Administration's South Carolina Disaster Recovery Office.

(2) 'Conservation easement' means an interest in real property as defined in Chapter 8, Title 27, the South Carolina Conservation Easement Act of 1991.

(3) 'Department' means the Department of Administration.

(4) 'Eligible fund recipient' means:

(a) the State of South Carolina and any agency, commission, or instrumentality of the State;

(b) local governments of the State and any agency, commission, or instrumentality of the local government; and

(c) land trusts operating within the State accredited by the Land Trust Accreditation Commission, an independent program of the Land Trust Alliance that provides independent verification that land trusts meet the high standards of land conservation, stewardship, and nonprofit management in the nationally recognized Land Trust Standards and Practices.

(5) 'Floodplain restoration' means any activity undertaken to reestablish the hydrology and ecology of the floodplain to its natural state.

(6) 'Fund' means the South Carolina Resilience Revolving Fund.

(7) 'Loan' means a loan from the authority to an eligible fund recipient for the purpose of financing all or a portion of the cost of a project.

(8) 'Loan agreement' means a written agreement between the authority and a project sponsor with respect to a loan.

(9) 'Loan obligation' means a bond, note, or other evidence of obligation issued by a project sponsor to evidence its indebtedness under a loan agreement with respect to a loan.

(10) 'Local government' means any county, city, town, municipal corporation, authority, district, commission, or political subdivision

created by the General Assembly or established pursuant to the laws of this State.

(11) 'Multi-family residence' means a building with multiple separate residential housing units.

(12) 'Primary single family residence' means a single detached dwelling that is occupied as the main home by the owners for the majority of the year.

(13) 'Proposed project' means a plan submitted to the authority by an eligible fund recipient for the use of loan funds.

(14) 'Repetitive loss' means a residence that sustained two or more incidents of weather-related flooding causing damages over one thousand dollars each within a period of ten consecutive years.

Section 48-61-30. There is created the South Carolina Resilience Revolving Fund. The fund is governed by the authority. The authority is a public instrumentality of this State, and the exercise by it of a power conferred in this chapter is the performance of an essential public function. The Director and staff of the South Carolina Disaster Recovery Office comprise the authority, under the supervision and review of the director of the department and the Governor.

Section 48-61-40. (A) With regard to the fund, the authority is authorized to:

(1) make and service below-market interest rate loans and grants as financial incentives to eligible fund recipients meeting the criteria of Section 48-61-50 for the purchase of flooded properties and land to complete floodplain restorations, so long as the loans advance the purposes of this chapter and meet applicable criteria;

(2) enter into loan agreements and accept and enforce loan obligations, so long as the loans advance the purposes of this chapter and meet applicable criteria;

(3) receive and collect the inflow of payments on loan amounts;

(4) apply for and receive additional funding for the fund from federal, state, private, and other sources;

(5) receive charitable contributions and donations to the fund;

(6) receive contributions to the fund in satisfaction of any public or private obligation for flooding mitigation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding. Such contributions must be used as provided for in this chapter;

(7) make and execute contracts and all other instruments and agreements necessary or convenient for the performance of its duties and the exercise of its powers and functions;

(8) establish policies and procedures for the making and administration of loans, fiscal controls, and accounting procedures to ensure proper accounting and reporting; and

(9) exercise its discretion in determining what portion of funds must be disbursed and awarded in any particular year and what portion of funds shall remain in the fund from one fiscal year to the next. Sums within the fund must be invested or deposited into interest-bearing instruments or accounts, and the accrued interest must be credited to the fund.

(B) To carry out these functions, the authority shall:

(1) operate a program in order to implement the purposes of this chapter;

(2) receive final approval from the State Fiscal Accountability Authority for fund disbursements prior to the issuance of a loan;

(3) develop additional guidelines and prescribe procedures, consistent with the criteria and purposes of this chapter;

(4) submit an annual report to the Governor, Lieutenant Governor, State Treasurer, and General Assembly that:

(a) accounts for fund receipts and disbursements;

(b) briefly describes applications submitted to the fund and, in greater detail, describes grants and loans that were approved or funded during the current year and the public benefits, including increased flood retention resulting from such grants and loans;

(c) describes recipients of fund loans and grant monies; and

(d) sets forth a list and description of all loans and grants approved and all acquisitions of homes and lands obtained since the fund's inception; and

(5) have an annual audit of the fund conducted by outside independent certified public accountants and submitted to the Governor, Lieutenant Governor, State Treasurer, and General Assembly. The accounting of fund receipts and expenditures required above must be part of this annual audit.

Section 48-61-50. (A) In the issuing of loans, the authority must:

(1) prioritize the buyout of blocks or groups of homes rather than individual homes so that no more than fifteen percent of funds disbursed in a fiscal year go toward individual home buyouts;

(2) prioritize buyouts of single-family primary residences and multi-family residences;

(3) consider the availability of additional funding sources leveraged by a project;

(4) prevent the use of the fund for homes built after July 1, 2020; and

(5) prevent the use of the fund for proposed projects that involve the use of eminent domain.

(B) The authority must issue loans using the following criteria and conditions:

(1) offer a funding package of grants and loans for a particular project that carries an overall effective interest rate equivalent to no higher than forty percent of the market interest rate as defined by the ten-year United States Treasury Yield Curve;

(2) make a portion of each loan available as a grant not requiring payment as a financial incentive to reduce the loan amount, that portion being no greater than twenty-five percent and no less than five percent of the total project disbursement, to incrementally reward those eligible fund recipients that execute beneficial flood mitigation practices. To qualify for a grant, eligible fund recipients must execute one or more of the following beneficial flood mitigation practices:

(a) ensuring residents relocate outside of the floodplain;

(b) aiding residents in relocating outside of the floodplain and within the tax base;

(c) aiding residents in relocating outside of the floodplain within an area designated as an opportunity zone;

(d) conducting floodplain restoration after the property is converted to open space to reestablish the full water storing benefits of the floodplain;

(e) completing a buyout of an area larger than ten acres; and

(f) other activities as deemed appropriate by the authority so long as they contribute to flood resilience in the community of the buyout;

(3) require that acquired properties are returned to open space and that all future development on the parcel is prohibited in perpetuity through easement; and

(4) prohibit the use of more than five hundred thousand dollars for each housing unit receiving loan funds.

(C) Eligible fund recipients may apply for loans from the fund to complete:

(1) buyouts of repetitive loss properties;

(2) buyouts of repetitive loss properties with land intended for floodplain restoration; and

(3) floodplain restoration in connection with buyouts funded through other mechanisms.

(D) In order to qualify for a loan, eligible fund recipients must apply to the authority and, at a minimum, meet the following criteria:

(1) for buyouts of repetitive loss properties:

(a) identify specific properties included in the proposed project;

(b) demonstrate how the properties qualify as repetitive loss properties;

(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project; and

(e) identify any beneficial flood mitigation practices planned for the project;

(2) for buyouts of repetitive loss properties with land intended for floodplain restoration:

(a) identify specific properties included in the proposed project;

(b) demonstrate how the properties qualify as repetitive loss properties;

(c) identify a plan and timeline for returning the property to open space within six months following the completion of the buyout and holding an easement on the land in perpetuity;

(d) complete an economic assessment to show the costs and benefits of the project;

(e) submit a plan for conducting floodplain restoration; and

(f) identify any additional beneficial flood mitigation practices planned for the project;

(3) for other floodplain restoration:

(a) submit a plan and timeline for conducting floodplain restoration;

(b) identify a plan and timeline for holding an easement on the land in perpetuity;

(c) complete an economic assessment to show the costs and benefits of the project; and

(d) identify any additional beneficial flood mitigation practices planned for the project; and

(4) any additional criteria required by external grants contributing to the fund.

(E) Financial criteria also must be met pursuant to the standards set by the authority. The authority may require additional criteria and exercise discretion in issuing loans.

Section 48-61-60. (A) The fund must be held and administered by the authority in accordance with the provisions of this chapter and policies, rules, regulations, directives, and agreements as may be promulgated or entered into by the authority pursuant to this chapter. Earnings on balances in the fund must be credited to the fund. Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund. Amounts in the fund must be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this chapter.

(B) The authority is authorized to deposit the following into the fund:

(1) federal capitalization grants, awards, or other federal assistance received by the department for the purposes of the fund;

(2) funds appropriated by the General Assembly for deposit to the fund;

(3) payments received from a recipient in repayment of a loan;

(4) interest or other income earned on the investment of monies in the fund; and

(5) additional monies made available from public or private sources for the purposes of which the fund has been established.

(C) Monies in the fund may only be used to:

(1) make loans to eligible fund recipients in accordance with the provisions of this chapter; and

(2) earn interest on fund accounts.

(D) The authority may establish accounts and subaccounts within the fund as considered desirable to effectuate the purposes of this chapter.

Section 48-61-70. In the annual general appropriations act for Fiscal Year 2019-2020, the General Assembly shall appropriate two million dollars to establish the fund. The department will seek out additional sources of funding to sustain the fund, including federal dollars from the Department of Housing and Urban Development Community Development Block Grant Disaster Recovery appropriations. Additional appropriations to the fund may be requested from the General Assembly so as to expand the capabilities of the fund.

Section 48-61-80. The Department of Administration may:

(1) promulgate regulations to effectuate the provisions of this chapter;

(2) establish an operational structure within its authority to administer the fund;

(3) develop priority systems that ensure consistency with the provisions of this chapter;

(4) prepare annual plans in accordance with this chapter;

(5) receive monies from the fund for program administration and project management activities of the fund; and

(6) hire staff and employ agents, advisers, consultants, and other employees, including attorneys, financial advisers, engineers, and other technical advisers and public accountants and determine their duties and compensation.

Section 48-61-90. The provisions of this chapter must be liberally construed to the end that its beneficial purposes may be effectuated. No proceeding, notice, or approval is required for loan obligations by a project sponsor or instruments or the security for the loan obligation, except as provided in this chapter. If the provisions of this chapter are inconsistent with the provisions of any other law, whether general, special, or local, then the provisions of this chapter are controlling."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the committee amendment.

The amendment was adopted.

Senator GOLDFINCH proposed the following amendment (259R003.SP.SLG), which was adopted:

Amend the bill, as and if amended, by striking Section 48-61-60(C) and inserting:

/ (C) Monies in the fund may only be used to:

(1) make loans to eligible fund recipients in accordance with the provisions of this chapter;

(2) earn interest on fund accounts; and

(3) provide for the program administration and project management activities of the fund. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (CZ\ 259C001.JN.CZ19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 48-61-50(A) and inserting:

/ (A) In the issuing of loans, the authority must:

(1) prioritize the buyout of blocks or groups of homes rather than individual homes so that no more than fifteen percent of funds disbursed in a fiscal year go toward individual home buyouts;

(2) prioritize buyouts of single-family primary residences and multi-family residences;

(3) consider the availability of additional funding sources leveraged by a project;

(4) prevent the use of the fund for homes built after July 1, 2020;

(5) prevent the use of the fund for proposed projects that involve the use of eminent domain; and

(6) prioritize the use of the fund for low and moderate income households making less than one hundred twenty-five percent of the median household income in the jurisdiction of the eligible fund recipient. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen

McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

Senator WILLIAMS objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF

THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (509R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 4 through 7 and inserting:

/ SECTION 5. This act takes effect January 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 4

AYES

Allen	Bennett	Campbell
Campsen	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb

Scott	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Alexander	Cash	Climer
Senn		

Total--4

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 11 -- Senators Peeler, McElveen and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin

Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Senator WILLIAMS objected to the consideration of the Bill.

TUESDAY, MARCH 19, 2019

READ THE SECOND TIME

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the 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 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

The Senate proceeded to the 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 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator WILLIAMS objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE

REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (486R002.KM.KS), which was adopted:

Amend the bill, as and if amended, page 12, by striking line 22 and inserting:

/ SECTION 2. Title 26 of the 1976 Code is amended by adding:

"CHAPTER 2

South Carolina Electronic Notary Public Act

Section 26-2-305. (A) This chapter may be cited as the 'South Carolina Electronic Notary Public Act'.

(B) This chapter provides procedures and requirements for electronic notarization.

Section 26-2-310. For the purposes of this article:

(1) 'Electronic' means relating to technology and having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) 'Electronic document' or 'electronic record' means information that is created, generated, sent, communicated, received, or stored by electronic means.

(3) 'Electronic journal of notarial acts' and 'electronic journal' means a chronological electronic record of notarizations that is maintained by the electronic notary public who performed the notarizations.

(4) 'Electronic notarial act' and 'electronic notarization' means an official act by an electronic notary public that involves electronic documents.

(5) 'Electronic notarial certificate' means the part of, or attachment to, an electronic record that is completed by the electronic notary public, bears that electronic notary's electronic signature and electronic seal, and states the facts attested to by the electronic notary in an electronic notarization.

(6) 'Electronic notarization system' means a set of applications, programs, hardware, software, or technologies designed to enable an electronic notary public to perform electronic notarizations.

(7) 'Electronic notary public' and 'electronic notary' means a notary public who has registered with the Secretary of State with the capability to perform electronic notarial acts in conformance with this chapter.

(8) 'Electronic notary seal' and 'electronic seal' means information within a notarized electronic document that includes the electronic notary's name, jurisdiction, registration number, and commission expiration date and generally corresponds to data in notary seals used on paper documents.

(9) 'Electronic signature' means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the document.

(10) 'Public key certificate' means an electronic credential that is used to identify an individual who signed an electronic record with the certificate.

(11) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(12) 'Sole control' means at all times being in the direct physical custody of the electronic notary public or safeguarded by the electronic notary with a password or other secure means of authentication.

(13) 'Tamper evident' means that any change to a record shall provide evidence of the change.

(14) 'Verification of fact' means a notarial act in which a notary reviews public or vital records, or other legally accessible data, to ascertain or confirm any of the following facts:

(a) date of birth, death, marriage, or divorce;

(b) name of parent, marital partner, offspring, or sibling; or

(c) any matter authorized for verification by a notary by other law or rule of this State.

Section 26-2-320. The provisions of Chapters 1 and 3 of this title apply to all acts authorized pursuant to this chapter unless the provisions of Chapters 1 and 3 directly conflict with the provisions of this chapter. In that case, the provisions of this chapter control when applied to electronic notaries public and electronic notarial acts.

Section 26-2-330. (A) A notary public commissioned in this State may become an electronic notary public in accordance with this section. Before a notary public performs an electronic notarization, the notary public must register with the Secretary of State in accordance with rules for registration as an electronic notary public and must identify the technology that he intends to use, which must conform to any rules or

regulations adopted by the Secretary of State. A registration fee of fifty dollars must be submitted to the Secretary of State with the registration form to be used by the Secretary of State to administer the provisions of this chapter.

(B) Unless terminated pursuant to Section 26-2-450, the term of registration to perform electronic notarial acts shall begin on the registration starting date set by the Secretary of State and shall continue as long as the notary public's current commission remains valid.

(C) An individual registering to perform electronic notarial acts shall submit to the Secretary of State an application in a format prescribed by the Secretary of State that includes:

(1) proof of successful completion of the course and examination required pursuant to Section 26-2-340;

(2) disclosure of any and all license or commission revocations or other disciplinary actions against the individual; and

(3) any other information, evidence, or declaration required by the Secretary of State.

(D) Upon the individual's fulfillment of the requirements for registration under this chapter, the Secretary of State shall approve the registration and issue to the individual a unique registration number.

(E) The Secretary of State may reject a registration application if the individual fails to comply with any section of this chapter.

Section 26-2-340. (A) Before performing electronic notary acts, an electronic notary public shall take a course of instruction of sufficient length to ensure that the electronic notary public understands his duties and responsibilities, as determined and approved by the Secretary of State, and shall pass an examination of this course.

(B) The content of the course and the basis of the examination must be notarial laws, procedures, technology, and ethics as they pertain to notarizations and electronic notarizations.

Section 26-2-350. (A) The following notarial acts may be performed electronically:

(1) acknowledgments;

(2) oaths and affirmations;

(3) attestations and jurats;

(4) signature witnessing;

(5) verifications of fact;

(6) certification that a tangible copy of an electronic record is an accurate copy of the electronic record; and

(7) any other acts authorized by law.

Section 26-2-360. (A) An electronic notary public shall perform an electronic notarization only if the principal:

(1) appears in person before the electronic notary public at the time of notarization; and

(2) is personally known to the electronic notary or identified by the electronic notary through satisfactory evidence as defined in Chapter 1 of this title.

(B) In performing electronic notarial acts, an electronic notary public shall adhere to all applicable rules governing notarial acts provided in Chapter 1 of this title.

Section 26-2-370. (A) When performing an electronic notarial act, an electronic notarial certificate must be attached to, or logically associated with, the electronic document by the electronic notary public and must include:

(1) the electronic notary public's name exactly as stated on the commission issued by the Secretary of State;

(2) the electronic notary public's electronic seal;

(3) the expiration date of the electronic notary public's commission;

(4) the electronic notary public's electronic signature; and

(5) completed wording appropriate to the particular electronic notarial act, as prescribed by law.

(B) All components in subsection (A)(2) through (5) must be immediately perceptible and reproducible in the electronic record to which the electronic notary public's electronic signature is attached, such that removal or alteration of a component is tamper evident and will render evidence of alteration of the document containing the electronic notarial certificate, which may invalidate the electronic notarial act. If an electronic seal is not used, then the words 'Electronic Notary Public' and the words 'State of South Carolina' must still be attached.

(C) An electronic notary public's electronic signature or electronic seal is considered to be reliable if it is:

(1) unique to the electronic notary public;

(2) capable of independent verification;

(3) retained under the electronic notary public's sole control;

(4) attached to or logically associated with the electronic document; and

(5) linked to the data in such a manner that any subsequent alterations to the underlying document or electronic notarial certificate are tamper evident and may invalidate the electronic notarial act.

(D) The electronic seal of an electronic notary public shall contain the:

(1) name of the electronic notary public exactly as it is spelled on the electronic notary public's commission;

(2) title 'Notary Public';

(3) words 'State of South Carolina';

(4) registration number indicating the electronic notary public may perform electronic notarial acts; and

(5) expiration date of the electronic notary public's commission.

(E) The electronic seal of an electronic notary public may be a digital image that appears in the likeness or representation of a traditional physical notary public seal. The electronic seal of an electronic notary public may not be used for any purpose other than performing electronic notarizations under this chapter.

(F) Only the electronic notary public whose name and registration number appear on an electronic seal shall generate that electronic seal.

Section 26-2-380. (A) An electronic notary public may charge the maximum fee for performing an electronic notarial act specified in subsection (B), charge less than the maximum fee, or waive the fee.

(B) The maximum fees that may be charged by an electronic notary public for performing electronic notarial acts are:

(1) for acknowledgments, ten dollars per signature;

(2) for oaths and affirmations, ten dollars per signature;

(3) for attestations and jurats, ten dollars per signature;

(4) for signature witnessing, ten dollars per signature;

(5) for verifications of fact, ten dollars per signature; and

(6) for any other acts authorized by law, ten dollars per signature.

(C) An electronic notary public may charge a travel fee when traveling to perform an electronic notarial act if:

(1) the electronic notary public and the person requesting the electronic notarial act agree upon the travel fee in advance of the travel; and

(2) the electronic notary public explains to the person requesting the electronic notarial act that the travel fee is both separate from the notarial fee prescribed by subsection (B) and neither specified nor mandated by law.

(D) An electronic notary public who charges fees for performing electronic notarial acts shall conspicuously display in all of the electronic notary public's places of business and Internet websites, or present to each principal or requester of fact when outside these places of business, an English-language schedule of maximum fees for electronic notarial

acts, as specified in subsection (B). A notarial fee schedule may not appear or be printed in smaller than ten-point type.

Section 26-2-390. (A) The electronic notary public's electronic signature, in combination with his electronic seal, must be used only for the purpose of performing electronic notarial acts.

(B) An electronic notary public shall use an electronic notarization system that complies with this chapter and has been registered with the Secretary of State to produce the electronic notary's electronic signature and electronic seal in a manner that is capable of independent verification.

(C) An electronic notary public shall take reasonable steps to ensure that no other individual may possess or access an electronic notarization system in order to produce the electronic notary public's electronic signature or electronic seal.

(D) An electronic notary public shall keep in his sole control all or any part of an electronic notarization system for which the exclusive purpose is to produce the electronic notary public's electronic signature and electronic seal.

(E) For the purposes of this section, 'capable of independent verification' means that any interested person may confirm through the Secretary of State that an electronic notary public who signed an electronic record in an official capacity had the authority at that time to perform electronic notarial acts.

(F) The Secretary of State shall promulgate regulations necessary to establish standards, procedures, practices, forms, and records relating to an electronic notary public's electronic signature and electronic seal. The electronic notary public's electronic seal and electronic signature must conform to all standards adopted by the Secretary of State.

Section 26-2-400. (A) An electronic notary public shall create and maintain an electronic journal of each electronic notarial act. For every electronic notarial act, the electronic notary public shall record the following information in the electronic journal:

(1) the date and time of the electronic notarial act;

(2) the type of electronic notarial act;

(3) the title or a description of the record being notarized, if any;

(4) the printed full name of each principal;

(5) if identification of the principal is based on personal knowledge, a statement to that effect;

(6) if identification of the principal is based on satisfactory evidence of identity pursuant to Section 26-1-5(17), a description of the evidence relied upon and the name of any credible witness or witnesses;

(7) the address where the notarization was performed, if not the electronic notary public's business address;

(8) if the notarial act is performed electronically, a description of the electronic notarization system used; and

(9) the fee, if any, charged by the electronic notary.

(B) An electronic notary public may not record a Social Security number in the electronic journal.

(C) An electronic notary public may not allow the electronic journal to be used by any other notary public and may not surrender the electronic journal to an employer upon termination of employment.

(D) Any party to the notarized transaction or party with a legitimate interest in the transaction may inspect or request a copy of an entry or entries in the electronic notary public's electronic journal, provided that:

(1) the party specifies the month, year, type of record, and name of the principal for the electronic notarial act, in a signed physical or electronic request;

(2) the electronic notary public does not surrender possession or control of the electronic journal;

(3) the party is shown or given a copy of only the entry or entries specified; and

(4) a separate new entry is made in the electronic journal, explaining the circumstances of the request and noting any related act of copy certification by the electronic notary public.

(E) An electronic notary public may charge a reasonable fee to recover any cost of providing a copy of an entry in the electronic journal of notarial acts. An electronic notary who has a reasonable and explainable belief that a person requesting information from the electronic notary's electronic journal has a criminal or other inappropriate purpose may deny access to any entry or entries.

(F) All electronic notarial records required by statute or regulation may be examined and copied without restriction by a law enforcement officer in the course of an official investigation, subpoenaed by court order, or surrendered at the direction of the Secretary of State.

(G) The Secretary of State will establish commercially reasonable standards for preservation of electronic journals in the event of a resignation, revocation, or expiration of an electronic notary commission, or upon the death of the electronic notary. The provisions of this subsection do not apply to a former electronic notary whose commission has expired if within three months the electronic notary commission is renewed.

Section 26-2-410. (A) An electronic notary public shall keep his electronic journal, public key certificate, and electronic seal secure. The electronic notary public may not allow another person to use his electronic journal, public key certificate, or electronic seal.

(B) An electronic notary public shall attach his public key certificate and electronic seal to the electronic notarial certificate of an electronic record in a manner that renders any subsequent change or modification to the electronic record to be evident.

(C) An electronic notary public shall immediately notify the appropriate law enforcement agency and the Secretary of State of the theft or vandalism of the electronic notary public's electronic journal, public key certificate, or electronic seal. An electronic notary public shall immediately notify the Secretary of State of the loss or use by another person of the electronic notary public's electronic journal, public key certificate, or electronic seal.

(D) Upon resignation, revocation, or expiration of an electronic notary commission or death of the electronic notary, the electronic notary or his personal representative shall erase, delete, or destroy the coding, disk, certificate, card software, file, or program that enables electronic affixation of the electronic notary's official electronic signature. The provisions of this subsection do not apply to a former electronic notary who renews his commission within three months of the expiration of his previous commission.

Section 26-2-420. (A) An electronic notarization system shall comply with this chapter and any regulations promulgated by the Secretary of State pursuant to Section 26-2-500.

(B) An electronic notarization system shall require access to the system by a password or other secure means of authentication.

(C) An electronic notarization system shall enable an electronic notary public to affix the electronic notary public's electronic signature in a manner that attributes such signature to the electronic notary public.

(D) An electronic notarization system shall render every electronic notarial act tamper evident.

(E) Except as provided in subsection (F), when the commission of a notary public who is registered to notarize electronically expires or is resigned or revoked, or when such electronic notary dies or is adjudicated as incompetent, the electronic notary public or his personal representative or guardian shall, within three months, dispose of all or any part of an electronic notarization system that had been in the electronic notary's sole control for which the exclusive purpose was to perform electronic notarial acts.

(F) A former electronic notary public whose previous commission expired need not comply with subsection (E) if this individual, within three months after commission expiration, is recommissioned as a notary public and reregistered to perform electronic notarial acts.

Section 26-2-430. (A) Any person or entity wishing to provide an electronic notarization system to electronic notaries public in this State must complete and submit a registration form to the Secretary of State for review.

(B) An electronic notarization system shall comply with all regulations promulgated by the Secretary of State.

(C) An electronic notary solution provider must be registered with the Secretary of State pursuant to this chapter before making available to South Carolina electronic notaries public any updates or subsequent versions of the provider's electronic notarization system.

Section 26-2-440. (A) An electronic notary public shall take reasonable steps to ensure that any registered device used to create the electronic notary public's electronic signature is current and has not been revoked or terminated by its issuing or registering authority.

(B) If the registration of the device used to create electronic signatures either expires or is changed during the electronic notary public's term of office, then the notary public shall cease performing electronic notarizations until:

(1) a new device is duly issued or registered to the electronic notary public; and

(2) an electronically signed notice is sent to the Secretary of State that includes the starting and expiration dates of any new registration term and any other new information at variance with information in the most recently executed electronic registration form.

Section 26-2-450. (A) The liability, sanctions, and remedies for the improper performance of electronic notarial acts, or for providing false or misleading information in registering to perform electronic notarial acts, by an electronic notary public are the same as provided by law for the improper performance of non-electronic notarial acts.

(B)(1) The Secretary of State may terminate an electronic notary public's registration for one or more of the following reasons:

(a) submission of an electronic registration form containing a material misstatement or omission of fact;

(b) failure to maintain the capability to perform electronic notarial acts; or

(c) official misconduct by the electronic notary public.

(2) Before terminating an electronic notary public's registration, the Secretary of State will inform the electronic notary public of the basis for the termination, and the termination will take place on a particular date unless a proper appeal is filed with the Administrative Law Court before that date.

(3) Neither resignation nor expiration of a notary commission or of an electronic notary public registration precludes or terminates an investigation by the Secretary of State into an electronic notary public's conduct. The investigation may be pursued to a conclusion, when it must be made a matter of public record whether the finding would have been grounds for termination of the electronic notary public's commission or registration.

Section 26-2-460. (A) It is unlawful for a person to knowingly:

(1) act as or otherwise impersonate an electronic notary public, if that person is not an electronic notary public;

(2) obtain, conceal, damage, or destroy the coding, disk, certificate, card, token, program, software, or hardware that is intended exclusively to enable an electronic notary public to produce a registered electronic signature, electronic seal, or single element combining the required features of an electronic signature and electronic seal; or

(3) solicit, coerce, or in any way influence an electronic notary public to commit official misconduct.

(B) A person who violates the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars, imprisoned for not more than one year, or both.

(C) The sanctions of this chapter do not preclude other sanctions and remedies provided by law.

Section 26-2-470. The provisions contained in Chapter 1 of this title, with regard to notarial certificates, are applicable for the purposes of this chapter.

Section 26-2-480. Electronic evidence of the authenticity of the official electronic signature and electronic seal of an electronic notary public of this State, if required, must be attached to, or logically associated with, a notarized electronic document transmitted to another state or nation and must be in the form of an electronic certificate of authority signed by the Secretary of State in conformance with any current and pertinent international treaties, agreements, and conventions subscribed to by the government of the United States.

Section 26-2-490. (A) An electronic certificate of authority evidencing the authenticity of the official electronic signature and

electronic seal of an electronic notary public of this State shall substantially contain the following words:

'Certificate of Authority for an Electronic Notarial Act

I, _____ (name, title, jurisdiction of commissioning official) certify that _____ (name of electronic notary), the person named as an electronic notary public in the attached or associated document, was indeed registered as an electronic notary public for the State of South Carolina and authorized to act as such at the time of the document's electronic notarization.

To verify this Certificate of Authority for an Electronic Notarial Act, I have included herewith my electronic signature this _____ day of _____, 20__.

[Electronic signature (and electronic seal) of the commissioning official]'.

(B) The Secretary of State may charge ten dollars for issuing an electronic certificate of authority.

Section 26-2-500. The Secretary of State is authorized to promulgate and enforce any regulations and create and enforce any policies and procedures necessary for the administration of this chapter, including rules to facilitate remote online notarizations."

SECTION 3. Nothing in this act contravenes South Carolina law that requires a licensed South Carolina attorney to supervise a closing.

SECTION 4. This act does not apply to wills and trusts in South Carolina.

SECTION 5. This act takes effect upon approval by the Governor. Remote online notary public applications and electronic online notary public applications will not be accepted for processing until the administrative rules are in effect and vendors of technology are approved by the Secretary of State. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the committee amendment.

The amendment was adopted.

Senator TALLEY proposed the following amendment (486R003.KMM.SFT), which was adopted:

Amend the bill, as and if amended, page 8, by striking line 20 and inserting:

/ (c) identity proofing; or

(3) oath or affirmation of a credible witness who personally knows the individual if the electronic notary public has personal knowledge of the credible witness or has reasonably verified the identity of the credible witness under item (2). /

Amend the bill further, as and if amended, page 8, line 32, by inserting:

/ (F) A credible witness under subsection (B) may be a remotely located individual if the credible witness, principal, and electronic notary public communicate by means of communication technology.

(G) An electronic notary public's verification of an individual's identity under Section 26-4-100(B) constitutes satisfactory evidence of the identity of the individual and satisfies any requirement of law of this State that the notary verify the identity of the individual.

(H) For the purposes of this chapter:

(1) any requirement that an instrument be signed in the presence of two subscribing witnesses may be satisfied by witnesses being present and electronically signing by means of communication technology, as defined in Section 26-4-20(2); and

(2) the act of witnessing an electronic signature is satisfied if a witness is present either in the physical presence of the principal or present through audio-visual communication technology at the time the principal affixes his electronic signature and sees and hears the principal make a statement acknowledging that the principal has signed the electronic record. /

Amend the bill further, as and if amended, page 9, by striking line 25 and inserting:

/ online notary public's employer may charge a fee of not more than twenty-five dollars for performance /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

On motion of Senator WILLIAMS, the Bill was carried over.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator SHEALY explained the Resolution.

On motion of Senator SHEALY, the Resolution was carried over.

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator SHEALY explained the Resolution.

On motion of Senator SHEALY, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO

ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (3180R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, page 4, by striking line 17 and inserting:

/ Section 25-1-4070. (A) A servicemember, the dependent of a servicemember, or the South Carolina Attorney General /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the committee amendment.

The amendment was adopted.

On motion of Senator MASSEY, the Bill was carried over.

OBJECTION

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

Senator SHEALY objected to the consideration of the Bill.

CARRIED OVER

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE

DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

On motion of Senator CORBIN, the Bill was carried over.

POINT OF ORDER

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 283 -- Senator Talley: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE

ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 659 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

H. 3576 -- Reps. White, Cobb-Hunter, Garvin, Rose, Loftis, Gilliard, Moore, Clemmons and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS), TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Senator MASSEY objected to the consideration of the Bill.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 19, 2019, at 3:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R6, S. 75) -- Senator Cromer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 13, TITLE 38 SO AS TO REQUIRE AN INSURER OR AN INSURANCE GROUP TO SUBMIT A CORPORATE GOVERNANCE ANNUAL DISCLOSURE AND ESTABLISH CERTAIN REQUIREMENTS FOR THE DISCLOSURE, TO DEFINE NECESSARY TERMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS RELATED TO THE DISCLOSURE, TO PROVIDE CERTAIN CONFIDENTIALITY REQUIREMENTS FOR INFORMATION SUBMITTED TO THE DIRECTOR AND TO PROHIBIT THE DIRECTOR OR A PERSON WHO RECEIVES INFORMATION RELATED TO THE ANNUAL DISCLOSURE FROM TESTIFYING IN A PRIVATE CIVIL ACTION CONCERNING THE CONFIDENTIAL INFORMATION, TO AUTHORIZE THE DIRECTOR TO RETAIN THIRD-PARTY CONSULTANTS AND PRESCRIBE CERTAIN RULES FOR THE CONSULTANTS, TO PROVIDE A PENALTY FOR AN INSURER WHO FAILS TO FILE THE CORPORATE GOVERNANCE ANNUAL DISCLOSURE, AND TO SET AN EFFECTIVE DATE; BY ADDING SECTION 38-21-295 SO AS TO AUTHORIZE THE DIRECTOR TO ACT AS THE GROUP-WIDE SUPERVISOR FOR

AN INTERNATIONALLY ACTIVE INSURANCE GROUP UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROCEDURE FOR THE DIRECTOR TO DETERMINE WHETHER HE MAY ACT AS THE GROUP-WIDE SUPERVISOR OR ACKNOWLEDGE ANOTHER REGULATORY OFFICIAL TO ACT AS THE GROUP-WIDE SUPERVISOR, TO AUTHORIZE THE DIRECTOR TO ENGAGE IN CERTAIN ACTIVITIES AS GROUP-WIDE SUPERVISOR, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS; AND TO AMEND SECTION 38-21-10 SO AS TO DEFINE THE TERMS "DIRECTOR", "GROUP-WIDE SUPERVISOR", AND "INTERNATIONALLY ACTIVE INSURANCE GROUP".
L:\COUNCIL\ACTS\75CZ19.DOCX

(R7, S. 80) -- Senator Sheheen: A JOINT RESOLUTION TO AMEND SECTIONS 1 AND 3 OF ACT 289 OF 2018, RELATING TO THE SOUTH CAROLINA AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION, SO AS TO PROVIDE THE OBSERVANCE MUST INCLUDE THE ROLE OF PERSONS OF AFRICAN-AMERICAN DESCENT IN THE AMERICAN REVOLUTION AND TO MAKE SIMILAR CHANGES TO THE MEMBERSHIP OF THE COMMISSION, RESPECTIVELY.
L:\COUNCIL\ACTS\80AHB19.DOCX

(R8, S. 326) -- Senators Massey, Setzler, Malloy, Turner, Alexander and Young: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO DISTRIBUTE TWO HUNDRED FIFTY THOUSAND DOLLARS TO THE SOUTH CAROLINA STATE FIREFIGHTERS ASSOCIATION TO PROVIDE FOR POST TRAUMATIC STRESS DISORDER INSURANCE AND PROGRAMS.
L:\COUNCIL\ACTS\326SA19.DOCX

(R9, S. 327) -- Senator Shealy: AN ACT TO AMEND SECTION 1-25-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE INTERAGENCY PLANNING AND EVALUATION ADVISORY COMMITTEE, SO AS TO REDESIGNATE THE NAME OF THE SENATE GENERAL COMMITTEE AS THE FAMILY AND VETERANS SERVICES' COMMITTEE.
L:\COUNCIL\ACTS\327SD19.DOCX

(R10, S. 358) -- Senator Cromer: AN ACT TO AMEND SECTION 38-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION, SO AS TO APPLY THE PROVISIONS OF CHAPTER 31, TITLE 38 TO A CLAIM OR LOSS COVERED BY SELF-INSURANCE THAT OCCURRED PRIOR TO THE ACQUISITION OF A BLOCK OF BUSINESS BY A LICENSED INSURER; AND TO AMEND SECTION 42-5-20, RELATING TO INSURANCE REQUIREMENTS FOR WORKERS' COMPENSATION, SO AS TO PROHIBIT A SELF-INSURER FROM PARTICIPATING IN OR OBTAINING BENEFITS FROM THE SOUTH CAROLINA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION AND TO REQUIRE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO SECURE AN ACTUARIAL OPINION BEFORE APPROVING THE TRANSFER OF A SELF-INSURER TO A LICENSED INSURER.
L:\COUNCIL\ACTS\358CZ19.DOCX

(R11, S. 360) -- Senator Cromer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-47-55 SO AS TO CLARIFY THAT CERTAIN INDIVIDUALS ARE AUTHORIZED TO ADJUST FOOD SPOILAGE CLAIMS WITHOUT AN ADJUSTER'S LICENSE; BY ADDING SECTION 38-72-75 SO AS TO REQUIRE A LONG-TERM CARE INSURANCE PROVIDER TO SUBMIT ALL PREMIUM RATE SCHEDULES TO THE DEPARTMENT OF INSURANCE AND TO ESTABLISH CERTAIN PROCEDURES CONCERNING THE PREMIUM APPROVAL PROCESS; TO AMEND SECTION 38-3-110, RELATING TO THE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALTER PUBLIC HEARING REQUIREMENTS; TO AMEND SECTION 38-7-20, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO EXCLUDE CERTAIN FACTORS FROM THE TOTAL PREMIUM COMPUTATION; TO AMEND SECTION 38-7-60, RELATING TO THE SUBMISSION OF A RETURN OF PREMIUMS, SO AS TO REQUIRE THE SUBMISSION OF A RETURN OF PREMIUMS COLLECTED; TO AMEND SECTION 38-43-247, RELATING TO THE REPORTING OF CRIMINAL PROSECUTIONS, SO AS TO ONLY REQUIRE THE REPORTING OF CRIMINAL

CONVICTIONS; TO AMEND SECTION 38-44-50, RELATING TO THE REVIEW OF A MANAGING GENERAL AGENT, SO AS TO ALTER THE SUBMISSION DATE FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-46-60 AND 38-46-90, BOTH RELATING TO A PARTY ENGAGED AS A REINSURANCE INTERMEDIARY-BROKER, SO AS TO ALTER THE SUBMISSION DATE OF CERTAIN DOCUMENTS FROM MARCH FIRST TO JUNE FIRST; TO AMEND SECTIONS 38-57-130, 38-57-140, AND 38-57-150, ALL RELATING TO PROHIBITED TRADE PRACTICES, SO AS TO CLARIFY THAT CERTAIN PRACTICES ARE PROHIBITED; TO AMEND SECTIONS 38-75-730 AND 38-75-1200, BOTH RELATING TO CANCELLATIONS OF PROPERTY, CASUALTY, AND TITLE INSURANCE POLICIES, SO AS TO EXTEND WHEN AN INSURER CAN CANCEL A POLICY WITHOUT CAUSE TO ONE HUNDRED TWENTY DAYS AND TO PROHIBIT AN INSURER FROM CANCELLING A POLICY OUTSIDE OF THE ONE HUNDRED TWENTY-DAY PERIOD IF THEY HAD NOTICE OF A CHANGE IN RISK PRIOR TO THE EXPIRATION OF THE ONE HUNDRED TWENTY-DAY PERIOD; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO APPLY THE SOUTH CAROLINA INSURANCE DATA SECURITY ACT TO CAPTIVE INSURANCE COMPANIES; AND TO AMEND SECTION 38-99-70, RELATING TO LICENSEES EXEMPTED FROM CERTAIN DATA SECURITY REQUIREMENTS, SO AS TO ONLY EXEMPT THE LICENSEES FROM THE PROVISIONS OF SECTION 38-99-20.
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(R12, S. 428) -- Senators Gambrell and Cash: AN ACT TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\428ZW19.DOCX

(R13, S. 441) -- Senator Nicholson: AN ACT TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R14, S. 482) -- Senators Campbell and Bennett: AN ACT TO AMEND SECTION 7-7-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DORCHESTER COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\482ZW19.DOCX

(R15, S. 504) -- Senators Hutto and M.B. Matthews: AN ACT TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.
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(R16, H. 3127) -- Reps. Dillard, Henderson-Myers, Clyburn, Weeks, Robinson and Gilliard: A JOINT RESOLUTION TO ESTABLISH THE MOLD ABATEMENT AND REMEDIATION STUDY COMMITTEE TO STUDY THE IMPACT OF MOLD IN PUBLIC AREAS AND TO ASCERTAIN THE BEST METHOD OF ABATEMENT FOR MOLD IN PUBLIC AREAS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO ESTABLISH CERTAIN GOALS FOR THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.
L:\COUNCIL\ACTS\3127CZ19.DOCX

(R17, H. 3639) -- Reps. Taylor, Allison, Felder and Huggins: AN ACT TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.
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(R18, H. 3697) -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDING THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.
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(R19, H. 3798) -- Reps. Clary, Hiott, Collins and W. Cox: AN ACT TO AMEND SECTION 7-7-450, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\3798ZW19.DOCX

(R20, H. 3849) -- Reps. G.M. Smith and Toole: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.
L:\COUNCIL\ACTS\3849DG19.DOCX

(R21, H. 3987) -- Reps. Gagnon and West: AN ACT TO AMEND SECTION 7-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ABBEVILLE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:03 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:04 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, March 20, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 acting Chaplain, Senator ALEXANDER as follows:

Proverbs 20:12

"The hearing ear and the seeing eye -- the Lord made them both."

Let us pray. Dear Lord as we enjoy this first day of spring, we are reminded that You made the wonder of all the seasons. As we enter spring from the cold of the winter, we see Your majesty in the budding and blooming of the flowers, trees and in the beauty of Your creation coming to new life. As we hear the singing of the birds as they rejoice, may we pause and give thanks to You for all the beauty around us in Your creation that we enjoy daily and rejoice. May we take time to see and hear the voices and beauty of a new spring. In Your name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gregory	Grooms	Harpootlian
Leatherman	Martin	Massey
Peeler	Rice	Scott

Setzler	Shealy	Talley
Turner	Young	

A quorum being present, the Senate resumed.

ACTING PRESIDENT PRESIDES

Senator ALEXANDER assumed the Chair.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2019, and to expire May 19, 2026

3rd Congressional District:

Stephen H. Mudge, Post Office Box 1918, Clemson, SC 29633 *VICE* Kristofer D. Clark

Referred to the Committee on Judiciary.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

4th Congressional District:

Clifton D. Baxter, 1104 Charter Oak, Taylors, SC 29687-4403

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2018, and to expire June 30, 2022

Master Haircare Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118-8300

Referred to the Committee on Labor, Commerce and Industry.

WEDNESDAY, MARCH 20, 2019

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4812
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Withdrawal of Certification of Law Enforcement Officers
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 20, 2019

Document No. 4813
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Denial of Certification for Misconduct
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted March 20, 2019

Doctor of the Day

Senator TURNER introduced Dr. Stephen Yarborough of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 12:41 P.M., Senator KIMPSON requested a leave of absence for Senator McELVEEN for the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 11 Sen. Young
S. 112 Sen. Gambrell
S. 298 Sen. Harpootlian
S. 665 Sen. Allen

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 575 Sen. Martin

WEDNESDAY, MARCH 20, 2019

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 678 -- Senators Peeler and Climer: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.
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Senator PEELER spoke on the Resolution.

Read the first time and referred to the Committee on Finance.

Remarks by Senator PEELER

Senators, I believe the time has come to sell Santee Cooper. For almost two years, Santee Cooper has been looming over us. Their leadership is in crisis. They are crippled by debt. It is clear to me that Santee Cooper cannot see their own way to a resolution that works for their ratepayers and the taxpayers of our State.

I'd like to thank the Senators on the select committee and the joint committee. They have put in a lot of hours working on this issue since last summer. Recently there has been a lot of discussion about what comes next. In my view, the joint committee achieved its primary goal -- it identified a robust and varied market of private companies ready to take on Santee Cooper. But, Senators, the General Assembly should not be directly involved in that sale process. It is simply not the role of 170 policy makers to direct the sale of a complex public utility.

Today, I am introducing a Joint Resolution that authorizes an open, competitive process to sell Santee Cooper. This Joint Resolution will empower the Governor and his Department of Administration, with the assistance of a competitively selected professional team, to conduct the sale. They will be given goals that ensure the sale will benefit the taxpayers of South Carolina -- and the customers of Santee Cooper. This

Resolution will allow South Carolina to move forward. We have to do it. And this non-political process is the right way to get it done.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator PEELER, were ordered printed in the Journal.

PRESIDENT PRESIDES

The PRESIDENT assumed the Chair.

S. 679 -- Senator Leatherman: A BILL TO AMEND SECTIONS 11-41-20, 11-41-30, AND 11-41-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO PROVIDE FURTHER FINDINGS, TO PROVIDE FOR STRATEGIC INFRASTRUCTURE PROJECTS AS ECONOMIC DEVELOPMENT PROJECTS, AND TO ALLOW FOR FREIGHT TRANSPORTATION AS INFRASTRUCTURE.
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Read the first time and referred to the Committee on Finance.

S. 680 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-13-30(A) OF THE 1976 CODE, RELATING TO CAREGIVER REQUIREMENTS, TO PROVIDE THAT A CAREGIVER OVER THE AGE OF EIGHTEEN IN A CHILDCARE FACILITY MAY BE CURRENTLY ENROLLED IN HIGH SCHOOL; TO AMEND SECTION 63-13-70 OF THE 1976 CODE, RELATING TO A REQUIRED REGISTER, TO PROVIDE THAT EVERY CHILDCARE CENTER FACILITY SHALL MAINTAIN A REGISTER; TO AMEND SECTION 63-13-80(B) OF THE 1976 CODE, RELATING TO INVESTIGATIONS AND INSPECTIONS, TO PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE; TO AMEND SECTION 63-13-90 OF THE 1976 CODE, RELATING TO ZONING, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 63-13-100 OF THE 1976 CODE, RELATING TO PROVISIONAL LICENSURE, APPROVAL, AND REGISTRATION, TO REMOVE PROVISIONAL REGISTRATIONS AND TO PROVIDE THAT NO PROVISIONAL LICENSE IS EFFECTIVE FOR A PERIOD GREATER THAN TWO YEARS; TO AMEND SECTION 63-13-110 OF THE 1976 CODE, RELATING TO FIRST AID AND CPR CERTIFICATES, TO PROVIDE THAT ALL CHILDCARE FACILITIES MUST HAVE AT LEAST TWO

CAREGIVERS AND TO PROVIDE THAT REGISTERED FAMILY CHILDCARE HOMES MUST HAVE AT LEAST ONE CAREGIVER WHO MEETS CERTAIN CRITERIA; TO AMEND SECTION 63-13-150 OF THE 1976 CODE, RELATING TO VIOLATION CITATIONS, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 63-13-160(1) OF THE 1976 CODE, RELATING TO INJUNCTIONS, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 63-13-210 OF THE 1976 CODE, RELATING TO NOTICE TO PARENTS THAT A CHILDCARE BUSINESS DOES NOT CARRY LIABILITY INSURANCE, TO PROVIDE THAT A CHILDCARE FACILITY MUST CARRY LIABILITY INSURANCE AND TO PROVIDE FOR THE REPORTING OF LIABILITY CLAIMS; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDCARE FACILITIES, BY ADDING SECTION 63-13-220 AND SECTION 63-13-230, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES' CHILDCARE FACILITY LICENSING DIVISION ADMINISTERS THE ABC CHILDCARE PROGRAM AND TO PROVIDE FOR CONDITIONS FOR CHILDCARE FACILITIES' OPERATIONS; TO AMEND ARTICLE 3, CHAPTER 13, TITLE 63 OF THE 1976 CODE, RELATING TO PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE HOMES, TO MAKE CONFORMING CHANGES, TO PROVIDE CONDITIONS UNDER WHICH NO LICENSE MAY BE ISSUED, TO REQUIRE CERTAIN BACKGROUND CHECKS FOR CERTAIN INDIVIDUALS, TO PROVIDE FOR CONDITIONS UNDER WHICH A PARENT OR THE DEPARTMENT OF SOCIAL SERVICES MUST BE NOTIFIED, TO PROVIDE THAT A REGULAR LICENSE OR REGULAR CERTIFICATE OF COMPLIANCE FOR A PRIVATE CHILDCARE CENTER OR GROUP CHILDCARE HOME IS VALID FOR TWO YEARS AND TO PROVIDE EXCEPTIONS, TO PROVIDE FOR APPLICATIONS FOR A CERTIFICATE OF COMPLIANCE, AND TO REQUIRE THAT A CHILDCARE FACILITY MUST BE LICENSED OR HOLD A CERTIFICATE OF COMPLIANCE; TO AMEND SECTION 63-13-825 OF THE 1976 CODE, RELATING TO TRAINING FOR DAYCARE OPERATORS AND WORKERS, TO PROVIDE FOR TRAINING ON SAFE SLEEP FOR INFANTS AND CERTIFICATION; TO AMEND SECTION 63-13-850 OF THE 1976 CODE, RELATING TO APPEALS, TO PROVIDE FOR THE RIGHT TO A HEARING PROCESS FOR A FAMILY CHILDCARE HOME OPERATOR WHOSE APPROVAL HAS BEEN WITHDRAWN; TO DEFINE NECESSARY TERMS;

AND TO REPEAL SECTION 63-13-610 OF THE 1976 CODE, RELATING TO THE APPROVAL REQUIRED FOR PUBLIC CENTERS AND GROUP HOMES, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630 OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-640 OF THE 1976 CODE, RELATING TO DEFICIENCY CORRECTION NOTICES, SECTION 63-13-650 OF THE 1976 CODE, RELATING TO REVIEW MEETINGS, SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, SECTION 63-13-1020 OF THE 1976 CODE, RELATING TO REGISTRATION AND INSPECTIONS, SECTION 63-13-1030 OF THE 1976 CODE, RELATING TO STATEMENTS OF REGISTRATION, SECTION 63-13-1050 OF THE 1976 CODE, RELATING TO DEFICIENCY CORRECTION NOTICES, SECTION 63-13-1060 OF THE 1976 CODE, RELATING TO INJUNCTIONS, SECTION 63-13-1070 OF THE 1976 CODE, RELATING TO APPEALS, AND SECTION 63-13-1080 OF THE 1976 CODE, RELATING TO PENALTIES.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 "RANDOLPH GARRETT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 682 -- Senators Gambrell and Cash: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL 2019

AS "CHILD ABUSE PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 683 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 8 THROUGH 12, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 10, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY" IN SOUTH CAROLINA.
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The Concurrent Resolution was introduced and referred to the Committee on Education.

S. 684 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 3, 2019, AS "529 DAY" IN SOUTH CAROLINA IN ORDER TO ENCOURAGE CITIZENS TO LEARN MORE ABOUT THE FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN AND ALL OF THE OTHER CONSUMER-FACING PROGRAMS OFFERED AT THE STATE TREASURER'S OFFICE.
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The Senate Resolution was introduced and referred to the Committee on Finance.

S. 685 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DR. ROBERT A. THOMAS ON HAVING A NEWLY IDENTIFIED SPECIES OF SNAKE FROM THE GALAPAGOS ISLANDS NAMED IN HIS HONOR.
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The Senate Resolution was adopted.

S. 686 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE EFFORTS NOW UNDERWAY BY THE SOUTH CAROLINA AFTERSCHOOL ALLIANCE TO SUPPORT TEACHERS, EDUCATIONAL LEADERS, AND FAMILIES OUTSIDE THE REGULAR SCHOOL DAY BY BUILDING AND STRENGTHENING AFTERSCHOOL AND SUMMER PROGRAMS

TO ENSURE THEY ARE OF HIGH QUALITY TO SUPPORT STUDENT SUCCESS.
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The Senate Resolution was adopted.

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Read the first time and referred to the Committee on Transportation.

H. 3621 -- Reps. V. S. Moss, D. C. Moss, Erickson and W. Cox: A BILL TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100, RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3725 -- Reps. Felder, King, Elliott, Hill, McDaniel, Simmons, W. Cox, Loftis, Jefferson, R. Williams, Henegan, Erickson, Burns, Stavrinakis and McCoy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-320 SO AS TO ESTABLISH AN "ADVISORY COUNCIL ON PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME (PANS) AND PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDER ASSOCIATED WITH STREPTOCOCCAL INFECTIONS (PANDAS)"; TO PROVIDE FOR MEMBERSHIP, DUTIES, AND

REPORTING REQUIREMENTS OF THE ADVISORY COUNCIL; TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPOINT CERTAIN MEMBERS AND TO PROVIDE STAFF SUPPORT; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

Read the first time and referred to the Committee on Banking and Insurance.

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF

SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 3952 -- Rep. Clemmons: A BILL TO AMEND SECTION 56-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF GOLF CARTS AND THE ISSUANCE OF GOLF CART PERMITS BY THE DEPARTMENT OF MOTOR VEHICLES, AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT A LOCAL GOVERNMENTAL BODY MAY REGULATE AN ENTITY OFFERING GOLF CARTS FOR RENT OR LEASE WITHIN ITS JURISDICTION UNDER CERTAIN CIRCUMSTANCES; AND BY ADDING SECTION 56-2-3110 SO AS TO PROVIDE THAT A LOCAL GOVERNMENTAL BODY MAY REGULATE AN ENTITY OFFERING MOPEDS FOR RENT OR LEASE WITHIN ITS JURISDICTION UNDER CERTAIN CIRCUMSTANCES.

Read the first time and referred to the Committee on Transportation.

H. 4255 -- Reps. Ridgeway, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE SCOTT'S BRANCH HIGH SCHOOL GIRLS BASKETBALL TEAM FOR CAPTURING THE 2019 CLASS A STATE CHAMPIONSHIP TITLE AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50

OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 593 -- Senator Shealy: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3750 -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING LICENSE AND A BIG GAME PERMIT MUST RECEIVE AT LEAST TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

Ordered for consideration tomorrow.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator M.B. MATTHEWS, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Jonathan Green in recognition of his receiving the Order of the Palmetto honoring his Gullah culture art works and wish him continued success in all future endeavors.

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. 475 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN THREE TRIPLETAIL IN ANY ONE DAY, NOT TO EXCEED NINE TRIPLETAIL IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE TRIPLETAIL OF LESS THAN EIGHTEEN INCHES IN TOTAL LENGTH.

S. 259 -- Senators Goldfinch, Campsen, Kimpson, Senn and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND ACT"; TO ESTABLISH THE "SOUTH CAROLINA RESILIENCE REVOLVING FUND" TO PROVIDE LOW INTEREST LOANS TO PERFORM FLOODED-HOME BUYOUTS AND FLOODPLAIN RESTORATION, TO AUTHORIZE THE BANK TO UNDERTAKE CERTAIN ACTIONS IN ORDER TO PROPERLY FUNCTION, TO ESTABLISH CERTAIN CRITERIA FOR LOANS AND ELIGIBLE FUND RECIPIENTS, TO PROVIDE CERTAIN REQUIREMENTS FOR THE MONIES WITHIN THE FUND, TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO UNDERTAKE CERTAIN ACTIONS TO EFFECTIVELY OPERATE THE FUND.

OBJECTION

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES,

TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

Senator CASH objects to the consideration of the Bill.

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. 11 -- Senators Peeler, Bennett, McElveen and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

S. 206 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

S. 252 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DESIGNATE THE MONTH OF JUNE OF EVERY YEAR AS "SALKEHATCHIE SUMMER SERVICE MONTH" IN SOUTH CAROLINA.

S. 486 -- Senators Talley and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 26 SO AS TO ENACT THE "SOUTH CAROLINA REMOTE ONLINE NOTARIZATION ACT", TO PROVIDE A CITATION, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO PROVIDE THE SECRETARY OF STATE BY RULE SHALL DEVELOP AND MAINTAIN STANDARDS FOR

CREDENTIAL ANALYSIS AND IDENTITY PROOFING AND TO PROVIDE REQUIREMENTS FOR THE DEVELOPMENT OF THESE STANDARDS, TO PROVIDE NOTARIES PUBLIC COMMISSIONED IN THIS STATE MAY REGISTER AS REMOTE ONLINE NOTARIES PUBLIC UPON SATISFYING CERTAIN REQUIREMENTS, TO ENUMERATE NOTARIAL ACTS THAT MAY BE PERFORMED BY REMOTE ONLINE NOTARIES USING ELECTRONIC TECHNOLOGY, TO PROVIDE REQUIREMENTS FOR CONDUCTING ONLINE NOTARIAL ACTS, TO PROVIDE REMOTE ONLINE NOTARIES PUBLIC MAY CHARGE FEES FOR PERFORMING REMOTE ONLINE NOTARIAL ACTS, TO PROVIDE LIABILITY, SANCTIONS, AND REMEDIES FOR THE IMPROPER PERFORMANCE OF REMOTE ONLINE NOTARIAL ACTS OR FOR PROVIDING FALSE OR MISLEADING INFORMATION IN REGISTERING TO PERFORM REMOTE ONLINE NOTARIAL ACTS ARE THE SAME AS PROVIDED BY LAW FOR THE IMPROPER PERFORMANCE OF NONELECTRONIC NOTARIAL ACTS, TO SPECIFY CERTAIN RECORDING REQUIREMENTS THAT ARE CONSIDERED SATISFIED BY REMOTE NOTARIAL ACTS, AND TO PROVIDE REMOTE ONLINE NOTARY PUBLIC APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING UNTIL THE ADMINISTRATIVE RULES ARE IN EFFECT AND VENDORS OF TECHNOLOGY ARE APPROVED BY THE SECRETARY OF STATE, AMONG OTHER THINGS.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3985 -- Reps. Lucas, G.M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

READ THE SECOND TIME

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

The Senate proceeded to the consideration of the Bill.

Senator MARTIN explained the Bill.

Senator KIMPSON spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	*Matthews, John*	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN

ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO

AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR

EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS proposed the following amendment (132R003.SP.TD), which was adopted:

Amend the bill, as and if amended, page 9, by striking lines 6 through 7 and inserting:

/ fact, conclusions of law, and sanctions to the board. The board shall conduct a final hearing at which it shall make a final decision; and/

Amend the bill further, as and if amended, page 15, by striking lines 37 through 43.

Amend the bill further, as and if amended, page 18, by striking lines 10 through 13 and inserting:

/ (d) the ~~physician assistant~~ PA has directly evaluated the patient, provided, however, that the PA may authorize a medical order if the PA is assigned to take call for the supervising physician or alternate supervising physician treating the patient; and /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion under Rule 26B

Senator MALLOY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (136R001.SP.SRM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-53-360(a), (b), and (d) of the 1976 Code is amended to read:

"Section 44-53-360. (a) Except when dispensed directly by a practitioner, other than a pharmacist, to an ultimate user, or in emergency situations as prescribed by the department by regulation, no controlled substance included in Schedule II may be dispensed without the written <u>or electronic</u> prescription of a practitioner. Prescriptions shall be retained in conformity with the requirements of Section 44-53-340. No prescription for a controlled substance in Schedule II may be refilled.

(b) A pharmacist may dispense a controlled substance included in Schedule III, IV, or V pursuant to either a written <u>or electronic</u> prescription signed by a practitioner, or a facsimile of a written, signed prescription, transmitted by the practitioner or the practitioner's agent to the pharmacy, or pursuant to an oral prescription, reduced promptly to writing and filed by the pharmacist. A prescription transmitted by facsimile must be received at the pharmacy as it was originally transmitted by facsimile and must include the name and address of the practitioner, the phone number for verbal confirmation, the time and date of transmission, and the name of the pharmacy intended to receive the transmission, as well as any other information required by federal or state law. Such prescription, when authorized, may not be refilled more than five times or later than six months after the date of the prescription unless renewed by the practitioner.

(d) Unless specifically indicated in writing on the face of the prescription <u>or noted in the electronic prescription</u> that it is to be refilled, and the number of times specifically indicated, no prescription may be refilled. The indication of 'PRN' or 'ad lib' or phrases, abbreviations, or symbols of like meaning shall not be construed as to exceed five refills or six months, whichever shall first occur. Preprinted refill instructions on the face of a prescription shall be disregarded by the dispenser unless an affirmative marking or other indication is made by the prescriber."

SECTION 2. Section 44-53-360(j) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( )(A) Unless otherwise exempted by this subsection, a practitioner shall electronically prescribe any controlled substance included in Schedules II, III, IV, and V. This subsection does not apply to

prescriptions for a controlled substance included in Schedules II through V issued by any of the following:

(i) a practitioner, other than a pharmacist, who dispenses directly to the ultimate user;

(ii) a practitioner who orders a controlled substance included in Schedules II through V to be administered in a hospital, nursing home, hospice facility, outpatient dialysis facility, or residential care facility;

(iii) a practitioner who experiences temporary technological or electrical failure or other extenuating circumstances that prevent a prescription from being transmitted electronically; however, the practitioner must document the reason for this exception in the patient's medical record;

(iv) a practitioner who writes a prescription for a controlled substance included in Schedules II through V to be dispensed by a pharmacy located on federal property; however, the practitioner must document the reason for this exception in the patient's medical record;

(v) a person licensed to practice veterinary medicine pursuant to Chapter 69, Title 40; or

(vi) a practitioner who writes a prescription for a controlled substance included in Schedules II through V for a patient who is being discharged from a hospital, emergency department, or urgent care.

(B) A prescription for a controlled substance included in Schedules II, III, IV, and V that includes elements that are not supported by the most recently implemented version of the National Council for Prescription Drug Programs Prescriber/Pharmacist Interface SCRIPT Standard is exempt from this subsection.

(C) A dispenser is not required to verify that a practitioner properly falls under one of the exceptions specified in item (a) or (b) before dispensing a controlled substance included in Schedules II through V. A dispenser may continue to dispense a controlled substance included in Schedules II through V from valid written, oral, faxed, or electronic prescriptions that are otherwise consistent with applicable laws.

(D) A dispenser is immune from any civil or criminal liability or disciplinary action from the State Board of Pharmacy for dispensing a prescription written by a prescriber that is in violation of this subsection."

SECTION 3. This act takes effect January 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the committee amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (136R002.SP.SRM), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-360(j)( ) (a)(iii) and inserting:

/ (iii) a practitioner who experiences temporary technological or electrical failure or other extenuating technical circumstances that prevent a prescription from being transmitted electronically; however, the practitioner must document the reason for this exception in the patient's medical record; /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator MALLOY objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (498R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Article 9, Chapter 11, Title 63 of the 1976 Code is amended by adding:

"Section 63-11-970. (A) The Department of Social Services shall enter into and maintain a contract with the Children's Trust Fund, detailing data access and sharing at both the client and case record levels, for the purposes of:

(1) bona fide research on child abuse and neglect;

(2) the quantitative or qualitative evaluation of prevention programs to reduce child abuse and neglect; or

(3) the assessment of service needs and gaps for the prevention of child abuse and neglect.

(B) The Children's Trust Fund shall provide a report on the effectiveness and efficiency of its programs to prevent child abuse and neglect to the General Assembly annually on January 1.

(C) Data elements that would reasonably identify any specific person must be deleted or redacted from records, reports, or materials prior to

their removal from the physical premises of the Department of Social Services or by electronic means.

(D) The Children's Trust Fund shall adhere to all information security policies, standards, guidelines, and procedures promulgated by the Department of Administration with respect to all records, reports, and materials obtained pursuant to this section." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION _. The Children's Trust Fund and the Department of Social Services shall fully execute the contract pursuant to Section 63-11-970, as added by this act, on or before August 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

AMENDED, READ THE SECOND TIME

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (JUD3180.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 2-4 and inserting:

/ pursuant to federal law. A violation of the federal Servicemembers Civil Relief Act, 50 U.S.C. Section 3901, et seq., constitutes a violation of this article. The provisions of this article related to contractual agreements or obligations shall apply to any applicable contract entered into, extended, or amended on or after July 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

On motion of Senator YOUNG, the Bill was carried over.

COMMITTEE AMENDMENT AMENDED AND ADOPTED READ THE SECOND TIME

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN

EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT proposed the following amendment (3438R002.SP.SB), which was adopted:

Amend the committee report, as and if amended, page [3438-5], by striking lines 35-40 and inserting:

/ (D)~~(1) In Berkeley County, appointments made pursuant to this section are governed by the provisions of Act 159 of 1995.~~

~~(2)~~ In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.

~~(3) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.~~ /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The Committee on Family and Veterans' Services proposed the following amendment (3438R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 1-30-10(A) of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

"__. Department of Veterans' Affairs"

SECTION 2. Chapter 30, Title 1 of the 1976 Code is amended by adding:

"Section 1-30-130. There is hereby created, within the executive branch of the state government, the Department of Veterans' Affairs, headed by a secretary appointed by the Governor pursuant to Section 25-11-20. The employees, funds, authorized appropriations, property, assets, liabilities, and all contractual rights and obligations associated with the Division of Veterans' Affairs of the Department of Administration established by Section 25-11-10, et seq. prior to July 1, 2019, are hereby transferred to and incorporated in and shall be administered as part of the Department of Veterans' Affairs."

SECTION 3. Chapter 11, Title 25 of the 1976 Code is amended to read:

"CHAPTER 11

~~Division~~ Department of Veterans' Affairs

ARTICLE 1

General Provisions

Section 25-11-10. (A) ~~A Division~~ The Department of Veterans' Affairs is ~~hereby~~ created ~~in the Department of Administration~~ within the executive branch of the state government for the purpose of assisting ~~ex-servicemen~~ former, present, and future members of the armed forces of the United States in securing the benefits to which they are entitled under the provisions of federal legislation and under the terms of insurance policies issued by the federal government for their benefit. Powers, duties, and functions to be vested in the department shall include all those powers, duties, and functions involving cooperation with other governmental units, such as cities and counties, or with the federal government agencies concerned with participation in federal grants-in-aid programs relating to veterans and veterans' affairs. ~~This division~~ The department shall ~~be under the direct supervision of~~ receive advice and recommendations from a panel consisting of the Governor as chairman, the Attorney General for the purpose of giving legal advice, and the Adjutant and Inspector General.

(B) The department may promulgate regulations necessary to implement the provisions of this chapter.

(C) The department may apply for and accept funds, grants, gifts, and services from the State, the United States Government or any of its agencies, or any other public or private source and may use funds derived from these sources to defray clerical and administrative costs, as may be necessary for carrying out the department's duties.

(D) The department shall submit an annual written report to the Governor and the General Assembly no later than December thirty-first of each year. The annual report shall describe:

(1) the number, nature, and kind of cases handled by the department and by county and city veteran service officers of the State;

(2) the amounts of benefits obtained for veterans;

(3) the names and addresses of all certified veteran service officers of the State;

(4) the current status and condition of the department's domiciliary and nursing homes, including the number of residents received and discharged during the preceding year, occupancy rates, staffing, and all receipts and expenditures from the preceding year; and

(5) any actions taken by the department to implement the provisions of this subsection, including other information and recommendations as the department considers prudent or necessary.

(E) The department shall administer this chapter and shall have the authority and responsibility to apply for and administer any federal programs and develop and coordinate such state programs as may be beneficial to the particular interests of the veterans of this State.

Section 25-11-20. (A) For the purpose of carrying on this work the Governor shall appoint, with the advice and consent of the Senate, a ~~Director~~ secretary of the ~~Division of Veterans' Affairs~~ department, who is charged with the duty of assisting all ~~ex-servicemen~~ veterans, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims which they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation.

(B) The ~~Director of the Division of Veterans' Affairs~~ secretary must be a ~~person~~ veteran, as defined in Section 25-11-40, who is well versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as created by Congress ~~and must be appointed by the Governor~~.

(C) Before the appointment, the Governor shall receive a recommendation from (1) the executive committee of the American Legion, Department of South Carolina, (2) the Veterans of Foreign Wars of the United States, Department of South Carolina, and (3) the Disabled American Veterans. The Governor is not required to appoint the person recommended. ~~and he~~ The secretary is subject to removal by the Governor pursuant to the provisions of Section 1-3-240(B).

(D) The secretary's duties shall include:

(1) working with federal officials to obtain additional federal resources and coordinate veterans policy development and information exchange;

(2) coordinating with appropriate state agencies to ensure that available federal and state resources are directed toward assisting veterans and addressing all issues of mutual concern to the State and the armed forces of the Unites States, including quality of life issues unique to South Carolina's military personnel and their families, quality of educational opportunities for military children, transportation needs, substance abuse, and social service needs;

(3) monitoring and enhancing efforts to provide assistance and support for veterans living in South Carolina and members of the South Carolina National Guard and South Carolina residents in the armed

forces reserves not in active federal service in the areas of medical care, mental health and rehabilitative services, housing, homelessness prevention, job creation, and education;

(4) settling claims, actions, causes of action, and legal proceedings brought against the department or its employees acting within the scope of their employment;

(5) accepting donations and gifts of property or grants of money on behalf of the department in compliance with the law;

(6) initiating the promulgation of regulations;

(7) performing other such functions as may be necessary to supervise, direct, conduct, and administer the daily duties of the department as authorized by law or by rules and policies; and

(8) submitting an annual report to the Governor and the General Assembly, pursuant to Section 25-11-10(D).

Section 25-11-30. (A) The ~~office of the division herein provided for~~ department shall be located in Columbia in space provided by the Department of Administration.

(B) The Department of Administration may provide administrative support to the department for the performance of its duties, including, but not limited to, financial accounting support, human resources administrative support, information technology shared services support, procurement services, and logistical support.

Section 25-11-40. (A) For the purpose of this section, 'veteran' means a person who served on active duty in the armed forces of the United States ~~for a period of more than one hundred eighty days and was discharged or released from such active duty with an honorable discharge or, if one hundred eighty days or less, was discharged or released from service active duty because of~~ and who was honorably discharged or released from such service due to a service-connected disability.

(B) Subject to the recommendation of a majority of the Senators representing the county and a majority of the House members representing the county, the secretary ~~Director of the Division of Veterans Affairs~~ shall appoint a county ~~veterans~~ veterans' affairs officer for each county in the State, whose term of office shall begin July first of each odd-numbered year and shall continue for a term of two years and until a successor shall be appointed. ~~A county veterans affairs officer must be a qualified veteran who served on active duty for a period of more than one hundred eighty days and was discharged or released from such active duty with an honorable discharge or, if one hundred eighty days or less, was discharged or released from such active duty because~~

~~of a service-connected disability; otherwise, a county veterans affairs officer may be a qualified nonveteran, if any veteran being considered for the post is not as qualified as a nonveteran being considered for the post.~~ Qualifications shall be determined by the county legislative delegation upon a majority vote of the Senators representing the county and a majority of the House members representing the county. A county ~~veterans~~ veterans' affairs officer is an at-will employee of the department, subject to removal for cause at any time by the secretary, a majority of the Senators representing the county, and a majority of the House members representing the county.

(C) All county ~~veterans~~ veterans' affairs officers must successfully complete a comprehensive course of training and be issued accreditation within one year following initial appointment, either through the ~~Division of Veterans Affairs~~ department or through an accredited national ~~veterans~~ veterans' service organization. A training council from the South Carolina Association of County Veterans Affairs Officers, in conjunction with the ~~Division of Veterans Affairs~~ department or through an accredited national ~~veterans~~ veterans' service organization, shall develop the training criteria. Training and accreditation must be provided by the ~~Division of Veterans Affairs~~ department or through an accredited national ~~veterans~~ veterans' service organization. A county ~~veterans~~ veterans' affairs officer who does not complete the required training and receives accreditation within the first year following appointment is ineligible for reappointment by the county legislative delegation. Additionally, in order to maintain accreditation, refresher training is required yearly.

~~(D)(1) In Berkeley County, appointments made pursuant to this section are governed by the provisions of Act 159 of 1995.~~

~~(2) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.~~

~~(3) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.~~

Section 25-11-45. Notwithstanding Section 1-30-110(4), a ~~County Veterans Affairs Office~~ county veterans' affairs office must be funded with monies appropriated by the General Assembly for that purpose and payable directly to the County Treasurer's Office by the State Treasurer.

Section 25-11-50. The secretary ~~Director of the Division of Veterans' Affairs~~ shall establish uniform methods and procedure for the performance of service work among the several county officers, maintain contact and close cooperation with such officers, and provide assistance, advice and instructions with respect to changes in law and regulations

and administrative procedure in relation to the application of such laws and he may require from time to time reports from such county ~~veterans~~ veterans' affairs officers, reflecting the character and progress of their official duties.

Section 25-11-60. The county ~~veterans~~ veterans' affairs officers shall render semiannually a complete report of their acts and doings to the county legislative delegation of their respective counties upon uniform forms to be furnished by the secretary ~~Director of the Division of Veterans' Affairs~~.

Section 25-11-70. (A) The ~~Division of Veterans' Affairs~~ department shall assist the South Carolina Agent Orange Advisory Council and the Agent Orange Information and Assistance Program at the Division of Health and Environmental Control in carrying out the purposes of Chapter 40 of Title 44. The ~~Division of Veterans' Affairs~~ department shall:

(1) refer veterans to appropriate state and federal agencies or other available resources for treatment of adverse health conditions which may have resulted from possible exposure to chemical agents, including Agent Orange;

(2) assist veterans in filing compensation claims for disabilities that may have resulted from possible exposure to chemical agents, including Agent Orange;

(3) communicate the concerns of veterans related to exposure to chemical agents, including Agent Orange, to appropriate state and federal officials.

(B) The ~~division~~ department may request that the Attorney General represent a class of individuals composed of veterans who may have suffered adverse health conditions as a result of possible exposure to chemical agents, including Agent Orange, in a suit for release of information relating to the exposure to these chemicals during military service and for release of individual medical records.

Section 25-11-75. (A) The secretary ~~Director of the Division of Veterans Affairs~~ shall appoint an additional claims representative within the ~~Division of Veterans Affairs~~ department, who, in addition to being charged with the duty of assisting all ~~ex-servicemen~~ veterans, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims which they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation, shall also specialize in the specific needs and diseases associated with veterans of the Vietnam era. The person appointed as a claims representative under this section must

be versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as created by Congress.

(B) Subject to the direction of the ~~director~~ secretary, and in addition to other duties prescribed in this section, the claims representative appointed pursuant to this section may represent the ~~Division of Veterans Affairs~~ department on the South Carolina Agent Orange Advisory Council and on the Hepatitis C Coalition established by the South Carolina Department of Health and Environmental Control, assist the ~~Division of Veterans Affairs~~ department in carrying out its duties in connection with the Agent Orange Information and Assistance program, represent the ~~director~~ secretary in connection with functions relating to Vietnam veterans, and perform other duties as may be assigned by the ~~director~~ secretary.

(C) The position created by this section is a classified position subject to Article 3, Chapter 11, Title 8 of the 1976 Code. In the general appropriations act for fiscal year 2001-2002 and thereafter, the General Assembly shall add the position in the budget for the ~~Division of Veterans Affairs~~ department and provide for its funding.

Section 25-11-80. (A) ~~In~~ For the purposes of this section:

(1) ~~'state veterans' cemetery'~~ 'State veterans' cemetery' means a cemetery that the ~~Division of Veterans Affairs~~ department establishes under this section; and

(2) ~~'immediate family'~~ 'Immediate family' means those family members who are eligible for burial in a ~~Department of Veterans Affairs~~ department national cemetery.

(B) The ~~division~~ department may establish one or more cemeteries in the State for the burial of veterans and their immediate families.

(C) The ~~division~~ department may accept land, in the name of the State, or otherwise acquire land for a state veterans' cemetery, if the ~~division~~ department has the approval of:

(1) the governing body of the county where the state veterans' cemetery is to be located;

(2) the delegation in the General Assembly for the county where the state veterans' cemetery is to be located; and

(3) the ~~Department of Administration~~ Governor.

(D) The ~~division~~ department shall maintain and supervise each state veterans' cemetery.

(E)(1) Subject to the limitations in this section, the ~~division~~ department shall provide a plot in a state veterans' cemetery, without charge, to an applicant who meets the requirements of this section.

(2) In the order in which the ~~division~~ department receives the applications for plots, the ~~division~~ department shall allot a plot in the state veterans' cemetery that is closest to the residence of the veteran and has an available plot.

(F)(1) To qualify for a plot in a state veterans' cemetery, the applicant must be a veteran or a member of the immediate family of a veteran who meets the requirements of this subsection.

(2) The veteran must have an honorable discharge from the Armed Forces.

(3) The veteran must have been a resident of the State:

(a) when the veteran entered the Armed Forces;

(b) when the veteran or eligible family member died; or

(c) for five years, unless for a reason that the ~~division~~ department finds compelling, the ~~division~~ department waives the time period.

(G) To obtain a plot in a state veterans' cemetery, an applicant shall submit to the ~~division~~ department an application on the form that the ~~division~~ department provides.

(H) In a plot that is allotted to a veteran, the ~~division~~ department shall bury:

(1) the veteran; and

(2) any member of the immediate family of the veteran if the family member can be buried in a space above or below the veteran.

(I)(1) The ~~division~~ department shall bury the veteran without charge.

(2) For burial of a member of the immediate family, the ~~division~~ department may:

(a) set a fee that does not exceed the cost of burial; or

(b) accept, from the social security burial allowance, an amount that does not exceed the cost of the burial.

(J) The ~~division~~ department shall keep a registry of the graves of veterans who are buried in the state veterans' cemeteries.

Section 25-11-90. (A)(1) The ~~Division of Veterans Affairs~~ department shall prepare a complete roster of all South Carolina members of the United States military who served on active duty during:

~~(1)~~(a) the Korean conflict;

~~(2)~~(b) the Vietnam conflict;

~~(3)~~(c) Operation Urgent Fury (Grenada);

~~(4)~~(d) Operation Just Cause (Panama);

~~(5)~~(e) Operations Desert Shield and Desert Storm (Iraq and Kuwait);

~~(6)~~(f) Operation Restore Hope (Somalia);

~~(7)~~(g) Operations Joint Guard, Joint Forge, and Joint Endeavor (Bosnia-Herzegovina);

~~(8)~~(h) Operation Joint Guardian (Kosovo);

~~(9)~~(i) Operation Noble Eagle (Homeland Defense); and

~~(10)~~(j) Operations Enduring Freedom and Iraqi Freedom (Afghanistan, Horn of Africa, Iraq, and Philippines).

(2) This roster shall also include veterans born in South Carolina who served on active duty but may have enlisted in another state. Upon returning to South Carolina, that veteran's name must be added to the roster.

(3) The list must be periodically updated to include persons who serve on active duty or are mobilized in any subsequent named military operation in which United States military personnel are engaged in armed conflict or any future war declared by the United States Congress.

(B) The roster shall contain the principal items of record of all military personnel included on the roster as shown by the service cards or records in the Office of State Selective Service, the Adjutant General, and the Department of Defense of the United States. The roster must be arranged in a manner to make the information readily accessible.

(C) The roster also shall contain an Order of Battle to include the name and location of assignment of every unit of the South Carolina National Guard and every active and reserve unit based in South Carolina participating in any of the conflicts listed in subsection (A). The Order of Battle must be periodically updated in conjunction with the roster.

(D) The ~~Division of Veterans Affairs~~ department shall secure printing of the roster, and a copy or set must be delivered to the South Carolina Department of Archives and History, Department Headquarters of the American Legion and Auxiliary, Department Headquarters of the Veterans of Foreign Wars and Auxiliary, Department Headquarters of the Disabled American Veterans, county libraries, and each county ~~Veterans Affairs Service Officer~~ veterans' affairs service officer. Any remaining copies must be placed in the ~~Office~~ office of the ~~Division of Veterans Affairs~~ department for distribution as needed.

(E) The preparation and distribution of the roster is subject to the availability of funds as appropriated by the General Assembly to the ~~Department of Administration, Division of Veterans' Affairs~~ department for this purpose. These rosters and their distribution must be maintained and updated based on workloads and availability of funds.

(F) The inclusion of a person's name on the roster does not entitle the person to any additional benefits or any benefits for which the person would not otherwise qualify.

Section 25-11-100. (A) There is hereby established the South Carolina Military Base Task Force for the purpose of enhancing the value of military installations and facilities and the quality of life for military personnel located in this State. The task force shall assist military communities with such value enhancement, address the various incentives to military personnel assigned in this State, coordinate the efforts of the military communities, and provide for other methods and incentives to accomplish these purposes. The task force shall coordinate efforts among the public and the private sectors to maintain a significant United States Department of Defense presence in South Carolina. The task force shall advise the Governor and the General Assembly on any issues and strategies related to military base closures, realignments, and mission changes.

(B)(1) The task force shall be comprised of the following members or their designees:

(a) South Carolina Adjutant General;

(b) Secretary of the South Carolina Department of Commerce;

(c) Executive Director of the South Carolina Chamber of Commerce;

(d) Chief Executive Officer of the Beaufort Chamber of Commerce;

(e) Chief Executive Officer of the Charleston Metro Chamber of Commerce;

(f) Chief Executive Officer of the Columbia Chamber of Commerce;

(g) Chief Executive Officer of the Sumter Chamber of Commerce;

(h) Chairperson of Beaufort County Council;

(i) Chairperson of Berkeley County Council;

(j) Chairperson of Dorchester County Council;

(k) Chairperson of Charleston County Council;

(l) Chairperson of Richland County Council;

(m) Chairperson of Sumter County Council;

(n) Mayor of Beaufort;

(o) Mayor of Charleston;

(p) Mayor of Columbia;

(q) Mayor of North Charleston;

(r) Mayor of Port Royal;

(s) Mayor of Sumter;

(t) one or more members of the Senate or the House of Representatives appointed by the Governor; and

(u) five at-large members appointed by the Governor who have demonstrated experience in one or more of the following areas: economic development, defense industry, military installation operation, environmental issues, finance, local government, or senior military leadership, of whom:

(i) four shall represent, respectively, the four military communities of Beaufort, Charleston, Columbia, and Sumter, and each shall reside in the military community that he is appointed to represent; and

(ii) the fifth at-large member shall serve as the task force chairman.

(2) The Governor may designate any one of the members of the task force as its vice-chairman.

(C) Staff support and other resources as necessary may be provided through funding by the General Assembly and/or other resources, which shall be administered by the department to assist the task force in carrying out the directives of this section.

(D) The task force chairman shall appoint an executive committee consisting of the chairman; vice-chairman, if any; Adjutant General, or his designee; Secretary of Commerce, or his designee; Executive Coordinator, if any; and the four at-large task force members who represent the four military communities of Beaufort, Charleston, Columbia, and Sumter.

(E) The task force executive committee shall also act as an executive advisory committee to the Governor and the General Assembly on various military matters that affect this State and shall coordinate an annual meeting between the Governor, military commanders, and General Assembly members geographically representing military communities to discuss items of interest to all parties and exchange pertinent information on the current climate and challenges facing our state's military installations and their personnel.

(F) Upon the approval of the secretary, the task force may pursue specialists to provide information and assistance, develop strategic plans, and assist in executing strategies to support military installations and their related military communities to maximize the potential for increased investment by the United States Department of Defense or other defense-related federal agencies and defense-related businesses in this State.

ARTICLE 3

South Carolina Military Family Relief Fund

Section 25-11-310. ~~As used in~~ For the purposes of this article:

(1) 'Active duty' means military service performed as State Active Duty under the South Carolina Military Code, or corresponding provisions of the applicable state statute for South Carolina residents who are National Guard members of other states; military service performed under the provisions of Title 32, United States Code; or military service performed under the provisions of Title 10, United States Code.

(2) ~~'Division'~~ 'Department' means the ~~Division~~ Department of Veterans' Affairs ~~in the Department of Administration~~.

(3) 'Duty as a result of September 11, 2001, terrorist attacks' means active duty service of a minimum of thirty consecutive days, directly related to the President's Partial Mobilization Authority in response to the attacks, (currently referred to as Operation Noble Eagle and Operation Enduring Freedom); any future operations as determined by the President; or any future operations as determined by the Governor of the State.

(4) 'Families of members' means a husband, wife, child, mother, father, brother, sister, or other person who has been approved as a dependent and is enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) in accordance with applicable military regulations. A custodial parent or guardian of a member's dependent may apply for a grant on behalf of that dependent.

(5) 'Next of kin' means the person listed as next of kin for the member in DEERS. In the case of multiple entries for next of kin, the first person listed is considered next of kin for the purposes of this article.

Section 25-11-320. There is established in the State Treasury a fund separate and distinct from the general fund of the State and all other funds entitled the South Carolina Military Family Relief Fund. Earnings on this fund must be credited to it and a balance in the fund at the end of a fiscal year does not lapse to the general fund of the State but is instead carried forward in the fund to the succeeding fiscal year and used for the same purposes. The fund is not subject to mid-year budget reductions. Revenues of the fund include amounts donated to it pursuant to the state individual income tax return as provided in Section 12-6-5060, other grants or donations made to the fund, regardless of source, and amounts as may be appropriated to the fund by the General Assembly. The ~~division~~ department may award grants from the fund in the manner and for the purposes provided in this article. Grants awarded may not at any time exceed the fund balance at the time of the grant.

Section 25-11-330. (A) The intent of this article is to provide an opportunity on standard individual income tax forms to allow individual

taxpayers and other donors to contribute to the South Carolina Military Family Relief Fund, and to provide the ~~division~~ department the authority to award grants from the fund to families of South Carolina National Guard members or other Reserve component members, to include the Army Reserve, Marine Corps Reserve, Naval Reserve, Air Force Reserve, and Coast Guard Reserve, and including National Guard members of other states, who are South Carolina residents and were called to active military service as a result of the September 11, 2001, terrorist attacks.

(B) The grants must be in the form of three types of payments:

(1) payments based on the need of the member or the member's family as determined eligible under Section 25-11-340.

(2) payments based on the member's status as a member of the South Carolina National Guard or other Reserve component, made to the member or the member's family as determined eligible under Section 25-11-350.

(3) payments to the member's next of kin as determined eligible under Section 25-11-360.

Section 25-11-340. (A) The grant applicant must show proof of the following:

(1) The applicant is a member of the South Carolina National Guard or a South Carolina resident who is a member of another United States Armed Forces Reserve component, applying on behalf of the applicant's family, or is a family member of that member. Proof of residency for military members consists of information obtained from DEERS. Proof of a familial relationship also consists of information obtained from DEERS.

(2) The South Carolina National Guard or Reserve component member was on active military duty for at least thirty consecutive days as a result of the September 11, 2001, terrorist attacks. Proof of active duty consists of a copy of the orders issued by an authorized headquarters ordering the member to this duty and documentation showing this duty was actually performed. Eligible active duty includes any active duty since September 11, 2001.

(3) A copy of a payroll record from the member's civilian employer that indicates member's monthly salary plus a copy of a military payroll record that indicates the member's monthly salary.

(4) Proof that the military salary, including Basic Allowance for Housing, of the member has decreased by thirty percent or greater from the applicant's civilian salary.

(5) Proof that the member or family member has incurred or is about to incur a specific monetary expense relating to clothing, food, housing, utilities, medical services, medical prescriptions, insurance or vehicle payments. This proof includes, but is not limited to, a copy of a bill, invoice, estimate, cancellation notice, or any other similar record.

(6) A signed statement that the grant request is for the purpose identified in the application and that the grant funds will be used for the purposes requested.

(7) The South Carolina National Guard or Reserve component member holds a pay grade no higher than O-3, if a commissioned officer, or W-2, if a warrant officer. Individuals or families are eligible for the grant based upon rank at the time of the mobilization. Proof of pay grades consists of information obtained from DEERS.

(8) If a custodial parent or guardian is applying for a grant on behalf of a member's dependent, then the custodial parent or guardian must provide proof of guardianship of a member's dependent currently enrolled in DEERS.

(9) The ~~division~~ department may waive the requirements in subsection (A)(4) upon a written request indicating the circumstances justifying such a waiver, and upon proof that there has in fact been some decrease from the member's civilian salary. These circumstances include, but are not limited to, death, injury, or incapacity of the member, long-term deployment of the member, and unexpected expenses incurred by the member's family. The ~~division~~ department may use discretion in granting or denying these requests.

(B) The following members are ineligible to receive grants:

(1) all commissioned and warrant officers with pay grades of O-4 and W-3, or higher;

(2) personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service;

(3) members who are unmarried and have no family members enrolled in DEERS;

(4) members who, at any time before the disbursement of funds pursuant to a grant application under this section, receive a punitive discharge, or an administrative discharge with service characterized as Under Other Than Honorable Conditions.

Section 25-11-350. (A) The grant applicant must show proof of the following:

(1) The applicant is a member of the South Carolina National Guard or a South Carolina resident who is a member of another United States Armed Forces Reserve component, applying on behalf of the

applicant's family or is a family member of that member. Proof of residency for military members consists of information obtained from the Defense Enrollment Eligibility Reporting System (DEERS). Proof of a familial relationship also consists of information obtained from DEERS.

(2) The South Carolina National Guard or Reserve component member was on active military duty for at least thirty consecutive days as a result of the September 11, 2001, terrorist attacks. Proof of active duty consists of a copy of the orders issued by an authorized headquarters ordering the member to this duty and documentation showing that this duty was actually performed. Eligible active duty includes any active duty since September 11, 2001.

(3) The South Carolina National Guard or Reserve component member holds a pay grade no higher than O-3, if a commissioned officer, or W-2, if a warrant officer. Individuals or families are eligible for the grant based upon rank at the time of mobilization. Proof of pay grades consists of information obtained from DEERS.

(B) The following members are ineligible to receive grants:

(1) all commissioned and warrant officers with pay grades of O-4 and W-3, or higher;

(2) personnel serving in Active Guard/Reserve (AGR) or similar full-time unit support programs unless called to Title 10 service;

(3) members who are unmarried and who have no family members enrolled in DEERS;

(4) members who receive a punitive discharge or an administrative discharge with service characterized as Under Other Than Honorable Conditions.

Section 25-11-360. (A) The grant applicant must show proof of the following:

(1) The applicant is a member of the South Carolina National Guard or a South Carolina resident who is a member of another United States Armed Forces Reserve component, applying on behalf of the applicant's family, or is next of kin of that member. Proof of residency for military members consists of information obtained from DEERS. Proof of a familial relationship also consists of information obtained from DEERS.

(2) The South Carolina National Guard or Reserve component member was on active military duty for at least thirty consecutive days as a result of the September 11, 2001, terrorist attacks. Proof of active duty consists of a copy of the orders issued by an authorized headquarters

ordering the member to this duty and documentation showing that this duty was actually performed.

(3)(a) A statement signed by the member stating that the member sustained a service-connected injury or illness; or

(b) A statement signed by the member's next of kin that the member was killed in action, is missing in action, or is a prisoner of war.

(4) Proof of next of kin status includes, but is not limited to, an affidavit signed by the applicant or information obtained from DEERS.

(5) The ~~division~~ department may waive the thirty-day requirement in subsection (A)(2) upon a written request indicating the circumstances justifying the waiver. The ~~division~~ department may use discretion in granting or denying these requests.

(6) The ~~division~~ department must verify with the United States Department of Defense that the member has been wounded or killed, is missing in action, is a prisoner of war, or was otherwise incapacitated while on active duty. No payments may be made without this verification.

(B) Applications submitted under this section take precedence over all other applications.

(C) Members who, at any time before the disbursement of funds pursuant to a grant application under this section, receive a punitive discharge or an administrative discharge with service characterized as Under Other Than Honorable Conditions, are ineligible to receive grants pursuant to this section.

Section 25-11-370. (A) Payments to a South Carolina National Guard or Reserve component member's family pursuant to Section 25-11-340 may not exceed two thousand dollars, to include any amounts paid pursuant to provisions of Section 25-11-380 during a state fiscal year.

(B) If a grant payment is to be used for the purpose of payments for food, housing, utilities, medical services or medical prescriptions, it may be noted on the application.

(C) No additional applications from a member or a member's family may be accepted within one hundred eighty days from receipt of any prior applications.

(D) All grants must be paid directly to the applicant. Payments must not be made directly to creditors.

(E) The ~~division~~ department may waive the requirements in subsections (A) and (C) of this section upon a written request indicating the circumstances justifying the waiver. The ~~division~~ department may use discretion in granting or denying these requests. However, in no

event may payments authorized pursuant to this section exceed three thousand dollars during any state fiscal year.

Section 25-11-380. (A) All grants pursuant to Section 25-11-350 must be a flat rate of five hundred dollars unless the number of requests and fund balance necessitate a lesser amount as determined by the ~~division~~ department.

(B) South Carolina National Guard or Reserve component members' families may receive a grant only one time in each fiscal year and only one time for each active duty order.

(C) All grants must be paid directly to the applicant. Payments must not be made directly to creditors.

Section 25-11-390. (A) All grants pursuant to Section 25-11-360 must be a flat rate of one thousand dollars unless the number of requests and fund balance necessitate a lesser amount as determined by the ~~division~~ department.

(B) South Carolina National Guard or Reserve component members or next of kin may receive a grant only one time for each active duty order.

(C) All grants must be paid directly to the applicant. Payments must not be made directly to creditors.

Section 25-11-400. (A) The procedures governing the acceptance of applications are as follows:

(1) To receive consideration for a grant, applicants must request and submit an application provided by the ~~division~~ department.

(2) All necessary documentation must be included with the application unless otherwise provided pursuant to DEERS and the applicant shall authorize access to DEERS for purposes of verification.

(3) Applications may be submitted via facsimile but the original documentation must be submitted before any grant payments are authorized.

(4) Incomplete applications must be returned to the applicant.

(5) The ~~division~~ department, upon receipt of a complete original application, shall verify required information under DEERS and then shall process the information for payment. The application must be processed in an expeditious manner.

(B) The procedure governing payments are as follows:

(1) Payment must be made to the applicant who has met all eligibility requirements.

(2) The timeliness of payment is determined by the amount of funds available at the time of application.

(3) If adequate funds are not available, the application must be held in a queue until funds are available.

(4) Applications for casualty-based grants take precedence over all others.

(C) The procedures governing denials of applications are as follows:

(1) Grant applications from those not meeting eligibility requirements must be denied.

(2) A letter explaining the denial, as well as providing additional sources of available relief, must be sent to the applicant within thirty days after receipt of the application.

ARTICLE 5

South Carolina Prisoner of War Medal

Section 25-11-510. There is created the South Carolina Prisoner of War 'POW' Medal. The Governor may present the medal on behalf of the people of the State of South Carolina to any person who:

(1) on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during a time of war or emergency, was officially listed as a prisoner of war by the United States Department of Defense;

(2) on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at the time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, was officially listed as a prisoner of war by the United States Department of Defense; or

(3) meets the residency requirements of item (1) or (2), and was taken prisoner and held captive while:

(a) engaged in an action against an enemy of the United States;

(b) engaged in military operations involving conflict with an opposing foreign force; or

(c) serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

Section 25-11-520. (A) The ~~South Carolina Division of Veterans' Affairs~~ department, in consultation with the Adjutant General, shall determine eligibility for the medal. For any person qualifying for the medal pursuant to Section 25-11-510(3), the ~~Director of the Division of Veterans' Affairs~~ secretary shall determine eligibility on a case by case

basis. There is no required period of captivity; however, the ~~director~~ secretary and the Adjutant General shall compare such cases to those under which persons have generally been held captive by enemy forces during periods of armed conflict.

(B) The ~~Division of Veterans' Affairs~~ department may require a copy of DD Form 214 or WD Form 53 and any other information necessary to determine eligibility.

Section 25-11-530. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW is ineligible for the medal. Any POW whose conduct was not in accord with the Code of Conduct and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the ~~Director of the Division of Veterans' Affairs~~ secretary, in consultation with the Adjutant General.

Section 25-11-540. No person may be awarded more than one South Carolina POW Medal.

Section 25-11-550. The medal may be awarded for a deceased person or a person absent as a prisoner of war and presented to the person's next of kin.

Section 25-11-560. The ~~Division of Veterans' Affairs~~ department must develop and implement a plan to accept nominations for the medal.

Section 25-11-570. (A) The Adjutant General, in consultation with the ~~Director of the Division of Veterans' Affairs~~ secretary, shall develop the appropriate design and appearance of the medal and a ribbon to be worn in lieu of the medal. However, nothing in this section requires the ~~Director of the Division of Veterans' Affairs~~ secretary or the Adjutant General to provide or pay for the medal, ribbon, or its design.

(B) There is created in the State Treasury a special fund to be known as the South Carolina Prisoner of War Medal Fund for the sole purpose of receipt and disbursement of donated funds from the public to be used in the design, production, purchasing, and presentation of the South Carolina Prisoner of War Medal as administered by the ~~Director of the South Carolina Division of Veterans' Affairs~~ secretary, in consultation with the Adjutant General. The ~~Office of the South Carolina Division of Veterans' Affairs~~ department, or the Adjutant General, shall remit all funds donated to the South Carolina Prisoner of War Medal Fund to the Office of State Treasurer for deposit and disbursement."

SECTION 4. (A) All classified or unclassified personnel employed by these offices on the effective date of this act, either by contract or by employment at will, shall become employees of the Department of

Veterans' Affairs, with the same compensation, classification, and grade level, as applicable. The Department of Administration shall cause all necessary actions to be taken to accomplish this transfer in accordance with state laws and regulations.

(B) Regulations promulgated by the Division of Veterans' Affairs as it formerly existed under the Department of Administration are continued and are considered to be promulgated by the newly created Department of Veterans' Affairs.

(C) The Code Commissioner is directed to change or correct all references to Division of Veterans' Affairs within the Department of Administration in the 1976 Code, to reflect the transfer of it to the Department of Veterans' Affairs. References to the Division of Veterans' Affairs in the 1976 Code or other provisions of law are considered to be and must be construed to mean appropriate reference to the Department of Veterans' Affairs. This authority shall not be construed to remove any authority from the Department of Administration for approval of statewide policies, procedures, regulations, rates and fees, or specific actions requiring Department of Administration approval.

SECTION 5. This act takes effect July 1, 2019. County veterans' affairs officers serving on or before the effective date of Section 25-11-40(B), as amended by this act, are not subject to the revised qualifications provided in this section. /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms

Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 283 -- Senator Talley: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION ENTERPRISE ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN ENTERPRISE DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES,

PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT AN ENTERPRISE DIVISION, IF A DIVISION IS ESTABLISHED PURSUANT TO CHAPTER 157, TITLE 59 AND THE BOARD OF TRUSTEES HAS ADOPTED A PROCUREMENT POLICY FOR THE DIVISION THAT WAS APPROVED BY THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

S. 659 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over until March 28, 2019.

POINT OF ORDER

S. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR “ELECTRIC FENCE”, AND TO MAKE TECHNICAL CORRECTIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 133 -- Senator Davis: A BILL TO AMEND SECTION 38-75-485 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 34-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF

OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN

TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION

RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 661 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WATEREE ROAD WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Senate adopted the Resolution, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

WEDNESDAY, MARCH 20, 2019

MOTION ADOPTED

At 1:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators PEELER and SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Albert Humphries of Gaffney, S.C. John was the brother of our beloved Malissa Ambrose of the Senate. John was a graduate of Gaffney High School. He retired from Hoechst Celanese and Timken and was employed by CPC Carolina. He was a U.S. Air Force veteran and a member of Grassy Pond Baptist Church. John loved spending time with his family, gardening, playing golf and watching the Atlanta Braves. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:42 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 21, 2019
(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 acting Chaplain, Senator ALEXANDER as follows:

Proverbs 21:21

"The one who pursues righteousness and faithful love will find life, righteousness and honor."

Let us pray. Almighty God, our help in ages past and hope for the future, we come this day to You in the Senate seeking Your grace, mercy and love, we pursue righteousness to find life and service through You. Direct our steps as we walk this path of service in this Chamber this day and the opportunity to serve You through serving others.

Lead us in this responsibility before us that our work will be pleasing to You and giving thanks for our staff that assists us in this work. In Thy 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 SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Climer	Corbin	Goldfinch
Grooms	Harpootlian	Hembree
Jackson	Leatherman	Martin
Peeler	Reese	Rice
Sabb	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CAMPSEN introduced Dr. John Corless of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 11:24 A.M., Senator VERDIN requested a leave of absence for Senator M.B. MATTHEWS for Thursday, March 21, 2019, and Tuesday, March 26, 2019.

Leave of Absence

At 11:41 A.M., Senator McLEOD requested a leave of absence for Senator FANNING for the balance of the day.

Leave of Absence

At 11:41 A.M., Senator ALLEN requested a leave of absence until 12:23 P.M.

Leave of Absence

At 12:00 P.M., Senator CAMPSEN requested a leave of absence for Senator CAMPBELL and Senator CROMER for the day.

Leave of Absence

At 12:22 P.M., Senator RICE requested a leave of absence for Senator SENN for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 154 Sen. McLeod
S. 185 Sen. Martin
S. 593 Sen. Scott
S. 678 Sen. Davis
S. 694 Sens. Setzler and Massey

RECALLED

S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 "RANDOLPH L. GARRETT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator JOHNSON asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 682 -- Senators Gambrell and Cash: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL 2019 AS "CHILD ABUSE PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

Senator GAMBRELL asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

Senator GAMBRELL 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.

On motion of Senator GAMBRELL, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 687 -- Senators Kimpson and Gambrell: A SENATE RESOLUTION TO CONGRATULATE LAWRENCE "BILLY" DANIEL ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 688 -- Senator Turner: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH SEVENTH GRADE AND EIGHTH GRADE STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Education.

S. 689 -- Senator Climer: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS

AND COMMISSION FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 690 -- Senator Campsen: A BILL TO AMEND SECTION 48-22-40 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT OF THE DEPARTMENT OF NATURAL RESOURCES, TO AUTHORIZE THE DIVISION TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS TO ENSURE COMPLIANCE WITH CERTAIN FEDERAL EMERGENCY MANAGEMENT AGENCY STANDARDS, TO REQUIRE THE DIVISION TO PROVIDE THIS INFORMATION TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FLOOD MITIGATION PROGRAM, AND TO REQUIRE THAT THE TOPOGRAPHIC MAPS BE MADE AVAILABLE TO THE PUBLIC ON THE DEPARTMENT OF NATURAL RESOURCES' WEBSITE.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 691 -- Senators J. Matthews, Campbell and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN

REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.
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Read the first time and referred to the Committee on Finance.

S. 692 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE TAMASSEE DAR SCHOOL UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF SERVICE TO CHILDREN AND FAMILIES IN THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 693 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE AMERICAN LEGION UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE UNITED STATES OF AMERICA.
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The Senate Resolution was adopted.

S. 694 -- Senators Young, Setzler and Massey: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF AIKEN COUNTY CORONER TIMOTHY "TIM" CARLTON AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 695 -- Senator Reese: A BILL TO AMEND SECTION 5-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION AND TERMS OF COMMISSIONERS OF PUBLIC WORKS IN MUNICIPALITIES, SO AS TO ALLOW A MUNICIPALITY TO PROVIDE FOR UP TO FOUR ADDITIONAL PUBLIC WORKS COMMISSIONERS, STAGGERED TERMS FOR ADDITIONAL COMMISSIONERS, AND REPRESENTATION OF SERVICE AREAS OUTSIDE THE MUNICIPALITY, AND TO DELETE THE REQUIREMENT THAT THE PROVISIONS OF THE SECTION APPLY ONLY TO COMMISSIONS OF PUBLIC WORKS FOUNDED AFTER 1920.
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Read the first time and referred to the Committee on Judiciary.

S. 696 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".
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Read the first time and referred to the Committee on Judiciary.

S. 697 -- Senators Rankin, Hutto, Goldfinch, Jackson, Gambrell, Grooms, J. Matthews, Sabb, Hembree, Williams, M. B. Matthews, McElveen, Campsen, Johnson and Harpootlian: A BILL TO AMEND SECTION 58-31-30(B) OF THE 1976 CODE, RELATING TO THE PROHIBITION ON THE PUBLIC SERVICE AUTHORITY PURSUING OR INVESTIGATING THE FEASIBILITY OF A SALE, TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY MAY NOT BE SOLD WITHOUT THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY.
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Senator RANKIN spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 698 -- Senators Harpootlian, Goldfinch, Hutto, Sheheen, Climer, McElveen and Kimpson: A BILL SECTION 15-78-150(b) OF THE 1976 CODE, RELATING TO THE AUTHORITY OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO FUND PURCHASES BY PARTICIPATING GOVERNMENTAL ENTITIES AND SET PREMIUMS ACCORDING TO RISK AND TO DEVELOP AN ACTUARIAL RATING SYSTEM PLAN, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL RATE A POLICY ACCORDING TO THE RISK INVOLVED WITH EACH PARTICIPATING GOVERNMENTAL ENTITY BASED UPON THE NUMBER OF EMPLOYEES; THE AGGREGATE ANNUAL BUDGET OF THE ENTITY; AND ANY UNIQUE EXPOSURES, LOSS HISTORY, OR CLAIMS PENDING AGAINST THE ENTITY.
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Read the first time and referred to the Committee on Judiciary.

S. 699 -- Senator McLeod: A BILL TO AMEND SECTION 16-17-425 OF THE 1976 CODE, RELATING TO STUDENT THREATS, TO PROVIDE A PENALTY FOR A STUDENT OF A SCHOOL OR COLLEGE WHO MAKES CERTAIN THREATS.
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Read the first time and referred to the Committee on Judiciary.

S. 700 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE RYAN DOBBS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.
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The Senate Resolution was adopted.

S. 701 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE TYLER BYARS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.
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The Senate Resolution was adopted.

S. 702 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE ETHAN POWELL OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.
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The Senate Resolution was adopted.

S. 703 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE AJ DICKERSON OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.
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The Senate Resolution was adopted.

S. 704 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MATTHEW WILLIAMS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.
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The Senate Resolution was adopted.

H. 4273 -- Reps. Willis, G. R. Smith, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO SALUTE JOHN ROBERT CARTER, MAYOR OF THE TOWN OF GRAY COURT, WHO, HAVING SERVED THE PUBLIC WITH DISTINCTION FOR FORTY-TWO YEARS, IS WORTHY OF DEEP APPRECIATION FOR HIS DECADES OF COMMITTED SERVICE AND BEST WISHES FOR MUCH CONTINUED SUCCESS IN THE YEARS TO COME.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 185 -- Senators McElveen, Rice and Alexander: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019, TO DECEMBER 31, 2025.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 303 -- Senators Kimpson, Shealy, Fanning and Davis: A BILL TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND OR RELATIVE FREELY CHOOSES TO ASSUME THAT RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 401 -- Senators Campbell and Scott: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 530 -- Senator Leatherman: A BILL TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY

ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF

PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATION, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALLY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE

SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY

METHOD, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY

ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220, RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO

AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF "PUBLIC PROCUREMENT UNIT"; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING

TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS"; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 621 -- Senators Setzler, Campbell, Williams and Corbin: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3274 -- Reps. Simrill, Rutherford, Ligon, Taylor, Loftis, Hixon, Gilliard, West, Bannister and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC CIGARETTES, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO JANUARY 1, 2019, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 4157 -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

Ordered for consideration tomorrow.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

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

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742 *VICE* George N. Martin III

Received as information.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Alex Albert Singleton, 1903 Clubhouse Road, Ravenel, SC 29470-9601 *VICE* David W. Gillespie

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

7th Congressional District:

Alison Y. Evans, 612 West Home Ave., Hartsville, SC 29550

Received as information.

Message from the House

Columbia, S.C., March 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3595 -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MARCH 21, 2019

Message from the House

Columbia, S.C., March 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator ALLEN, the Privilege of the Chamber, to that area behind the rail, was extended to head coach B.J. Jackson and the Legacy Early College High School team in recognition of their 2019 Prep National Tournament Championship.

Remarks by Senator ALLEN

They have been ambassadors for the Palmetto State; ambassadors who went to Ohio and whooped up in the Buck Eye Elite Showcase -- Went to Georgia, whooped up in the Tournament of Champions -- Went to North Carolina, beat up in the Nike Southeast Hoops Fest -- Didn't just stop there. They went on up to Maryland in the Governor's Challenge and whooped up there. So on March 2, 2019, these National Champions -- National Prep Champions -- stopped by Arizona Hillcrest Prep and whooped up on them. Then, Senator SETZLER, they stopped by West Virginia at Teays Valley High School. Senator CAMPSEN, they whooped up on them -- Not one time, not two times, but three times. Gave them a good, South Carolina Senate District Seven whooping. And when they did that they were accompanied by a coach who stands here

before you, and you've seen him before. He came from that alma mater in Greenville, where I attended with my afro at Southside high school, Senator CORBIN. The legendary B.J. Jackson, who has sent individuals such as Jawuan Evans to the pros. Dorian Penson, who is sending Rodney Howard from this team to Ole Miss and Chase Clackson to Winthrop. He has a 286 to 96 with 200 wins record. He has beat number 5 Huntington, number 23 Hamilton Heights, and is again number 24 in the national ranks. I could go on and on, B.J., coach, but all I have is two minutes. What my father taught me was that you can say one word or you can say a thousand words, as long as you mean what you say. So what I'm saying to you, members of the General Assembly, these ambassadors from the State of South Carolina have put us on the national map as champions. That one word -- Champions -- on and off the field. So join me in welcoming to the Senate and State House the 2019 National Prep Champions from South Carolina, ambassadors of the Palmetto State, the Legacy Early College High School Champions and their coach, B.J. Jackson, who is joined by his staff.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator ALLEN, were ordered printed in the Journal.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator McLEOD, the Privilege of the Chamber, to that area behind the rail, was extended to Brigadier General Larry L. Boyd in recognition of his service to our State and to congratulate him on a well deserved retirement.

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. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE

1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS

AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF

PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT, SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Senator McELVEEN explained the Bill.

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE

DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Senator YOUNG explained the Bill.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator HUTTO explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO

THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3420.006), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 28 through 41, and page 2, by striking lines 1 through 3, in Section 16-17-500(C), as contained in SECTION 1 and inserting therein the following:

/ "(C) A person engaged in the sale of tobacco products or alternative nicotine products made through the Internet or other remote sales methods shall perform an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is eighteen years of age or older and shall use a method of mailing, shipping, or delivery that requires the signature of a person at least eighteen years of age before a tobacco product or alternative nicotine product will be released to the purchaser, unless the Internet or other remote sales methods employ the following protections to ensure age verification:

(1) the customer creates an online profile or account with personal information, including but not limited to, name, address, social security information, and a valid phone number, and that personal information is verified through publicly available records; or

(2) the customer is required to upload a copy of his or her government-issued identification in addition to a current photograph of the customer; and

(3) delivery is made to the customer's name and address. /

Amend the bill further, as and if amended, page 3, by striking lines 24 through 33, as contained in SECTION 2, and inserting therein the following:

/ "(6) 'Alternative nicotine product' means ~~a~~ any vaping product, whether or not it includes nicotine, including ~~electronic cigarettes~~ electronic smoking devices, ~~that consists of or contains nicotine~~ that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any other means. 'Alternative nicotine product' does not include:

(a) a cigarette, as defined in Section 12-21-620, or other tobacco products, as defined in Section 12-21-800;

(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);

(c) a device pursuant to 21 U.S.C. 321(h); or

(d) a combination product described in 21 U.S.C. 353(g)."

C. Section 16-17-501(7) of the 1976 Code is amended to read:

"~~(7) "Electronic cigarette" means an electronic product or device that produces a vapor that delivers nicotine or other substances to the person inhaling from the device to simulate smoking, and is likely to be offered to, or purchased by, consumers as an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe. "Electronic cigarette" does not include:~~

~~(a) a cigarette, as defined in Section 12-21-620, or other tobacco products, as defined in Section 12-21-800;~~

~~(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);~~

~~(c) a device pursuant to 21 U.S.C. 321(h); or~~

~~(d) a combination product described in 21 U.S.C. 353(g).~~

(7) 'Electronic smoking device' means any device that may be used to deliver any aerosolized or vaporized substance, including e-liquid, to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, vapor product, or e-hookah. 'Electronic smoking device' includes any component, part or accessory of the device, and also includes any substance intended to be aerosolized or vaporized during the use of the device, whether or not the substance includes nicotine. 'Electronic smoking device' does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act."

D. Section 16-17-501 of the 1976 Code is amended by adding the following new subsections to read:

"(8) 'E-liquid' means a substance that:

(a) may or may not contain nicotine;

(b) is intended to be vaporized and inhaled using a vapor product; and

(c) is a legal substance under the laws of this State and the laws of the United States;

E-liquid does not include cannabis or CBD as defined under the laws of this State and the laws of the United States.

(9) 'Vapor product' means a powered vaporizer that converts e-liquid to a vapor intended for inhalation." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (3420R001.SP.ASM), which was carried over:

Amend the bill, as and if amended, page 2, by striking lines 6 through 13 and inserting:

/ (a) for a first offense, fined not less than ~~one hundred dollars nor more than two hundred dollars~~ two hundred dollars and not more than three hundred dollars, imprisoned for not more than thirty days, or both;

(b) for a second and subsequent offense, ~~which occurs within three years of the first offense,~~ fined not less than ~~two~~ four hundred dollars ~~nor~~ and not more than ~~three~~ five hundred dollars, imprisoned for not more than thirty days, or both~~;~~

~~(c) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars~~. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-17-500(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) Failure of an individual to require identification for the purpose of verifying a person's age is prima facie evidence of a violation of this section." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator HUTTO explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Senator MASSEY proposed the following amendment (3420R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, line 24, by inserting:

/ (c) It is unlawful for a person under the age of eighteen to purchase, attempt to purchase, smoke, chew, sniff, consume, or knowingly possess tobacco products or alternative nicotine products. A person who violates the provisions of this subitem is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than two hundred dollars.

(d) It is unlawful for a minor under the age of eighteen years to attempt to purchase tobacco or alternative nicotine products by knowingly providing false information concerning the minor's age. A person who violates the provisions of this subitem, upon conviction, must be fined not less than one hundred dollars and not more than two hundred dollars.

(e) The provisions of this subsection do not apply to a minor under the age of eighteen who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer of tobacco or alternative nicotine products. The testing must be conducted under the direct supervision of a law enforcement agency, and the law enforcement agency must have the minor's parental consent. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (3420R004.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 6 through 13 and inserting:

/ (a) for a first offense, fined not less than ~~one hundred dollars nor more than two hundred dollars~~ two hundred dollars and not more than three hundred dollars;

(b) for a second and subsequent offense, ~~which occurs within three years of the first offense,~~ fined not less than ~~two~~ four hundred dollars ~~nor~~ and not more than ~~three~~ five hundred dollars, imprisoned for not more than thirty days, or both~~;~~

~~(c) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars~~. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-17-500(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) Failure of an individual to require identification for the purpose of verifying a person's age is prima facie evidence of a violation of this section." /

Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

On motion of Senator YOUNG, the Bill was carried over.

OBJECTION

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Senator MALLOY objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR "ELECTRIC FENCE", AND TO MAKE TECHNICAL CORRECTIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (109R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 11 through 26 and inserting:

/ (10) 'Electric fence' means an electrified fence with a height not to exceed ten feet or two feet higher than the perimeter fence, whichever is higher, that is equipped with an energizer, driven by a commercial storage battery that does not exceed twelve volts DC. The electric charge produced by the fence upon contact must meet and may not exceed energizer characteristics that are tested against the International Electrotechnical Commission Standard. No electric fence shall be installed or used unless it is surrounded by a non-electrical fence or wall that is not less than five feet high. Electric fences shall be permitted on any property that is not zoned exclusively for residential use. Electric

fences shall be clearly identified with warning signs that read: 'Warning - Electric Fence' at intervals of not more than sixty feet. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (109R003.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, Section 40-79-20(10), by adding a sentence at the end to read:

/ 'Electric fence' does not mean an electrified fence erected for agricultural or wildlife habitat management purposes. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTED

S. 133 -- Senator Davis: A BILL TO AMEND SECTION 38-75-485 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.

On motion of Senator DAVIS, the Bill was committed to the Committee on Finance.

READ THE SECOND TIME

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 34-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND

SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

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. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\579C001.JN.CZ19), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 38-73-220(A) of the 1976 Code is amended to read:

"(A) Except as provided in subsection (B), overall average rate-level increases or decreases, for all coverages combined, of seven percent above or below the insurer's rates then in effect may take effect without prior approval on a file and use basis with respect to rates for private passenger automobile, fire, allied lines, and homeowner's insurance policies. The seven percent cap does not apply on an individual insured basis."

SECTION 2. Section 38-73-260(A) and (F) is amended to read:

"(A) Except as provided in subsection (B), overall average rate-level increases or decreases, for all coverages combined, of seven percent above or below the insurer's rates then in effect may take effect without prior approval on a file and use basis with respect to rates for private passenger automobile, fire, allied lines, and homeowner's insurance policies. The seven percent cap does not apply on an individual insured basis.

(F)(1) Nothing in this section prevents the director or his designee from considering the impact on individual territories or individual insureds when determining whether the rate is excessive, inadequate, or unfairly discriminatory. Rate level increases or decreases falling within the limitation specified in this subsection must comply with the requirements of this chapter prohibiting rate increases from being excessive, inadequate, or unfairly discriminatory.

(2) With respect to fire, allied lines, and homeowner's rates, the director or his designee shall specifically review all rate filings made on

or after June 1, 2007, to ensure that each insurer's rates for policies that exclude wind coverage reflect a discount commensurate with that insurer's previously filed surcharge for policies that include wind coverage.

~~(3) his subsection does not apply to private passenger automobile insurance nor to insurance against liability arising out of the ownership, maintenance, or the use of:~~

~~(a) an individual private passenger automobile as defined in Section 38-77-30(5.5)(a); or~~

~~(b) property having wheels.~~

SECTION 3. Section 38-73-920 of the 1976 Code is amended to read:

"Section 38-73-920. An insurer may not make or issue a contract or policy except in accordance with the filings which are in effect for the insurer as provided in this chapter or in accordance with Section 38-73-1060. Notwithstanding Section 38-73-10, Section 38-73-220, Section 38-73-260, Section 38-73-330(2), and Section 38-73-430(4), filings for other property and casualty rate increases may not be approved for any insurer or rating organization for any line, subline, or otherwise identifiable property and casualty insurance coverage for which a rate increase has previously been granted within the immediately preceding twelve months. However, if satisfactory evidence is presented to the director or his designee by an insurer or rating organization that the continued use of the previously approved rates for the line, subline, or otherwise identifiable property and casualty insurance coverage may result in the insolvency of an insurer, more frequent rate increases may be approved. Rate changes proposed where the sole factor for the change is the impact of a revised assessment does not constitute a rate increase for purposes of this section. No rate increase based upon an assessment may become effective unless the assessment has been paid. This section does not apply to contracts or policies for inland marine risks as to which filings are not required.

However, a private insurer licensed to underwrite essential property insurance as defined by Section 38-75-310(1), notwithstanding any limitations included within this title, may file and use, pursuant to the provisions of Section 38-73-1095, any rates which result in insurance premium rates of ninety percent, or less, of the insurance premium rates then approved for the South Carolina Wind and Hail Underwriting Association which result in an insurance premium increase for any policyholder situated within a coastal area of South Carolina as defined by Section 38-75-310(5) not more than once in any six-month period."

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Nicholson	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\580C001.JN.CZ19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking 38-29-70(8) and inserting:

/ (8) A deposit in this State held pursuant to Sections 38-9-80 and 38-9-90 or otherwise required by the director for the benefit of South Carolina creditors, including policy or contract owners, must be released to the domiciliary receiver upon the entry of a final order of liquidation or order approving a rehabilitation plan of a member insurer in accordance with Section 38-9-150. The Association is entitled to a portion of the deposit in an amount equal to the aggregate of policy or contract owners' claims for which the Association has provided statutory

benefits on behalf of the insurer and associated administrative expenses. The amount must be promptly paid to the Association provided such payment does not prejudice the rights of a South Carolina policyholder or creditor of the insurer that is the subject of the liquidation or rehabilitation proceedings. Any amount so paid to the association and retained by it not used in fulfilling the association's obligations must be treated as a distribution of estate assets pursuant to applicable state receivership law dealing with early access disbursements. The director, the Association, and other necessary parties are authorized to enter into agreements to effectuate the intent of this section. /

Amend the bill further, SECTION 1, by striking Section 38-29-90(4) and inserting:

/ (4) The plan of operation may provide that any or all powers and duties of the association, except those under Section 38-29-70~~(11)~~(13)(c) and Section 38-29-80, are delegated to a corporation, association, or other organization which performs or will perform functions similar to those of this association, or its equivalent, in two or more states. Such a corporation, association, or organization must be reimbursed for any payments made on behalf of the association and must be paid for its performance of any function of this association. A delegation under this subsection takes effect only with the approval of both the board of directors and the department director or his designee and may be made only to a corporation, association, or organization which extends protection not substantially less favorable and effective than that provided by this chapter. /

Amend the bill further, SECTION 1, by striking Section 38-29-100(4) and inserting:

/ (4) The liquidator, rehabilitator, or conservator of an impaired or insolvent insurer may notify all interested persons of the effect of this chapter. /

Amend the bill further, SECTION 1, by striking Section 38-29-130(6) and inserting:

/ (6) The recovery procedure shall provide that:

(a) If an order for liquidation or rehabilitation of a domestic insurer has been entered, the receiver appointed under the order has a right to recover on behalf of the insurer, from any affiliate that controlled it, the amount of distributions, other than stock dividends paid by the member insurer on its capital stock, made at any time during the five years preceding the petition for liquidation or rehabilitation subject to the limitations of items (b), (c), and (d) of this subsection ~~(6)~~.

(b) No such ~~dividend~~ distribution is recoverable if the insurer shows that when paid the distribution was lawful and reasonable and that the insurer did not know and could not reasonably have known that the distribution might adversely affect the ability of the insurer to fulfill its contractual obligations.

(c) Any person who was an affiliate that controlled the insurer at the time the distributions were paid is liable up to the amount of distributions he received. Any person who was an affiliate that controlled the insurer at the time the distributions were declared is liable up to the amount of distributions he would have received if they had been paid immediately. If two or more persons are liable with respect to the same distributions, they are jointly and severally liable.

(d) The maximum amount recoverable under this section is the amount needed in excess of all other available assets of the impaired insurer to pay the contractual obligations of the impaired insurer.

(e) If any person liable under item (c) is insolvent, all its affiliates that controlled it at the time the dividend was paid are jointly and severally liable for any resulting deficiency in the amount recovered from the insolvent affiliate. /

Amend the bill further, SECTION 1, by striking Section 38-29-200(3) and inserting:

/ (3) The document shall contain a clear and conspicuous disclaimer on its face. The director shall establish the form and content of the disclaimer. The disclaimer shall:

(a) state the name and address of the South Carolina Life and Health Insurance Guaranty Association and insurance department;

(b) prominently warn the policy owner, contract owner, certificate holder, or enrollee that the South Carolina Life and Health Insurance Guaranty Association may not cover the policy or contract or, if coverage is available, it will be subject to substantial limitations and exclusions and conditioned on continued residence in this State;

(c) state the types of policies or contracts for which guaranty funds will provide coverage;

(d) state the member insurer and its agents are prohibited by law from using the existence of the South Carolina Life and Health Insurance Guaranty Association for the purpose of sales, solicitation, or inducement to purchase any form of insurance or health maintenance organization coverage;

(e) state that the policy owner, contract owner, certificate holder, or enrollee should not rely on coverage under the South Carolina Life

and Health Insurance Guaranty Association when selecting an insurer or health maintenance organization;

(f) explain rights available and procedures for filing a complaint to allege a violation of any provisions of this chapter; and

(g) provide other information as directed by the director including, but not limited to, sources for information about the financial condition of insurers provided that the information is not proprietary and is subject to disclosure under that state's public records law. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

READ THE SECOND TIME

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Davis	Gambrell
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

POINT OF ORDER

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 593 -- Senators Shealy and Scott: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3750 -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING LICENSE AND A BIG GAME PERMIT MUST RECEIVE AT LEAST TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:26 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

March 21st is World Down Syndrome Day. Y'all probably received this flier yesterday and these little ribbons that signify our love and support for those with Down syndrome. Most of us have known someone with Down syndrome. I remember a young man in my church years back -- a happy lovable young man.

There is a survey that has been done that shows 99 percent of people with Down syndrome surveyed are happy with their lives. 97 percent like who they are. 86 percent of people with Down syndrome say they make friends easily. By contrast, a survey shows only 81 percent of those without Down syndrome said they are happy with their lives. Many of you remember the 2018 Gerber Baby of the Year was a 1 year old boy with Down syndrome from Dalton, Georgia. There has been a lot of awareness of the value of someone with Down syndrome. I think we can all speak to that based on our own life experience.

There is another part of this discussion about babies with Down syndrome that I find disturbing. In the United States, surveys show that 67 to 85 percent of babies detected to have Down syndrome in the womb are killed before birth. In the United Kingdom, that percentage reaches to 90 percent. In Denmark, 98 percent of the babies in the womb detected with Down syndrome are aborted. In Iceland, 100 percent of the babies detected in the womb to have Down syndrome are then killed. So on the one hand, we recognize people with Down syndrome are loving and worthy of being loved. Their value is intrinsic to being a human being. It is based on the Judeo Christian belief that all people are created in the image of God. This belief is the very foundation of our belief in human dignity and equality. That's on the one hand. On the other hand, people with Down syndrome have no protection in the womb. There is no law that prevents killing an unborn child with Down syndrome solely because they have Down syndrome. I hope that it seems wrong to you,

that a child with special needs, a vulnerable child can be eliminated for just that very reason. Now, I could introduce a Bill that would prevent unborn babies with Down syndrome from being killed in the womb. For that matter, I could introduce a Bill that would make it against the law to abort people based on their gender. You know, sometimes someone might want a boy, when they find out they are having a girl they might decide to abort that child. I could introduce that such law. I could introduce any number of laws that would make it wrong and a crime to abort -- kill people in the womb for specific reasons that we don't think they should be killed. I want you to know I have introduced a law that would prevent all these things. It is called "Personhood." It basically says when human life begins at conception, when that unique cell with your unique DNA is formed that that human being is made in the image of God and has the right to life from that point forward. Whether at the end of the first trimester that human being might be detected to have Down syndrome or might be detected to be the wrong gender or might be detected to simply be inconvenient, it is wrong. It is a crime and it is an offense against a Holy God to kill that child in the womb. I believe that someday as a State, and pray to God as a nation, we are going to come to our senses and we are going to realize that killing babies in the womb is, has been and always will be a bad idea. Rejecting the greatest gift of all from our Creator God is a bad idea. I look forward to the day in South Carolina when we no longer do that. Thank you.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

Expression of Personal Interest

Senator LEATHERMAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Raye Hutto Livingston of West Columbia, S.C. Raye was a wonderful woman full of faith and love. She was a member of Mt. Tabor Lutheran Church. Raye was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 1:10 P.M., on motion of Senator MASSEY, 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.

* * *

Friday, March 22, 2019
(Local 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 ACTING PRESIDENT, Senator MASSEY.

ADJOURNMENT

At 11:03 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, March 26, 2019, at 2:00 P.M.

* * *

Tuesday, March 26, 2019
(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:

Jeremiah 33:3

"Call to me and I will answer you and I will tell you great and hidden things that you have not known."

Let us pray. Speak to us, O Lord, as You awaken Your remarkable creation. As the buds on trees and plants strain to burst open and reveal the beauty that lies within them, may Your Spirit do the same within the core of our very being.

May the beauty of Your presence in our lives burst forth like a blossom to inspire others to celebrate Your goodness. Touch our creative souls that we may all touch those whom You love.

When our Senators are called upon to speak Your Word of justice and fairness, may their hearts be open to defending the poor and the weak in matters that affect ordinary people on a daily basis. Through the power of Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Goldfinch	Grooms	Harpootlian
Leatherman	Martin	Massey
Peeler	Rice	Scott

Shealy	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator LEATHERMAN introduced Dr. Joseph Hoyle, of Florence, S.C., Doctor of the Day.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4874
Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Licensing Provisions
Received by Lieutenant Governor March 26, 2019
Referred to Committee on Labor, Commerce and Industry

REGULATION WITHDRAWN AND SUBMITTED

Document No. 4873
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 48-1-10 et seq.
SUBJECT: Air Pollution Control Regulations and Standards
Received by Lieutenant Governor March 14, 2019
Withdrawn from Committee on Agriculture and Natural Resources March 26, 2019
Submitted to Committee on Medical Affairs March 26, 2019

Leave of Absence

On motion of Senator McELVEEN, at 2:21 P.M., Senators KIMPSON and M.B. MATTHEWS were granted a leave of absence for the day.

Leave of Absence

On motion of Senator RICE, at 2:21 P.M., Senator SENN was granted a leave of absence for the day.

TUESDAY, MARCH 26, 2019

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 112 Sen. Peeler
S. 266 Sens. Williams and Campsen
S. 424 Sen. Verdin
S. 485 Sen. Peeler
S. 551 Sen. Alexander
S. 556 Sen. Shealy
S. 648 Sen. Campsen
S. 678 Sen. Fanning
S. 689 Sen. Allen

RECALLED AND ADOPTED

S. 668 -- Senators Hutto, Jackson and Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 2, 2019, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN ORDER TO CALL ATTENTION TO THE SIGNIFICANT PROBLEM OF CHILD ABUSE AND NEGLECT.

Senator HUTTO asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans Services.

The Resolution was recalled from the Committee on Family and Veterans Services.

Senator HUTTO 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.

On motion of Senator HUTTO, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 3797 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND ROSEWOOD DRIVE IN THE CITY OF COLUMBIA "JACO'S CORNER" AND ERECT APPROPRIATE MARKERS OR

SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3488 -- Reps. Bernstein, Ballentine, Huggins and Bales: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 126 INTERCHANGE LOCATED AT ELMWOOD AVENUE AND HUGER STREET IN THE CITY OF COLUMBIA "THOMAS MOFFATT BURRISS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

TUESDAY, MARCH 26, 2019

RECALLED

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

H. 4190 -- Rep. McDaniel: A CONCURRENT RESOLUTION TO COMMEND THE RICHLAND COUNTY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INCORPORATED FOR TWENTY-FIVE YEARS OF OUTSTANDING PUBLIC SERVICE TO THE COMMUNITY, TO WISH ITS MEMBERS MANY YEARS OF CONTINUED GROWTH AND DEVELOPMENT, AND TO DESIGNATE APRIL 24TH AS RICHLAND COUNTY ALUMNAE CHAPTER, DELTA SIGMA THETA SORORITY, INCORPORATED DAY.

Senator SCOTT asked unanimous consent to make a motion to recall the Resolution from the Committee on Operations and Management.

The Resolution was recalled from the Committee on Operations and Management.

Senator SCOTT 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.

On motion of Senator SCOTT, the Resolution was adopted and ordered sent to the House.

COMMITTED

S. 107 -- Senators Campbell and Campsen: A BILL TO AMEND SECTION 49-11-120(4) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "DAM", TO INCLUDE THE ERECTION OF AN ARTIFICIAL BARRIER FOR THE PURPOSE OF CREATING A RESERVOIR, TO CLARIFY THAT FAILURE OF A DAM MUST CAUSE DANGER TO HUMAN LIFE OR THE PROPERTY OF OTHERS, AND TO ADD NEW EXCEPTIONS TO THE DEFINITION; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO THE DAMS AND RESERVOIRS SAFETY ACT, TO PROVIDE THAT OWNERS OF EXISTING DAMS OR PROPERTY OWNERS INTENDING TO CONSTRUCT OR ENLARGE A DAM MAY RECEIVE FROM THE DEPARTMENT A DETERMINATION CONCERNING WHETHER THE DAM IS SUBJECT TO THE PROVISIONS OF ARTICLE 3; TO AMEND SECTION 49-11-150 OF THE 1976 CODE, RELATING TO AN OWNER'S RESPONSIBILITY FOR THE SAFE MAINTENANCE OF A DAM OR RESERVOIR, TO PROVIDE THAT THE OWNER OF A DAM OR RESERVOIR MUST PROVIDE CONTACT INFORMATION AND A COMPLETED DAM OWNER CHECKLIST TO THE DEPARTMENT ON A CERTAIN SCHEDULE, TO PROVIDE FOR A CURRENT EMERGENCY ACTION PLAN, AND TO PROVIDE FOR NOTICE OF POTENTIAL OR ACTUAL FAILURES; TO AMEND SECTION 49-11-160 OF THE 1976 CODE, RELATING TO ORDERS TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM OR RESERVOIR, TO CHANGE THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT MAY ISSUE AN ORDER DIRECTING THE OWNER OF A DAM OR RESERVOIR TO UNDERTAKE NECESSARY MAINTENANCE, ALTERATIONS, REPAIRS, OR REMOVAL; TO AMEND SECTION 49-11-170 OF THE 1976 CODE, RELATING TO BRINGING UNSAFE DAMS TO THE ATTENTION OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT CANNOT REQUIRE CHANGES TO A DAM OR RESERVOIR DUE TO RECLASSIFICATION UNLESS NECESSARY TO PREVENT THE LOSS OF HUMAN LIFE; TO AMEND SECTION 49-11-200 OF THE 1976 CODE, RELATING TO THE DEPARTMENT APPROVAL REQUIRED FOR CONSTRUCTION OR ALTERATION, TO PROVIDE THAT CONSTRUCTION OF A NEW DAM OR RESERVOIR OR THE ENLARGEMENT, REMOVAL, OR REPAIR OF AN EXISTING DAM OR RESERVOIR MAY NOT BEGIN

UNLESS APPROVED BY THE DEPARTMENT AND TO PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 12-6-3370 OF THE 1976 CODE, RELATING TO TAX CREDITS FOR THE CONSTRUCTION, INSTALLATION, OR RESTORATION OF WATER IMPOUNDMENTS AND WATER CONTROL STRUCTURES, TO PROVIDE THAT A TAXPAYER MAY CLAIM A CREDIT OF UP TO FIFTY THOUSAND DOLLARS FOR REPAIRS REQUIRED AS A RESULT OF THE DEPARTMENT RECLASSIFYING THE DAM.

On motion of Senator CAMPBELL, the Bill was committed to Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 705 -- Senator Massey: A SENATE RESOLUTION TO HONOR AND RECOGNIZE HODA ABDALLA OF LEXINGTON AS THE 2018 PRESIDENT OF AMERICAN LEGION AUXILIARY GIRLS NATION AND TO COMMEND HER FOR DEDICATED SERVICE IN THIS ROLE.

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The Senate Resolution was adopted.

S. 706 -- Senator Campbell: A BILL TO ENACT THE "MULTIFAMILY DWELLING SAFETY ACT", TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, BY ADDING CHAPTER 21, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT PERIODICALLY TO CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, TO PROVIDE REMEDIES FOR VIOLATIONS, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.
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On motion of Senator TALLEY, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 708 -- Senator Campbell: A SENATE RESOLUTION TO RECOGNIZE THE MONTH OF APRIL 2019 AS "ZERO TOLERANCE FOR LITTER MONTH" IN SOUTH CAROLINA AND TO URGE THE STATE'S LAW ENFORCEMENT OFFICERS TO WORK TOGETHER THIS MONTH AND THROUGHOUT THE YEAR FOR A CLEANER COMMUNITY, THUS PRESERVING THE NATURAL BEAUTY OF OUR COMMUNITY, OUR STATE, AND OUR COUNTRY.
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The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 709 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE THAT MAMMOGRAPHY PROVIDES IN THE EARLY DETECTION OF BREAST CANCER AND TO DECLARE MONDAY, OCTOBER 7, 2019, "MAMMOGRAM AWARENESS DAY" IN SOUTH CAROLINA.
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 710 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE GRAY COLLEGIATE ACADEMY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2019 2A STATE BASKETBALL CHAMPIONSHIP.
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The Senate Resolution was adopted.

H. 3046 -- Reps. Pope, Bryant, Caskey, B. Newton, Wooten, Davis, Murphy, Clemmons, Hixon, West, Forrest, Bannister, Yow, Bales and Fry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 ENTITLED "TERRORISM", TO PROVIDE FOR THE OFFENSE OF FURTHERING TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND TO PROVIDE A PENALTY; TO CREATE THE OFFENSE OF MATERIAL OR FINANCIAL SUPPORT OF AN ACT OF TERRORISM OR CONCEALMENT OF THE ACTIONS OR PLANS OF ANOTHER TO CARRY OUT AN ACT OF TERRORISM, DEFINE THE ELEMENTS OF THE OFFENSE, AND TO PROVIDE A PENALTY; AND TO PROVIDE FOR THE SEIZURE AND FORFEITURE OF REAL AND PERSONAL PROPERTY USED IN CONNECTION WITH AN OFFENSE CONTAINED IN THE ARTICLE.

Read the first time and referred to the Committee on Judiciary.

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D. C. Moss, G. R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G. M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon,

Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT

ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

Read the first time and referred to the Committee on Judiciary.

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.

Read the first time and referred to the Committee on Judiciary.

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Read the first time and referred to the Committee on Finance.

H. 4285 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott,

Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE FORTY-ONE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2019 ACADEMIC ALL-STATE TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4291 -- Reps. Martin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE THAT MAMMOGRAPHY PROVIDES IN THE EARLY DETECTION OF BREAST CANCER AND TO DECLARE MONDAY, OCTOBER 7, 2019, "MAMMOGRAM AWARENESS DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

H. 4292 -- Rep. Davis: A CONCURRENT RESOLUTION TO PROCLAIM APRIL 9, 2019, AS "STEM EDUCATION DAY" THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN IN RECOGNIZING THE POSITIVE IMPACT THAT STEM EDUCATION HAS ON THE QUALITY OF LIFE FOR THE RESIDENTS OF THE PALMETTO STATE.

The Concurrent Resolution was introduced and referred to the Committee on Education.

REPORT OF STANDING COMMITTEE

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 2, 2019 - 12:00pm-2:00pm
Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA HOSPITAL ASSOCIATION**

Tuesday, April 2, 2019 - 5:00pm-7:00pm
Members and Staff, Reception, Parker Poe Adams & Bernstein law office, 1221 Main Street, Suite 1100 by **SCBIO**

Tuesday, April 2, 2019 - 5:00pm-7:00pm
Members and Staff, Luncheon, Hilton Columbia Center, 924 Senate Street, by the **PUBLIC CHARTER SCHOOL ALLIANCE OF SOUTH CAROLINA**

Wednesday, April 3, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN**

Wednesday, April 3, 2019 - 11:30am-2:00pm
Members Only, Luncheon, State House Grounds, by the **SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM**

Wednesday, April 3, 2019 - 6:00pm-8:00pm
Members Only, Reception, SC State Museum, by the **HOME BUILDERS ASSOCIATION OF SC "BIRD SUPPER"**

Thursday, April 4, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **ABSOLUTE TOTAL CARE**

Tuesday, April 9, 2019 - 12:00pm-2:00pm
Members and Staff, Luncheon, State House Grounds, by **BOEING, BMW, GE AND SC MANUFACTURERS ALLIANCE**

Wednesday, April 10, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **STATE FARM INSURANCE**

Wednesday, April 10, 2019 - 11:30am-2:00pm
Members and Staff, Luncheon, SC State House Grounds, by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION- "TASTE OF SOUTH CAROLINA"**

Wednesday, April 10, 2019 - 5:00pm-7:30pm
Members and Staff, Reception, 1208 Washington Place, by the **SC ASSOCIATION FOR JUSTICE**

Thursday, April 11, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATION OF HABITAT AFFILIATES**

Wednesday, April 24, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **NATIONAL CONFERENCE OF STATE LEGISLATURES**

Wednesday, April 24, 2019 - 12:00pm-2:00pm
Members Only, Luncheon, State House Grounds, by the **CONGRESSIONAL SPORTSMEN'S FOUNDATION**

Thursday, April 25, 2019 - 8:00am-10:00am
Members Only, Breakfast, 112 Blatt Building, by **PALMETTO PROMISE INSTITUTE**

Tuesday, April 30, 2019 - 11:30am-2:00pm
Members and Staff, Luncheon, SC State House Grounds, by **JASPER COUNTY CHAMBER OF COMMERCE**

HOUSE CONCURRENCE

S. 682 -- Senators Gambrell and Cash: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL 2019 AS "CHILD ABUSE PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

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. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR "ELECTRIC FENCE", AND TO MAKE TECHNICAL CORRECTIONS.

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO

AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 34-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

MOTION TO VARY THE ORDER OF THE DAY FAILED

Senator MALLOY moved, under Rule 32A, that the Senate vary the order of the day and proceed directly to the Motion Period.

Senator MALLOY spoke on the motion.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 6; Nays 34

AYES

Allen	Fanning	Harpootlian
Malloy	Martin	Sheheen

Total--6

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Jackson
Johnson	Leatherman	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

Having failed to receive the necessary votes, the motion failed.

OBJECTION

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO

ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO

REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

Senator RICE explained the Bill.

Senator MALLOY objected to further consideration of the Bill.

CARRIED OVER

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

On motion of Senator LEATHERMAN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A

PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (JUD0189.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 63-7-20(6)(a)(vi) of the 1976 Code is amended to read:

"(vi) commits torture or allows torture to be committed against the child; or

(vii) has committed abuse or neglect as described in subsubitems (i) through ~~(v)~~(vi) such that a child who subsequently becomes part of the person's household is at substantial risk of one of those forms of abuse or neglect; or"

SECTION 2. Section 63-7-20 of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) The definition of 'torture' is as defined by Section 16-3-100."

SECTION 3. Section 63-7-1640(C)(1)(d) of the 1976 Code is amended to read:

"(d) acts ~~the judge finds~~ that constitute torture; or"

SECTION 4. Section 63-7-2570 of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

"( ) A parent has committed torture, has aided or abetted in committing torture, or has conspired to or knowingly allowed another to commit torture against the child."

SECTION 5. Section 16-3-85 of the 1976 Code is amended to read:

"Section 16-3-85. (A) A person is guilty of homicide by child abuse if the person:

(1) causes the death of a child under the age of eleven while committing child abuse or neglect, and the death occurs under circumstances manifesting an extreme indifference to human life; ~~or~~

(2) knowingly aids and abets another person to commit child abuse or neglect, and the child abuse or neglect results in the death of a child under the age of eleven;

(3) causes the death of a child while committing torture, as defined in Section 16-3-100; or

(4) knowingly aids and abets another person to commit torture, as defined in Section 16-3-100, and the torture results in the death of a child.

(B) For purposes of this section, the following definitions apply:

(1) 'child abuse or neglect' means an act or omission by any person which causes harm to the child's physical health or welfare;

(2) 'harm' to a child's health or welfare occurs when a person:

(a) inflicts or allows to be inflicted upon the child physical injury, including injuries sustained as a result of excessive corporal punishment;

(b) fails to supply the child with adequate food, clothing, shelter, or health care, and the failure to do so causes a physical injury or condition resulting in death; or

(c) abandons the child resulting in the child's death.

(C) Homicide by child abuse is a felony and a person who is convicted of or pleads guilty to homicide by child abuse:

(1) under subsection (A)(1) may be imprisoned for life but not less than a term of twenty years; ~~or~~

(2) under subsection (A)(2) must be imprisoned for a term not exceeding twenty years nor less than ten years;

(3) under subsection (A)(3) must be imprisoned for life; or

(4) under subsection (A)(4) must be imprisoned for a term of not less than twenty years.

(D) In sentencing a person under this section, the judge must consider any aggravating circumstances including, but not limited to, a defendant's past pattern of child abuse or neglect of a child under the age of eleven, and any mitigating circumstances; however, a child's crying does not constitute provocation so as to be considered a mitigating circumstance.

(E) Prosecution or conviction under this section shall not preclude a prosecution for any other applicable offense, including, but not limited to, murder."

SECTION 6. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-100. (A) For purposes of this section:

(1) 'Torture' means a pattern of assaults, psychological maltreatment, or omissions of care committed upon a child for the purpose of causing severe physical, mental, or emotional pain, which occurs over a period of time, resulting in serious physical or psychological injury or impairment, prolonged suffering, or the risk of permanent disfigurement, dysfunction, or death, and such acts or omissions were done with malice or an extreme indifference to the well-being of the child.

Torture includes, but is not limited to:

(a) the infliction of severe physical or emotional pain upon a child repeatedly for the purpose of terrorizing the child;

(b) the unreasonable or extended binding, restraint, or confinement of a child that results in prolonged suffering or serious physical or psychological injury; or

(c) the intentional refusal to provide for the health, safety, medical, or nutritional needs of a child for an extended period of time such that the child suffers or risks serious physical, mental, or emotional harm.

(2) 'Over a period of time' includes a single lengthy tortuous action that occurs for an extended time within a single day or longer, or a pattern of more than one torturous action over the course of a single day, multiple days, or longer.

(B) It is unlawful for a person to torture a child within his custody or physical control, or knowingly assist, aid, or abet the torture of a child. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, may be imprisoned for life but otherwise must be imprisoned for a term not less than twenty years.

(C) It is unlawful for a child's parent or guardian, an adult with whom the child's parent or guardian is cohabitating, or any other person responsible for a child's welfare as defined in Section 63-7-20 knowingly to allow another person to torture a child. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be imprisoned for a term of not more than thirty but not less than ten years."

SECTION 7. Section 16-1-60 of the 1976 Code is amended to read:

"Section 16-1-60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653);

criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85~~(A)(1)~~); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); torture of a child (16-3-100(B)); domestic violence of a high and aggravated nature (Section 16-25-65); domestic violence in the first degree (Section 16-25-20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control

devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses."

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator HUTTO explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

TUESDAY, MARCH 26, 2019

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

On motion of Senator YOUNG, the Bill was carried over.

READ THE SECOND TIME

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF

INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

TUESDAY, MARCH 26, 2019

READ THE SECOND TIME

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

TUESDAY, MARCH 26, 2019

READ THE SECOND TIME

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

The Senate proceeded to the consideration of the Bill.

Senators CAMPSEN, MARTIN, McELVEEN, GOLDFINCH and YOUNG proposed the following amendment (575R005.KMM.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-11-544 of the 1976 Code is amended to read:

"Section 50-11-544. A person who hunts wild turkeys is required to possess a ~~set of~~ wild turkey ~~transportation tags~~ tag issued by the department ~~at no cost~~. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No ~~person~~ resident may

obtain or possess more than ~~one set of~~ three wild turkey tags, and no nonresident may obtain or possess more than two wild turkey tags."

SECTION 2. Section 50-11-580 of the 1976 Code is amended to read:

"Section 50-11-580. (A) ~~Notwithstanding the provisions of Section 50-11-520 or any other provision of law or regulation, the~~ The season for hunting and taking a male wild turkey is:

(1) in Game Zones 1 and 2, ~~March 20~~ April 5 through May ~~5~~ 11; and

(2) in Game Zones 3 and 4, March 25 through April 30.

(B) ~~The Saturday and Sunday preceding March 20 of each year is declared to be 'Youth Turkey Hunting Weekend'. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey Hunting Weekend. A licensed hunter at least twenty-one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting license, big game permit, and wildlife management area permit if applicable~~ The season bag limit for male wild turkeys is three statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that:

(1) only one male wild turkey may be taken from April 5 through April 11 from within Game Zones 1 and 2; and

(2) only one male wild turkey may be taken from March 25 through March 31 from within Game Zones 3 and 4.

(C) ~~The season bag limit for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide~~ It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) ~~The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.~~

~~(E) The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the~~

~~conclusion of the third turkey season following the effective date of this section.~~

~~(F)~~ The department shall provide an annual report ~~of the~~ on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee."

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

"Section 50-11-590. (A) The Saturday and Sunday preceding the start of a game zone turkey season is declared to be 'Youth Turkey Hunting Weekend' within the game zone for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during Youth Turkey Hunting Weekend.

(C) The bag limit during Youth Turkey Hunting Weekend is one male wild turkey for the weekend.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50-9-310, and who hunt during Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty-one years of age. An adult may not harvest or attempt to harvest turkeys during Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter."

SECTION 4. Section 50-9-920(B) of the 1976 Code is amended by adding a new item to read:

"(13) resident and nonresident wild turkey tags shall only be used for the following purposes:

(a) the funding of wild turkey scientific research on public lands and private lands with the consent of landowners;

(b) the improvement of the wild turkey habitat and hunting opportunities for wild turkeys on public lands;

(c) wild turkey predator control;

(d) the enforcement of the wild turkey hunting laws and regulations; and

(e) the printing and mailing of the wild turkey tags."

SECTION 5. Article 6, Chapter 9, Title 50 of the 1976 Code is amended by adding:

"Section 50-9-640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person's name. The fee for a:

(1) resident is ten dollars for three tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department."

SECTION 6. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

"Section 50-11-546. (A) In order to document the harvest of wild turkeys and to assist with the enforcement of seasons, methods of harvest, and bag limits, the department must implement an electronic harvest reporting system.

(B) A person who harvests a wild turkey must report the harvest to the electronic harvest reporting system as prescribed by the department. A harvest report must be submitted by midnight of the day a wild turkey is taken unless a person is incapable of accessing the reporting system, in which case a report must be submitted prior to the carcass leaving the person's possession.

(C) Upon completion of the harvest reporting process, a harvest report confirmation number will be provided by the department, which must be recorded by the person submitting the harvest report.

(D) The department must promulgate regulations to implement the provisions of this section, including the methods of telephonic and electronic reporting, contents of the report, and recording and maintenance of the harvest report confirmation number.

(E) There is no cost to a person for reporting a harvest, and the department may exempt the harvest reporting requirement for persons who harvest wild turkeys under specific conditions or department programs.

(F) A person who provides false information while reporting a harvest is subject to a civil penalty of not more than fifty dollars for a first violation, not more than two hundred dollars for a second violation, and not less than four hundred dollars for a third or subsequent violation.

(G) A person who violates the provisions of subsection (B) is subject to a civil penalty of not more than twenty-five dollars for a first violation, not more than one hundred dollars for a second violation, and not less than two hundred dollars for a third or subsequent violation."

SECTION 7. Section 50-11-520 of the 1976 Code is repealed.

SECTION 8. SECTION 7 of Act 41 of 2015 is repealed.

SECTION 9. (A) SECTIONS 1, 2, 3, 4, 5, 7, and 8 take effect on July 1, 2019.

(B) Section 50-11-546(A) through (F), as added by SECTION 6 of this act, takes effect on July 1, 2020.

(C) Section 50-11-546(G), as added by SECTION 6 of this act, takes effect on July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator McELVEEN spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 593 -- Senators Shealy and Scott: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS proposed the following amendment (593R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 26 through 28 and inserting:

/authority, ~~or~~ public transit operator, or political subdivision to install and maintain benches upon which commercial advertisements are placed provided that ~~each bench will be located at one of the applicant's bus stops,~~ the /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (DG\ 593C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____. (A)There is created the Mass Transit Feasibility Study Committee to examine the feasibility of connecting with the mass transit system in Charlotte, North Carolina, and providing mass transit throughout South Carolina.

(B) The committee must be composed of:

(1) one member appointed by the President of the Senate, one member appointed by the Majority Leader of the Senate, and one member appointed by the Minority Leader of the Senate;

(2) one member appointed by the Speaker of the House of Representatives, one member appointed by the Majority Leader of the House, and one member appointed by the Minority Leader of the House;

(3) one member appointed by the Secretary of Transportation; and

(4) three members selected by the Transportation Association of South Carolina.

(C) Members of the study committee shall serve without compensation, but are allowed the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

(D) The committee must be staffed by the staff of the Department of Transportation, the Senate, and the House of Representatives.

(E) By December 31, 2020, the study committee shall provide a report to the General Assembly detailing its findings. Upon the issuance of its report, the committee is dissolved. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3750 -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING LICENSE AND A BIG GAME PERMIT MUST RECEIVE AT LEAST

TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 185 -- Senators McElveen, Rice, Alexander and Martin: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019, TO DECEMBER 31, 2025.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 401 -- Senators Campbell and Scott: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 530 -- Senator Leatherman: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO THE CONSOLIDATED PROCUREMENT CODE, TO REVISE THE CONSOLIDATED PROCUREMENT CODE, ITS APPLICATION, THE PROCEDURES GOVERNED BY THE CODE, AND INTERNAL REFERENCES; TO REORGANIZE THE PROCUREMENT SERVICES DIVISION AT THE STATE FISCAL

ACCOUNTABILITY AUTHORITY; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 621 -- Senators Setzler, Campbell, Williams and Corbin: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL

SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4157 -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 “RANDOLPH L. GARRETT, JR. MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS

OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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 to Ratify Adopted

At 3:25 P.M., Senator CAMPBELL made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

MADE SPECIAL ORDER

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Senator MASSEY moved that S. 203 be made a Special Order.

Senator MALLOY argued in opposition of the motion.

The question then was the motion to make the Bill a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 4

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Allen	Fanning	Martin
McLeod		

Total--4

The Bill was made a Special Order.

MOTION ADOPTED

At 3:31 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Remarks by Senator DAVIS

Last week the PRESIDENT of the Senate and others filed a resolution proposing to sell Santee Cooper, and I have asked and have been listed as a co-sponsor to that. I think something needs to be done in regard to Santee Cooper. I think it does need to be sold. It's interesting that the reaction against that seems to have coalesced around a certain point. It was noted in a point of personal interest last week, a few times, that Santee Cooper is financially sound, it has a high bond rating, that there is no reason to be concerned -- all is fine with Santee Cooper.

Following up on that there has been a memo, which I got to my email box, you may have as well, that says, "Here are the facts: Santee Cooper is not on the brink of a financial disaster. We're managing the nuclear costs and our rates are low. Our credit is rated in the "A" to "A+" range by Fitch, Moody's, and S & P. Rating agencies don't give these ratings to companies in dire financial condition, and investors do not purchase bonds that are in jeopardy." And then underlined is, "Our credit ratings are comparable to and better than those of neighboring utilities." So the argument runs, that since Santee Cooper has an "A" or "A+" bond rating, therefore there's not a problem for us to consider.

In South Carolina, pursuant to the South Carolina Code, Section 58-27-640, South Carolina is divided up into certain territorial service areas and utilities are given the right to provide service in those areas. That's been done in the case of Santee Cooper. It has the right to provide service in the area that's highlighted in yellow on here by statute. You then go to the South Carolina Code, Section 58-31-360, and it's entitled "State covenant with holders of obligations of Authority", and authority there referring to Santee Cooper.

It reads as follows: "In order to protect those subscribing to, purchasing or acquiring the notes, bonds, evidence of indebtedness, or other obligations of the Public Service Authority," again, that's Santee Cooper, "the State of South Carolina does hereby covenant and agree with any person, firm or corporation, the government of the United States, and any corporation or agency created, designated or established by the United States, subscribing to, purchasing or acquiring the notes, bonds, evidences of indebtedness, or other obligations heretofore or hereinafter issued or incurred by the Public Service Authority, for any authorized purpose, and that the State shall not alter, limit, or restrict the power of the Public Service Authority to, and the authority shall, fix, establish, maintain and collect rents, tolls, rates and charges, for the use of the facilities of, or for the services rendered, or for any commodities furnished by the Public Service Authority, at least sufficient to provide for payment of all expenses of the Public Service Authority, the conservation, maintenance and operation of its facilities and properties and the payment of the principal and interest on its notes and bonds."

So let's restate here: by statute, Santee Cooper has a territorial jurisdiction to provide service. By statute, the State covenants with any bondholder that Santee Cooper shall be allowed to charge such rates as are sufficient to pay those bonds, and the State is prohibited from doing anything that impairs that ability to charge rates to service those bonds. So the issue isn't whether Santee Cooper has an "A" or "A+" bond rating, it's: how could it possibly have anything other than an "A" or "A+" bond rating? Because by statute it has the exclusive right to provide service in a geographic area, and the statutory right to charge rates that will service bonds. Moreover, if the State does anything to impair that, it then becomes, according to judicial decisions, an obligation of the State. So how in the world, you could have preschoolers on that board, and you would have a "AAA" bond rating. The question is -- how could it be anything other than "A+"? So when you hear, as I'm hearing repeatedly, Santee Cooper has to be in great shape because it's got "A" bonds, understand because we statutorily have guaranteed that those

ratepayers have to pay rates to services those bonds, and if we do anything to impair that it becomes an obligation of the State. They have to come up with a better reason not to sell this thing.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator DAVIS, were ordered printed in the Journal.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Remarks by Senator GROOMS

Members of this Body, we will have a debate in this Senate about the future of Santee Cooper. But I hope we will wait until we have all the relevant information and have some basic questions answered about the fate and the future of Santee Cooper.

A little more than 84 years ago, we had 62 members of the House and Senate gather at a statue near the State House to take a picture before they boarded a train to go to Washington, DC to ask the administration for help in establishing Santee Cooper. Once upon a time, you could not graduate through a South Carolina public school without learning the history of Santee Cooper and what it meant to this State. This history of Santee Cooper runs deep and it reaches to almost every county in our State today through the network of electric cooperatives. This General Assembly once passed legislation when we had a Governor who tried to sell Santee Cooper to a group called Enron. At the moment, Enron was collapsing. So, the statutory requirement that the General Assembly be the one responsible for selling Santee Cooper was recent, because we all understood just how much of a horrible idea it would be to unload one of our state's greatest assets and resources.

There have been some bone-headed decisions made at Santee Cooper, I will grant you that. I do not think anyone is saying that nothing should happen to Santee Cooper. But the notion that Santee Cooper is unable to pay the bonds, is just not the case. It is not the case at all. They do have the ability to recover costs from the rate payers, just as Dominion and Duke have the ability to recover costs from the rate payers. There is nothing new. This is how the system is set up: you recover your costs from the rate payers. The question is, "How do we best deal with the situation of a failed nuclear plant?" We had two partners, the lead partner, SCANA, is no more. We no longer have that entity headquartered in South Carolina. My constituents back home are asking, "Where is my $1,000 dollars?" They are not getting their money. The

temporary rate relief that the General Assembly passed continues to be honored, but there is a pending application coming to the Public Service Commission for another rate increase. The other publically traded company, the investor owned utility company, Duke Power, has a 7% rate increase before the Public Service Commission. Rates are going up from the two investor owned utilities in South Carolina. Santee Cooper is proposing a 5% rate hike in two years with a 1% rate hike after that and then another 1% rate hike after that, for a total of 7%. This will cover the principal and interest on the bonds. Even with those two rate hikes, as a Santee Cooper customer, my electric bill would still be less than that of Dominion and Duke. It would still be less than every other cooperative in the State of South Carolina. The only group that would have a lower power bill would be the couple of utilities that buy power wholesale from Santee Cooper.

There is a problem at Santee Cooper that needs to be corrected and we should study what it takes to correct it. We should study what would happen to the rate payers if we were to sell it, because we do not know. We have a report from a group called ICF that says that rates will go up 15% when Santee Cooper is converted to an investor owned utility. We paid money to get that report and that is what it says. There will be a 7% rate increase by Santee Cooper, whether you convert it to an investor-owned utility or you sell it, and then another 15% rate increase on top of that. All of this is in the ICF report. The report goes on to say that you could have some rate reductions. The rate reductions would occur over a 30 year period and it is based on facts that do not exist. It is based on there being an ample supply of a high volume of natural gas at the Cross Generating Station in Berkeley County. I can tell you, there is no gas there. The rate reductions are based on gas conversion at the Winyah Plant in Georgetown, but there is not gas there either. But over the next 30 years, there might be some gas there and then there might be a way of converting those power plants to gas. After that, there could be some reductions that occur. But we really should not be basing our decisions off of what might happen.

Let's have some assurances over what will happen and how a sale of Santee Cooper would affect the general fund. Santee Cooper is contributing 17 million dollars to this year's General Fund. What happens next year when that money is no longer there? If Santee Cooper is sold, there will be a write down of the regulatory asset and whoever buys it will not pay any state income taxes for the foreseeable future. What about the 1600 hardworking, dedicated state employees at Santee Cooper? A few of them have made some bone-headed decisions, but

most of these people have dedicated their very lives and hard work in service to our State; they take pride in what they do. They take pride in the production and distribution and transmission of electricity, which has electrified our State and has brought unimaginable economic development. We would be simply discarding the employees of Santee Cooper that take pride in their work. The folks are asking me, "What about my pension? I have put in 25 years and if you sell Santee Cooper, what will happen to me? I am a hard-working state employee -- is no one speaking for me?" I have Santee Cooper retirees who are coming to me and saying, "I am a widow on a fixed income, if you sell Santee Cooper, I will not be able to afford my health insurance." These people need to be looked after. They looked after our State and our response to sell Santee Cooper and let the chips fall where they may is a mistake that we will regret for decades to come.

I am asking that the General Assembly have this debate over the sale of Santee Cooper, but I am asking that the General Assembly do so when we have the facts and the consequences of a sale.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator GROOMS, were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:53 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 noon.

* * *

Wednesday, March 27, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 111:10

"The fear of the Lord is the beginning of wisdom; all those who practice it have a good understanding. To God belongs eternal praise!"

Let us pray. Lord God, as each of us searches the depths of our own being in his or her own way, we know that it is You alone who can change human hearts. You alone can reshape our priorities and bring into focus the issues and concerns that are paramount to effective legislation for this moment in history. Give our Senators discernment Lord, as they grapple with a budget that demands constructive restraint while it simultaneously offers historic opportunity for real change. These are the times that try our souls. Therefore we call upon You, blessed Lord, to be our beacon of light that illuminates Your path for each and every Senator that serves our beloved State. Through the power of Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gregory
Harpootlian	Leatherman	Martin
Massey	Nicholson	Peeler
Rice	Scott	Setzler

Shealy	Talley	Turner
Verdin	Williams	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR
STATE OF SOUTH CAROLINA
OFFICE OF THE GOVERNOR

Columbia, S.C., March 21, 2019

Mr. President and Senators:

I am vetoing and returning without my approval R. 15, S. 504:

(R15, S504) -- Senators Hutto and M.B. Matthews: AN ACT TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

Respectfully submitted,
Henry D. McMaster

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2015, and to expire May 19, 2022

2nd Congressional District:

Phyllis B. Beighley, 6 Old Mill Ct., Columbia, SC 29206-3213 *VICE* Jack F. Wolfe, Jr.

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2017, and to expire June 30, 2021
General Public:
Frederick M. G. Evans, 214 Alderston Way, Columbia, SC 29229

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2019, and to expire June 30, 2025
5th Congressional District:
Heather C. Harris, 137 Setzler Road, Pomaria, SC 29126-8951 *VICE* Marvin A. Hyatt, Sr.

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023
4th Congressional District:
Karen W. McGill, 150 Cheek Road, Spartanburg, SC 29303-4311

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Ports Authority, with the term to commence March 19, 2019, and to expire March 19, 2024
At-Large:
Whitemarsh S. Smith III, 12 Greenhill St., Charleston, SC 29401-2311

Referred to the Committee on Transportation.

Local Appointments

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Benjamin Franklin Byrd, 213 Hastings Point Drive, Columbia, SC 29203-9102

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Daniel M. Coble, 3901 Yale Avenue, Columbia, SC 29205-3551

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Harold A. Cuff, 516 Motley Road, Hopkins, SC 29061-9629

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Tomothy Edmond, 6101 Easter Street, Columbia, SC 29203-4969

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mildred Rita Metts, 3531 River Drive, Columbia, SC 29201-1348

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Michael Scott, 3521 Greenway Dr., Columbia, SC 29206-3415 *VICE* Mel Mauer

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Barbara Jo Wofford-Kanwat, 108 King Charles Rd., Columbia, SC 29209-2240

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 27, 2019, at 12:05 P.M. and the following Acts were ratified:

(R22, S. 160) -- Senators Allen, Davis, Turner, Rice, Talley, Gambrell and Nicholson: AN ACT TO AMEND SECTION 12-54-122, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LIENS, SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO IMPLEMENT A SYSTEM OF FILING AND INDEXING LIENS WHICH IS ACCESSIBLE TO THE PUBLIC OVER THE INTERNET OR THROUGH OTHER MEANS.
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(R23, H. 3449) -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: AN ACT TO AMEND CHAPTER 55, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUSTRIAL HEMP CULTIVATION, SO AS TO REMOVE

REFERENCES TO THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM, TO DEFINE NECESSARY TERMS, TO PROHIBIT THE CULTIVATION, HANDLING, OR PROCESSING OF HEMP WITHOUT A HEMP LICENSE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE, TO PROVIDE CERTAIN REQUIREMENTS FOR A HEMP LICENSE, TO EXCLUDE CERTAIN ACTIVITIES FROM THE PROVISIONS OF CHAPTER 55, AND TO ESTABLISH CORRECTIVE ACTION PLANS FOR LICENSEES WHO VIOLATE A PROVISION OF CHAPTER 55; TO PROVIDE THAT THE COMMISSIONER OF THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE SHALL SUBMIT A STATE PLAN TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT CURRENT LICENSEES UNDER THE SOUTH CAROLINA INDUSTRIAL HEMP PROGRAM MAY EXPAND OPERATIONS AND AUTHORIZE THE DEPARTMENT TO ISSUE HEMP LICENSES FOR CERTAIN APPLICANTS.
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(R24, H. 3595) -- Reps. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: AN ACT TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT, SET CERTAIN QUALIFICATIONS, AND TO REQUIRE THE SOUTH CAROLINA RESEARCH AUTHORITY TO ISSUE AN ANNUAL REPORT.
L:\COUNCIL\ACTS\3595DG19.DOCX

(R25, H. 3985) -- Reps. Lucas, G.M. Smith and Stavrinakis: AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2018 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.
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WEDNESDAY, MARCH 27, 2019

Doctor of the Day

Senator McLEOD introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:09 P.M., Senator CAMPSEN was granted a leave of absence for the day.

Leave of Absence

On motion of Senator FANNING, at 12:59 P.M., Senator M.B. MATTHEWS was granted a leave of absence for the day.

Leave of Absence

On motion of Senator RICE, at 12:59 P.M., Senator SENN was granted a leave of absence for Wednesday, March 27, 2019, and Thursday, March 28, 2019.

Leave of Absence

On motion of Senator McELVEEN, at 12:59 P.M., Senator KIMPSON was granted a leave of absence for the day.

Leave of Absence

On motion of Senator CORBIN, at 1:38 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MARTIN, at 2:00 P.M., Senator MARTIN was granted a leave of absence at 4:20 P.M. until Monday, April 1, 2019, at 2:00 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 89 Sen. Alexander
S. 112 Sen. Talley
S. 298 Sen. Sabb
S. 689 Sen. Bennett

WEDNESDAY, MARCH 27, 2019

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 711 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 1 THROUGH 7, 2019, AS "NATURAL DISASTER RESILIENCY WEEK" IN SOUTH CAROLINA IN ORDER TO RAISE PUBLIC AWARENESS ABOUT THE CONTINUING NEED TO PLAN FOR FUTURE DISASTERS BY INSTITUTING A PRE-DISASTER MITIGATION STRATEGY.
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The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 712 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 713 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 714 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE WHITE KNOLL HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 STATE 5A SOFTBALL CHAMPIONSHIP.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 715 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE JASMINE JONES FOR WINNING THE USA GYMNASTICS LEVEL 8 STATE VAULT CHAMPIONSHIP, SENIOR B DIVISION.
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The Senate Resolution was adopted.

S. 716 -- Senator Shealy: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, THE PLEDGE TO THE STATE FLAG, AND OFFICIAL OBSERVANCES, TO PROVIDE FOR THE DESIGNATION OF MARCH OF DIMES DAY.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 717 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ROSALYN DANSBY OF GREENWOOD FOR HER MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR IN THE PALMETTO STATE AND TO EXPRESS GRATITUDE FOR HER ROLE IN PREPARING YOUNG PEOPLE TO TAKE THEIR PLACES AS PRODUCTIVE CITIZENS.
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The Senate Resolution was adopted.

S. 718 -- Senator Kimpson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND DR. WILLIE EDWIN GIVENS, JR. AND TO EXTEND

THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 4243 -- Reps. Simrill, Lucas, Pope, G. M. Smith, Rutherford, King, Felder, Bryant, D. C. Moss, B. Newton, Ligon, V. S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Read the first time and referred to the Committee on Finance.

H. 4276 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY'S MILL PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4310 -- Reps. Hewitt, Anderson, Alexander, Allison, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott,

Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF WACCAMAW INTERMEDIATE SCHOOL OF PAWLEYS ISLAND ON RECEIVING THE 2018-2019 PALMETTO'S FINEST AWARD.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4312 -- Reps. G. M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

RECALLED

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE

UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

Senator RANKIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Judiciary.

The Concurrent Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 276 -- Senator Senn: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A

REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE

RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 640 -- Senator Malloy: A BILL TO AMEND SECTION 14-17-325 OF THE 1976 CODE, RELATING TO THE CLERK OF COURT REPORTING THE DISPOSITION OF EACH CASE IN THE COURT OF GENERAL SESSIONS, TO REQUIRE EVERY CLERK OF COURT TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 22 OF THE 1976 CODE, RELATING TO MAGISTRATES

GENERALLY, BY ADDING SECTION 22-1-200, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-250, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TWENTY-FOUR HOURS THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; AND TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO THE COURTS, BY ADDING CHAPTER 32, TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE AND TO ESTABLISH ITS MEMBERSHIP, DUTIES, AND RESPONSIBILITIES, INCLUDING THE STUDY OF AND RECOMMENDATIONS FOR THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 664 -- Senators Verdin, Martin, Talley, M.B. Matthews, Allen, Turner, Alexander and Davis: A SENATE RESOLUTION TO RECOGNIZE THE CRITICAL IMPORTANCE OF THE F-35 LIGHTNING II AND F-16 FIGHTING FALCON TO AMERICA'S SECURITY AND TO SOUTH CAROLINA AND TO CALL FOR FULL FUNDING BY THE UNITED STATES CONGRESS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 668 -- Senators Hutto, Jackson and Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE TUESDAY, APRIL 2, 2019, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN ORDER TO CALL ATTENTION TO THE SIGNIFICANT PROBLEM OF CHILD ABUSE AND NEGLECT.

Returned with concurrence.

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 Bill and Resolution were read the third time and ordered sent to the House of Representatives:

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE

CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

COMMITTEE AMENDMENT WITHDRAWN
CARRIED OVER

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO

DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (575R004.KMM.GEC), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-11-544 of the 1976 Code is amended to read:

"Section 50-11-544. A person who hunts wild turkeys is required to possess a set of wild turkey ~~transportation~~ tags issued by the department ~~at no cost~~. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No person may obtain or possess more than one set of turkey tags."

SECTION 2. Section 50-11-580 of the 1976 Code is amended to read:

"Section 50-11-580. (A) ~~Notwithstanding the provisions of Section 50-11-520 or any other provision of law or regulation, the~~ statewide season for hunting and taking a male wild turkey is March ~~20~~ 25 through ~~May 5~~ April 30.

(B) ~~The Saturday and Sunday preceding March 20 of each year is declared to be 'Youth Turkey Hunting Weekend'. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey~~

~~Hunting Weekend. A licensed hunter at least twenty-one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting license, big game permit, and wildlife management area permit if applicable~~ The statewide season bag limit for male wild turkeys is three for residents and two for nonresidents. The daily bag limit is one, provided that only one male wild turkey may be taken from March 25 through April 3.

(C) ~~The season bag limit for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide~~ It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) ~~The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.~~

~~(E) The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the conclusion of the third turkey season following the effective date of this section.~~

~~(F)~~ The department shall provide an annual report ~~of the~~ on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee."

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

"Section 50-11-590. (A) The Saturday preceding the start of the statewide male wild turkey season is declared to be 'Youth Turkey Day' for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter on Youth Turkey Day.

(C) The bag limit on Youth Turkey Day is one male wild turkey.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50-9-310, and who hunt on Youth Turkey Day, must be accompanied by an adult who is at least twenty-one years of age. An adult may not harvest or attempt to harvest turkeys

during Youth Turkey Day but is permitted to call turkeys for a youth turkey hunter."

SECTION 4. Section 50-9-920(B) of the 1976 Code is amended by adding a new item to read:

"(13) resident and nonresident wild turkey tag set shall only be used for the following purposes:

(a) the funding of wild turkey scientific research on public lands and private lands with the consent of landowners;

(b) the improvement of the wild turkey habitat and hunting opportunities for wild turkeys on public lands;

(c) wild turkey predator control;

(d) the enforcement of the wild turkey hunting laws and regulations; and

(e) the printing and mailing of the wild turkey tag sets."

SECTION 5. Article 6, Chapter 9, Title 50 of the 1976 Code is amended by adding:

"Section 50-9-640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a set of wild turkey tags issued in the person's name. The fee for a:

(1) resident is ten dollars per set of three tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred dollars per set of two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for a set of wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department."

SECTION 6. Section 50-11-520 of the 1976 Code is repealed.

SECTION 7. SECTION 7 of Act 41 of 2015 is repealed.

SECTION 8. This act takes effect on July 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Motion Adopted

Senator MARTIN asked unanimous consent to withdraw the committee amendment.

There was no objection.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 593 -- Senators Shealy and Scott: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills and Resolution were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

H. 3750 -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING

LICENSE AND A BIG GAME PERMIT MUST RECEIVE AT LEAST TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

COMMITTEE AMENDMENT ADOPTED, AMENDED CARRIED OVER

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian, Kimpson and Allen: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator KIMPSON proposed the following amendment (JUD0007.019), which was withdrawn:

Amend the committee report, as and if amended, page [7-2], by striking line 3, and inserting therein the following:

/ Insurance Reserve Fund's internet website.

(7) Notwithstanding the liability limits outlined in Section 15-78-120(a)(1) through (a)(4), where one or more claimants individually and in a representative capacity, have brought a claim or claims seeking actual damages against one or more governmental entities, and where a court has certified those claims for actual damages as a class action, there shall not be a limit on the actual damages recoverable by the named claimant or claimants, or by the members of any such class." /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

On motion of Senator MALLOY, the amendment was withdrawn.

The Committee on Judiciary proposed the following amendment (JUD0007.007), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 21 through 30, in Section 15-78-120(a), as contained in SECTION 1, and inserting therein the following:

/ (6) Starting July 1, 2021, and every year thereafter, the Revenue and Fiscal Affairs Office, Board of Economic Advisors, must determine the increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI-U), South Region, published by the U.S. Department of Labor, to the Index of June 30 of the previous year, and all limitations on liability amounts allowed by Sections 15-78-120(a)(1) through (4) must be adjusted accordingly. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised limitation on liability amounts as allowed by Section 15-78-120(a)(1) through (4) to the State Register for publication pursuant to Section 1-23-40(2) and to the Director of the Insurance Reserve Fund. The revised limitation on liability amounts becomes effective on July first of each year, starting July 1, 2021. As soon as practicable after this adjustment is calculated and the revised limitation on liability amounts is sent to the Director of the Insurance Reserve Fund, the Director of the Insurance Reserve Fund shall publish the revised limitation on liability amounts on the Insurance Reserve Fund's internet website." /

Amend the bill further, as and if amended, page 2, by striking line 32, as contained in SECTION 2, and inserting therein the following:

/ SECTION 2. Upon approval by the Governor, this act takes effect July 1, 2020, for causes of action with a date of loss arising on or after July 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the committee amendment.

The amendment was adopted.

Senator GOLDFINCH proposed the following amendment (JUD0007.035), which was carried over:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 1-11-460 of the 1976 Code is amended to read:

"Section 1-11-460. (A) For purposes of this section:

(1) 'governmental entity' means the State and its political entities.

(2) 'State' means the means the State of South Carolina and any of its offices, agencies, authorities, departments, commissions, boards, divisions, instrumentalities, including the South Carolina Protection and Advocacy System for the Handicapped, Inc., and institutions, including state-supported governmental health care facilities, schools, colleges, universities, and technical colleges.

(3) 'State's Catastrophic Fund' means the fund provided for in Section 15-78-125(B).

(B)(1) The State Fiscal Accountability Authority, through the Division of Insurance Services, is authorized to pay judgments against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1), governmental entities, and individual governmental employees and officials, in excess of ~~one~~ two million dollars~~, subject to a maximum of four million dollars in excess of one million dollars for one employee and~~ but may not pay more than a maximum of twenty million dollars ~~in excess of five million dollars~~ in one fiscal year.

(2) These payments are limited to judgments rendered:

(a) under 42 U.S.C. Section 1983 against governmental employees or officials who are covered by a tort liability policy ~~issued by the Insurance Reserve Fund~~; and

(b) against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1), or against any governmental entities, governmental employees or governmental officials covered by a tort liability policy.

(3) These payments are also limited to judgments against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1), or against any governmental entities, governmental employees~~ and~~, or governmental officials for acts committed within the scope of employment.

(4) Payments made pursuant to this section must not be paid on an award for punitive damages.

(5) ~~If a judgment is paid, the payment must be recovered by assessments against all governmental entities purchasing tort liability insurance from the Insurance Reserve Fund~~ Any payment authorized by the State Fiscal Accountability Authority as provided in this section must be paid out of the State's Catastrophic Fund."

SECTION 2. Section 15-78-60 of the 1976 Code is amended to read:

"Section 15-78-60. (A) The governmental entity is not liable for a loss resulting from:

~~(1) legislative, judicial, or quasi-judicial action or inaction;~~

~~(2) administrative action or inaction of a legislative, judicial, or quasi-judicial nature;~~

~~(3) execution, enforcement, or implementation of the orders of any court or execution, enforcement, or lawful implementation of any process;~~

~~(4) adoption, enforcement, or compliance with any law or failure to adopt or enforce any law, whether valid or invalid, including, but not limited to, any charter, provision, ordinance, resolution, rule, regulation, or written policies;~~

~~(5) the exercise of discretion or judgment by the governmental entity or employee or the performance or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee;~~

~~(6) civil disobedience, riot, insurrection, or rebellion or the failure to provide the method of providing police or fire protection;~~

~~(7) a nuisance;~~

~~(8) snow or ice conditions or temporary or natural conditions on any public way or other public place due to weather conditions unless the snow or ice thereon is affirmatively caused by a negligent act of the employee;~~

~~(9) entry upon any property where the entry is expressly or impliedly authorized by law;~~

~~(10) natural conditions of unimproved property of the governmental entity, unless the defect or condition causing a loss is not corrected by the particular governmental entity responsible for the property within a reasonable time after actual or constructive notice of the defect or condition;~~

~~(11) assessment or collection of taxes or special assessments or enforcement of tax laws;~~

~~(12) licensing powers or functions including, but not limited to, the issuance, denial, suspension, renewal, or revocation of or failure or refusal to issue, deny, suspend, renew, or revoke any permit, license, certificate, approval, registration, order, or similar authority except when the power or function is exercised in a grossly negligent manner;~~

~~(13) regulatory inspection powers or functions, including failure to make an inspection, or making an inadequate or negligent inspection, of any property to determine whether the property complies with or violates~~

~~any law, regulation, code, or ordinance or contains a hazard to health or safety;~~

~~(14) any claim covered by the South Carolina Workers' Compensation Act, except claims by or on behalf of an injured employee to recover damages from any person other than the employer, the South Carolina Unemployment Compensation Act, or the South Carolina State Employee's Grievance Act;~~

~~(15) absence, condition, or malfunction of any sign, signal, warning device, illumination device, guardrail, or median barrier unless the absence, condition, or malfunction is not corrected by the governmental entity responsible for its maintenance within a reasonable time after actual or constructive notice. Governmental entities are not liable for the removal or destruction of signs, signals, warning devices, guardrails, or median barriers by third parties except on failure of the political subdivision to correct them within a reasonable time after actual or constructive notice. Nothing in this item gives rise to liability arising from a failure of any governmental entity to initially place any of the above signs, signals, warning devices, guardrails, or median barriers when the failure is the result of a discretionary act of the governmental entity. The signs, signals, warning devices, guardrails, or median barriers referred to in this item are those used in connection with hazards normally connected with the use of public ways and do not apply to the duty to warn of special conditions such as excavations, dredging, or public way construction. Governmental entities are not liable for the design of highways and other public ways. Governmental entities are not liable for loss on public ways under construction when the entity is protected by an indemnity bond. Governmental entities responsible for maintaining highways, roads, streets, causeways, bridges, or other public ways are not liable for loss arising out of a defect or a condition in, on, under, or overhanging a highway, road, street, causeway, bridge, or other public way caused by a third party unless the defect or condition is not corrected by the particular governmental entity responsible for the maintenance within a reasonable time after actual or constructive notice;~~

~~(16) maintenance, security, or supervision of any public property, intended or permitted to be used as a park, playground, or open area for recreational purposes, unless the defect or condition causing a loss is not corrected by the particular governmental entity responsible for maintenance, security, or supervision within a reasonable time after actual notice of the defect or condition;~~

~~(17) employee conduct outside the scope of his official duties or which constitutes actual fraud, actual malice, intent to harm, or a crime involving moral turpitude;~~

~~(18) imposition or establishment of a quarantine by a governmental entity, whether the quarantine relates to persons or property;~~

~~(19) emergency preparedness activities and activities of the South Carolina National Guard and South Carolina State Guard while engaged in state or federal training or duty. This exemption does not apply to vehicular accidents;~~

~~(20) an act or omission of a person other than an employee including but not limited to the criminal actions of third persons;~~

~~(21) the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient, or client or the escape of these persons;~~

~~(22) termination or reduction of benefits under a public assistance program;~~

~~(23) institution or prosecution of any judicial or administrative proceeding;~~

~~(24) holding or conduct of elections;~~

~~(25) responsibility or duty including but not limited to supervision, protection, control, confinement, or custody of any student, patient, prisoner, inmate, or client of any governmental entity, except when the responsibility or duty is exercised in a grossly negligent manner;~~

~~(26) failure to supervise or control areas open for public hunting or activities thereon. Failure to control, maintain, and/or supervise the use of and activities in, on, and around public boat ramps except within a reasonable time after actual notice of the defect or condition. Failure to maintain navigational markers, except within a reasonable time after actual notice of the defect or condition.~~

~~(27) solicitations on streets and highways as authorized by the provisions of Section 5-27-910.~~

~~(28) Notification of any public school student's parent, legal guardian, or other person with whom a public school student resides of the student's suspected use of alcohol, controlled substance, prescription or nonprescription drugs by any public school administrator, principal, counselor, or teacher if such notification is made in good faith.~~

~~(29) acts or omissions of members of the state and county athletic commissions or ringside physicians acting within the scope of their official duties pursuant to Chapter 7 of Title 52.~~

~~(30) acts or omissions of members of local foster care review boards acting within the scope of their official duties pursuant to Subarticle 4, Article 13, Chapter 7 of Title 20. However, the member shall act in good faith, his conduct may not constitute gross negligence, recklessness, wilfulness, or wantonness, and he must have participated in a training program established by the state foster care review board system.~~

~~(31) acts or omissions of employees and volunteers of the South Carolina Protection and Advocacy System for the Handicapped acting within the scope of their official duties pursuant to Article 5, Chapter 33 of Title 43, when such acts or omissions are done or made in good faith, and do not constitute gross negligence, recklessness, wilfulness, or wantonness.~~

~~(32) a pre-occupancy housing inspection contracted for by the South Carolina Department of Employment and Workforce pursuant to Section 46-43-40.~~

~~(33) the performance of any duty related to the service of members of the Judicial Merit Selection Commission or the Citizens Committees on Judicial Selection.~~

~~(34) the performance of any duty related to the service of the members of the Tobacco Community Development Board.~~

~~(35) the failure of a library's or media arts center's governing board to adopt policies as provided in Section 10-1-205.~~

~~(36) acts or omissions by a special state constable who is appointed pursuant to Section 23-7-10 and acting within the scope of his official duty under conditions of a national emergency or of a serious and immediate risk to the physical security of an energy facility within the special state constable's jurisdiction as provided in Section 23-7-40.~~

~~(37) the performance of any duty related to the service of the members of the Tobacco Settlement Revenue Management authority.~~

~~(38) conduct of a director appointed pursuant to Section 58-31-20 giving rise to a lawsuit under Section 58-31-57.~~

~~(39) the grant or denial by a governing body of a county or municipality as provided in Section 23-35-175 of an application to extend a Fireworks Prohibited Zone beyond the subject property for which a Discharge of Fireworks Prohibited Agreement has been filed.~~

~~(40) an injury a student may sustain as a result of self-monitoring or self-administering medications or for an injury that a student may sustain from taking or using medications or self-monitoring devices for which the student does not have a prescription or does not have authorization by the school district.~~

(1) legislative, judicial, or quasi-judicial action or inaction;

(2) administrative action or inaction of a legislative, judicial, or quasi-judicial nature;

(3) execution, enforcement, or implementation of the orders of any court or execution, enforcement, or lawful implementation of any process;

(4) civil disobedience, riot, insurrection, or rebellion or the failure to provide the method of providing police or fire protection;

(5) a nuisance;

(6) entry upon any property where the entry is expressly or impliedly authorized by law;

(7) assessment or collection of taxes or special assessments or enforcement of tax laws;

(8) regulatory inspection powers or functions, including failure to make an inspection, or making an inadequate or negligent inspection, of any property to determine whether the property complies with or violates any law, regulation, code, or ordinance or contains a hazard to health or safety;

(9) any claim covered by the South Carolina Workers' Compensation Act, except claims by or on behalf of an injured employee to recover damages from any person other than the employer, the South Carolina Unemployment Compensation Act, or the South Carolina State Employee's Grievance Act;

(10) employee conduct outside the scope of his official duties or which constitutes actual fraud, actual malice, intent to harm, or a crime involving moral turpitude;

(11) imposition or establishment of a quarantine by a governmental entity, whether the quarantine relates to persons or property;

(12) emergency preparedness activities and activities of the South Carolina National Guard and South Carolina State Guard while engaged in state or federal training or duty. This exemption does not apply to vehicular accidents;

(13) an act or omission of a person other than an employee, including but not limited to the criminal actions of third persons;

(14) the decision to or implementation of release, discharge, parole, or furlough of any persons in the custody of any governmental entity, including but not limited to a prisoner, inmate, juvenile, patient, or client or the escape of these persons;

(15) termination or reduction of benefits under a public assistance program;

(16) institution or prosecution of any judicial or administrative proceeding. This exemption does not apply if the governmental entity or the employee acted with malice in instituting such proceeding;

(17) holding or conduct of elections;

(18) failure to supervise or control areas open for public hunting or activities thereon;

(19) solicitations on streets and highways as authorized by the provisions of Section 5-27-910;

(20) acts or omissions of members of the state and county athletic commissions or ringside physicians acting within the scope of their official duties pursuant to Chapter 7 of Title 52;

(21) a pre-occupancy housing inspection contracted for by the South Carolina Department of Employment and Workforce pursuant to Section 46-43-40;

(22) the performance of any duty related to the service of members of the Judicial Merit Selection Commission or the Citizens Committees on Judicial Selection;

(23) the performance of any duty related to the service of the members of the Tobacco Community Development Board;

(24) the failure of a library's or media arts center's governing board to adopt policies as provided in Section 10-1-205;

(25) acts or omissions by a special state constable who is appointed pursuant to Section 23-7-10 and acting within the scope of his official duty under conditions of a national emergency or of a serious and immediate risk to the physical security of an energy facility within the special state constable's jurisdiction as provided in Section 23-7-40;

(26) the performance of any duty related to the service of the members of the Tobacco Settlement Revenue Management authority;

(27) conduct of a director appointed pursuant to Section 58-31-20 giving rise to a lawsuit under Section 58-31-57;

(28) the grant or denial by a governing body of a county or municipality as provided in Section 23-35-175 of an application to extend a Fireworks Prohibited Zone beyond the subject property for which a Discharge of Fireworks Prohibited Agreement has been filed; and

(29) for an injury a student may sustain as a result of self-monitoring or self-administering medications or for an injury that a student may sustain from taking or using medications or self-monitoring devices for which the student does not have a prescription or does not have authorization by the school district.

(B) The governmental entity is not liable for a loss resulting from the following unless the absence, condition, or malfunction is not corrected by the governmental entity responsible for its maintenance within a reasonable time after actual or constructive notice:

(1) natural conditions of unimproved property of the governmental entity.

(2) absence, condition, or malfunction of any sign, signal, warning device, illumination device, guardrail, or median barrier. Governmental entities are not liable for the removal or destruction of signs, signals, warning devices, guardrails, or median barriers by third parties. Nothing in this item gives rise to liability arising from a failure of any governmental entity to initially place any of the above signs, signals, warning devices, guardrails, or median barriers when the failure is the result of a discretionary act of the governmental entity. The signs, signals, warning devices, guardrails, or median barriers referred to in this item are those used in connection with hazards normally connected with the use of public ways and do not apply to the duty to warn of special conditions such as excavations, dredging, or public way construction. Governmental entities are not liable for the design of highways and other public ways. Governmental entities are not liable for loss on public ways under construction. Governmental entities responsible for maintaining highways, roads, streets, causeways, bridges, or other public ways are not liable for loss arising out of a defect or a condition in, on, under, or overhanging a highway, road, street, causeway, bridge, or other public way caused by a third party.

(C) The governmental entity is not liable for a loss resulting from the following unless the absence, condition, or malfunction is not corrected by the responsible governmental entity within a reasonable time after actual notice of the defect or condition:

(1) maintenance, security, or supervision of any public property, intended or permitted to be used as a park, playground, or open area for recreational purposes;

(2) failure to control, maintain, or supervise the use of and activities in, on, and around public boat ramps; or

(3) failure to maintain navigational markers.

(D) The governmental entity is not liable for a loss resulting from snow or ice conditions or temporary or natural conditions on any public way or other public place due to weather conditions unless the snow or ice thereon is affirmatively caused by a negligent act of the employee.

(E) The governmental entity is not liable for a loss resulting from the following unless the power or function is exercised in a grossly negligent manner or without good faith:

(1) acts or omissions of members of local foster care review boards acting within the scope of their official duties pursuant to Article 7, Chapter 11 of Title 63, if the board members have participated in a training program established by the state foster care review board system; or

(2) acts or omissions of employees and volunteers of the South Carolina Protection and Advocacy System for the Handicapped acting within the scope of their official duties pursuant to Article 5, Chapter 33 of Title 43.

(F) The governmental entity is not liable for a loss resulting from the following unless the power or function is exercised in a grossly negligent manner:

(1) licensing powers or functions including, but not limited to the issuance, denial, suspension, renewal, or revocation of or failure or refusal to issue, deny, suspend, renew, or revoke any permit, license, certificate, approval, registration, order, or similar authority;

(2) responsibility or duty including, but not limited to supervision, protection, control, confinement, or custody of any student, patient, prisoner, inmate, or client of any governmental entity; or

(3) the exercise of discretion or judgment by the governmental entity or employee or the performance of or failure to perform any act or service which is in the discretion or judgment of the governmental entity or employee.

(G) The governmental entity is not liable for a loss resulting from notification of any public school student's parent, legal guardian, or other person with whom a public school student resides of the student's suspected use of alcohol, controlled substances, prescription or nonprescription drugs by any public school administrator, principal, counselor, or teacher if such notification is made in good faith."

SECTION 3. Section 15-78-80(g) of the 1976 Code is amended to read:

"(g)(1) In ~~all cases~~ any case~~,~~ where insurance is provided by the State Fiscal Accountability Authority, the agency or political subdivision involved must cooperate with the State Fiscal Accountability Authority in the investigation and handling of any claim.

(2) In any case where the claim is within the policy limits, the Insurance Reserve Fund must not seek any additional contribution from the insured related to that case."

SECTION 4. Section 15-78-120(a) of the 1976 Code is amended to read:

"(a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding seven ~~three~~ hundred fifty thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed one million five ~~six~~ hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

(6) Starting July 1, 2021, and by July 1 of every even-numbered year thereafter, the Revenue and Fiscal Affairs Office, Board of Economic Advisors, must adjust the target fund amount by calculating the increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI U), South Region, published by the U.S. Department of Labor, to the Index of June 30 of two years prior, and all

limitations on liability amounts allowed by Sections 15-78-120(a)(1) through (4) must be adjusted accordingly. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised limitations on liability amounts as allowed by Section 15-78-120(a)(1) through (4) to the State Register for publication pursuant to Section 1-23-40(2) and to the Director of the Insurance Reserve Fund. As soon as practicable after this adjustment is calculated and the revised limitations on liability amounts are sent to the Director of the Insurance Reserve Fund, the Director of the Insurance Reserve Fund shall publish the revised limitations on liability amounts on the Insurance Reserve Fund's internet website. The revised limitations on liability amounts become effective on July 1 of the year in which the adjustment is made, and apply to all causes of action arising on or after July 1 of that year and before July 1 of every even-numbered year following."

SECTION 5. Section 15-78-120(b) of the 1976 Code is amended to read:

"(b) Except as otherwise provided in this subsection, ~~No~~ no award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment. A party who files an offer of judgment under this chapter as provided in Section 15-35-400(A) shall be allowed to recover as provided in Section 15-35-400(B) from the offeree regardless of whether the total of administrative, filing, or other court costs, and the eight percent interest on the amount of the verdict or award from the date of the offer combined with the verdict or award exceeds the liability limits specified in Sections 15-78-120(a)(1) through (a)(4). The eight percent interest must be determined from the date of the offer and must be computed on the amount of the verdict or award prior to the application of any limitations on liability in Section 15-78-120(a)(1) through (a)(4). Nothing in this subsection shall be so construed as to limit or restrict the right of a defendant who is an offeror pursuant to Section 15-35-400(A) from receiving administrative, filing, or other court costs, and a reduction from the judgment or award of eight percent interest on the amount of the verdict or award as provided in Sections 15-35-400(B)(1) and (B)(3)."

SECTION 6. Chapter 78, Title 15 of the 1976 Code is amended by adding:

"Section 15-78-125. (A)(1) A person may petition the State Fiscal Accountability Authority pursuant to Section 1-11-460 for a payment of the full amount of the verdict over the limitations on liability in Sections 15-78-120(a)(2) and (a)(4) provided the following:

(a) the person suffered a loss proximately caused by any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1), a governmental entity, or individual governmental employees and governmental officials acting within the scope of his official duty;

(b) the person was awarded a verdict arising out of that loss that is in excess of two million dollars prior to the application of any limitations on liability in Sections 15-78-120(a)(1) through (a)(4); and

(c) the loss involved more than one claimant but arose out of a single occurrence or related occurrences.

(2) The State Fiscal Accountability Authority, through its Division of Insurance Services, is authorized to pay judgments against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1), or against any governmental entities or any individual governmental employees or governmental officials in excess of two million dollars pursuant to the maximum limitations in Section 1-11-460, except that no payment from the fund may be ordered in excess of deposited funds.

(3) The State Fiscal Accountability Authority may authorize full or partial payment or decline to authorize payment.

(4) The State Fiscal Accountability Authority through its Division on Insurance Services shall promulgate and publish rules and regulations it finds necessary and appropriate that are not inconsistent with the provisions of this section and that concern the process and procedures by which requests for payments under this section are made and considered.

(5) Any payment authorized by the State Fiscal Accountability Authority as provided by Section 1-11-460 must be paid out of the State's Catastrophic Fund.

(B)(1) The State Fiscal Accountability Authority through its Division on Insurance Services shall have the authority to promulgate rules and regulations under which it may make a reasonable charge or assessment against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) and that is protected by the liability limits in this chapter and any governmental entity protected by the liability limits in this chapter as provided by the provisions of this section. Such charge or assessment must be determined by the State Fiscal Accountability Authority and must be apportioned among the various hospitals that are considered 'charitable organizations' as that term is used in Section 33-56-20(1) and governmental entities in a proratable or fair manner, and the funds derived from such charge or

assessment shall be used exclusively by the State Fiscal Accountability Authority to do the following:

(a) fund the State's Catastrophic Fund as provided for in Section 1-11-460 in the amount of three million dollars by July first of 2022, and

(b) collect an additional one million dollars every year thereafter for deposit in the State's Catastrophic Fund.

(2) Each governmental entity protected by the limits in this chapter and each hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) and that is protected by the limits in this chapter must pay into the State Catastrophic Fund at such time or times prescribed by and in the amounts and at the rates specified by regulations promulgated by the State Fiscal Accountability Authority in order to fund the State Catastrophic Fund pursuant to subsection (B)(1).

(3)(a) In case of refusal to pay such charge or assessment on the part of any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or governmental entity as defined in this chapter, or in case such charge or assessment remains unpaid for a period of thirty days:

(i)the State Fiscal Accountability Authority may initiate a suit in a court of competent jurisdiction for the recovery of such charge or assessment, or

(ii) the amount of such charge or assessment may, at the request of the State Fiscal Accountability Authority, be deducted from any other moneys payable to such hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or governmental entity by any department or agency of the State.

(b) Any delinquent payment or payments due under this section by any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or by a governmental entity protected by the liability limits in this chapter must be charged interest compounded annually based on the adjusted prime rate charged by banks, rounded to the nearest full percent. The effective date of this adjustment must be based on the twelve-month period ending March thirty-first of any calendar year and must be established by April fifteenth for an effective date of the next first day of July. As used in this subitem, the 'adjusted prime rate charged by banks' means the average predominant prime rate quoted by commercial banks to large businesses as determined by the Board of Governors of the Federal Reserve System. The adjusted prime rate used must be the adjusted prime rate charged by the bank during March of that year.

(c) Delinquent payments may:

(i)be recovered by action in a court of competent jurisdiction against any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or governmental entity liable for the payment, or

(ii) at the request of the State Fiscal Accountability Authority, be deducted from any other monies payable to such hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or governmental entity by any department or agency of the State. Upon notification from the State Fiscal Accountability Authority to the State Treasurer and Comptroller General as to a delinquency of any payments due under this section, any distributions that might otherwise be made to any hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or the governmental entity from any funds of the State shall be withheld from such governmental entity or hospital until notice from the State Fiscal Accountability Authority to the State Treasurer that such hospital that is considered a 'charitable organization' as that term is used in Section 33-56-20(1) or governmental entity is no longer in default in its payments.

(4)(a) As used in this item, 'target fund amount' means twenty million dollars.

(b) On June thirtieth of every year, starting in 2039, the State Fiscal Accountability Authority must review all outstanding obligations in this fund and may, by an equitable proratable method established by regulation, refund to the governmental entities and the hospitals that are considered 'charitable organizations' as that term is used in Section 33-56-20(1) the amount by which the account assets exceed the target fund amount. Refunds to governmental entities and hospitals that are considered 'charitable organizations' as that term is used in Section 33-56-20(1) must be in proportion to the contribution each governmental entity and hospital made to the fund.

(c) Starting June 1, 2040, and every year thereafter, the Revenue and Fiscal Affairs Office, Board of Economic Advisors, must adjust the target fund amount by calculating the increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI U), South Region, published by the U.S. Department of Labor, to the Index of June first of 2019. As soon as practicable after this adjustment is calculated, the Director of the Revenue and Fiscal Affairs Office shall submit the revised target fund amount to the State Register for publication pursuant to Section 1-23-40(2) and to the Executive Director of the State Fiscal Accountability Authority and the Director of the Insurance Reserve

Fund. The revised target fund amount becomes effective on June first of each year, starting June 1, 2040. As soon as practicable after this adjustment is calculated and the revised target fund amount is sent to the Director of the Insurance Reserve Fund, the Director of the Insurance Reserve Fund shall publish the revised target fund amount on the Insurance Reserve Fund's internet website.

(5) This fund must be established and held separate and apart from any other funds or moneys of the State and must be used and administered exclusively for the purpose of this section and Section 1-11-460. Investment earnings derived from monies in such account must be credited to the account. Withdrawals from this fund must be made solely for payments made pursuant to subsection (A) of this section and Section 1-11-460, and to defray expenses of administration."

SECTION 7. A.The creation of a Tort Reform Study Committee.

(A) There is created a Tort Reform Study Committee to develop and recommend legislation to assist the General Assembly in enacting and implementing the State Catastrophic Fund as provided in Sections 1-11-460 and 15-78-125 for the purpose of compensating certain specified persons in an amount in excess of the governmental tort liability limits for injuries or deaths caused by the actions of a governmental entity or an employee of a governmental entity and to study other issues relating to governmental tort liability.

(B)(1) The committee shall be comprised of the following members:

(a) the President of the Senate, or his designee;

(b) the Speaker of the House, or his designee;

(c) the Chairman of the Senate Finance Committee, or his designee;

(d) the Chairman of the House Ways and Means Committee, or his designee;

(e) the Chairman of the Senate Judiciary Committee, or his designee;

(f) the Chairman of the House Judiciary Committee, or his designee; and

(g) the Executive Director of the State Fiscal Accountability Authority, or his designee.

(2) Vacancies in the membership of this study committee must be filled for the remainder of the unexpired term in the manner of the original appointment.

(3) The President of the Senate and the Speaker of the House of Representatives shall provide staffing for the study committee.

(C) The study committee shall provide a report to the General Assembly by March 1, 2020, at which time the study committee shall dissolve.

SECTION 7. B. This SECTION takes effect upon approval by the Governor.

SECTION 8. Except as otherwise provided, upon approval by the Governor, this act takes effect July 1, 2020, for causes of action with a date of loss arising on and after July 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator MASSEY spoke on the Bill.

On motion of Senator MALLOY, the amendment was carried over.

Senator MALLOY proposed the following amendment (JUD0007.049):

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 15-78-120(a) of the 1976 Code is amended to read:

"(a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~ seven hundred fifty thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed one million ~~six~~ five hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State."/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator MASSEY spoke on the amendment.

Senators MALLOY and GOLDFINCH proposed the following amendment (JUD0007.051), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 15-78-120 of the 1976 Code is amended to read:

"Section 15-78-120. (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding <u>five</u> ~~three~~ hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed <u>one million</u> ~~six hundred thousand~~ dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any

licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

(b) Except as otherwise provided in this subsection, ~~No~~ no award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment. A party who files an offer of judgment under this chapter as provided in Section 15-35-400(A) shall be allowed to recover as provided in Section 15-35-400(B) from the offeree regardless of whether the total of administrative, filing, or other court costs, and the eight percent interest on the amount of the verdict or award from the date of the offer, combined with the verdict or award exceeds the liability limits specified in Sections 15-78-120(a)(1) through (a)(4). The eight percent interest must be determined from the date of the offer and must be computed on the amount of the verdict or award prior to the application of any limitations on liability in Section 15-78-120(a)(1) through (a)(4). Nothing in this subsection shall be so construed as to limit or restrict the right of a defendant who is an offeror pursuant to Section 15-35-400(A) from receiving administrative, filing, or other court costs, and a reduction from the judgment or award of eight percent interest on the amount of the verdict or award as provided in Sections 15-35-400(B)(1) and (B)(3).

(c) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best

of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee."

SECTION 2. Upon approval by the Governor, this act takes effect July 1, 2020, for causes of action with a date of loss arising on and after July 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MALLOY spoke on the Bill.

The amendment was adopted.

On motion of Senator MARTIN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE

DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER

STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senators RICE, VERDIN and CAMPBELL proposed the following amendment (105R014.SP.RFR), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Chapter 1, Title 47 of the 1976 Code is amended by adding:

"ARTICLE 3

Tethering Dogs

Section 47-1-300. As used in this article:

(1) 'Cruelly tether' means tethering a dog in a manner that causes injury or illness to the dog as determined by a veterinarian, utilizes a tether that is too short or too heavy for an unattended dog to move around, or does not permit the dog to have access to adequate sustenance or shelter as defined in Section 47-1-10.

(2) 'Tether' means to confine a dog by attaching it to a stationary object by means of a chain, rope, cable, trolley, running line, or similar device.

(3) 'Unattended' means beyond the visual sight of the owner, handler, or caretaker.

Section 47-1-310. (A) It is unlawful to tether a dog:

(1) if the dog is unattended for more than sixty minutes without continuous access to sustenance and shelter as defined in Section 47-1-10;

(2) by means of a choke collar, prong collar, logging chain, or tow chain;

(3) if the dog is younger than six months of age; or

(4) in a manner that limits the dog to access an area of usable space that is less than the greater of fifty square feet or one square foot for every one pound of the dog's weight.

(B)(1) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined fifty dollars for a first offense and not more than one hundred dollars for each subsequent offense.

(2) The provisions of this section do not constitute an unlawful tethering if:

(a) the owner, handler, or caretaker has been mandated by an animal control or law enforcement authority of the State to keep a dangerous dog restrained by use of a tether;

(b) the owner, handler, or caretaker has tethered a dog pursuant to the requirements of a park or camping or recreational area;

(c) the owner, handler, or caretaker has tethered a dog while actively engaged in the activity of shepherding or herding cattle, sheep, or other livestock or in conduct that is directly related to the business of cultivating agricultural products;

(d) the owner, handler, or caretaker has tethered a dog while actively engaged in lawful hunting or in training a dog for the purposes of lawful hunting;

(e) the owner, handler, or caretaker has tethered a dog while actively engaged in training for or participation in recognized exhibitions, events, tests, and trials; or

(f) the dog is tethered while being groomed, receiving veterinary care, or participating in other accepted dog husbandry purposes.

(C) Law enforcement may issue a uniform traffic ticket pursuant to Section 56-7-10 for violations of this section.

Section 47-1-320. It is unlawful to cruelly tether a dog. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be punished by imprisonment not to exceed ninety days, by a fine of not less than one hundred dollars and not more than one thousand dollars, or by both; or

(2) for a second or subsequent offense, by imprisonment not to exceed one year, by a fine of not less than five hundred dollars and not more than one thousand dollars, or by both." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

SECTION _. Section 56-7-10(A) of the 1976 Code is amended to read:

"Section 56-7-10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

~~Offense Citation~~

~~Interfering with Police Officer Serving Process Section 16-5-50~~

~~Dumping Trash on Highway/Private Property Section 16-11-700~~

~~Indecent Exposure–Section 16-15-130~~

~~Disorderly Conduct – Section 16-17-530~~

~~Damaging Highway – Section 57-7-10~~

~~Place Glass, Nails, Etc. on Highway Section 57-7-20~~

~~Obstruction of Highway by Railroad Cars, Etc. – Section 57-7-240~~

~~Signs Permitted on Interstate Section 57-25-140~~

~~Brown Bagging–Section 61-5-20~~

~~Drinking Liquors in Public Conveyance – Section 61-13-360~~

~~Poles Dragging on Highway–Section 57-7-80~~

~~Open Container–Section 61-9-87~~

~~Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440~~

~~Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty-One – Section 63-19-2450~~

~~Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30~~

~~Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20~~

~~Falsification of Age to Purchase Beer or Wine Section 61-9-50~~

~~Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy – Section 61-9-60~~

~~Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another Section 61-9-85~~

~~Employment of a Person Under the Age of Twenty-One as an Employee in Retail or Wholesale or Manufacturing Liquor Business Section 61-13-340~~

~~Failure to Remove Doors from Abandoned Refrigerators – Section 16-3-1010~~

~~Malicious Injury to Animals or Personal Property – Section 16-11-510~~

~~Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars–Section 16-11-580~~

~~Littering–Section 16-11-700~~

~~Larceny of a Bicycle Valued at Less Than One Hundred Dollars Section 16-13-80~~

~~Shoplifting–Section 16-13-110~~

~~Cock Fighting Section 16-17-650~~

~~Ticket Scalping–Section 16-17-710~~

~~Domestic Violence, second and third degree – Section 16-25-20~~

~~Glue Sniffing Section 44-53-1110~~

~~Trespassing Section 16-11-755~~

~~Trespassing Section 16-11-600~~

~~Trespassing Section 16-11-610~~

~~Trespassing Section 16-11-620~~

~~Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs Section 50-21-110~~

~~Negligence of Boat Livery to Provide Proper Equipment and RegistrationSection 50-21-120~~

~~Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170~~

~~Operation of Watercraft Without a Certificate of TitleSection 50-23-190~~

~~Parking on private property without permission Section 16-11-760~~

~~Certificate of Veterinary Inspection; Requirement for Out-of-State Livestock or Poultry Section 47-4-60~~

~~Inhibition of Livestock InspectionSection 47-4-120~~

~~Imported Swine Section 47-6-50~~

~~Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20~~

~~Liability of Person Removing Livestock for Slaughter Section 47-11-120~~

~~Notice to Disinfect Section 47-13-310~~

~~Quarantine of Livestock or Poultry Section 47-4-70~~

~~Unlawful for Horse to Enter State Unless Tested Section 47-13-1350~~

~~Quarantine of Exposed Horses Section 47-13-1360~~

~~Proof of Test Required for Public Assembly of Horses Section 47-13-1370~~

~~False Certificates Section 47-13-1390~~

~~Unlawful to Feed Garbage to Swine Section 47-15-20~~

~~Notification Required from Certain Persons Disposing of Garbage Section 47-15-40~~

~~Sale of Uninspected Meat and Meat Products Section 47-17-60~~

~~Sale of Uninspected Poultry and Poultry Product Section 47-19-70~~

(1) Interfering with Police Officer Serving Process Section 16-5-50;

(2) Dumping Trash on Highway/Private Property Section 16-11-700;

(3) Indecent Exposure Section 16-15-130;

(4) Disorderly Conduct Section 16-17-530;

(5) Damaging Highway Section 57-7-10;

(6) Place Glass, Nails, Etc. on Highway Section 57-7-20;

(7) Obstruction of Highway by Railroad Cars, Etc. Section 57-7-240;

(8) Signs Permitted on Interstate Section 57-25-140;

(9) Brown Bagging Section 61-5-20;

(10) Drinking Liquors in Public Conveyance Section 61-13-360;

(11) Poles Dragging on Highway Section 57-7-80;

(12) Open Container Section 61-9-87;

(13) Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440;

(14) Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty-One Section 63-19-2450;

(15) Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30;

(16) Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20;

(17) Falsification of Age to Purchase Beer or Wine Section 61-9-50;

(18) Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy Section 61-9-60;

(19) Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another Section 61-9-85;

(20) Employment of a Person Under the Age of Twenty-One as an Employee in Retail or Wholesale or Manufacturing Liquor Business Section 61-13-340;

(21) Failure to Remove Doors from Abandoned Refrigerators Section 16-3-1010;

(22) Malicious Injury to Animals or Personal Property Section 16-11-510;

(23) Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars Section 16-11-580;

(24) Littering Section 16-11-700;

(25) Larceny of a Bicycle 651
Valued at Less Than One Hundred Dollars Section 16-13-80;

(26) Shoplifting Section 16-13-110;

(27) Cock Fighting Section 16-17-650;

(28) Ticket Scalping Section 16-17-710;

(29) Domestic Violence, second and third degree Section 16-25-20;

(30) Glue Sniffing Section 44-53-1110;

(31) Trespassing Section 16-11-755;

(32) Trespassing Section 16-11-600;

(33) Trespassing Section 16-11-610;

(34) Trespassing Section 16-11-620;

(35) Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs Section 50-21-110;

(36) Negligence of Boat Livery to Provide Proper Equipment and Registration Section 50-21-120;

(37) Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170;

(38) Operation of Watercraft Without a Certificate of Title Section 50-23-190;

(39) Parking on private property without permission Section 16-11-760;

(40) Certificate of Veterinary Inspection; Requirement for Out of State Livestock or Poultry Section 47-4-60;

(41) Inhibition of Livestock Inspection Section 47-4-120;

(42) Imported Swine Section 47-6-50;

(43) Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20;

(44) Liability of Person Removing Livestock for Slaughter Section 47-11-120;

(45) Notice to Disinfect Section 47-13-310;

(46) Quarantine of Livestock or Poultry Section 47-4-70;

(47) Unlawful for Horse to Enter State Unless Tested Section 47-13-1350;

(48) Quarantine of Exposed Horses Section 47-13-1360;

(49) Proof of Test Required for Public Assembly of Horses Section 47-13-1370;

(50) False Certificates Section 47-13-1390;

(51) Unlawful to Feed Garbage to Swine Section 47-15-20;

(52) Notification Required from Certain Persons Disposing of Garbage Section 47-15-40;

(53) Sale of Uninspected Meat and Meat Products Section 47-17-60;

(54) Sale of Uninspected Poultry and Poultry Product Section 47-19-70;

(55) Unlawfully Tethering a Dog 47-1-310." /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Cromer	Davis	Fanning
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 386 -- Senators Malloy, Goldfinch, Talley, Sabb and Harpootlian: A BILL TO AMEND CHAPTER 78, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT, SO AS TO AMEND AND

REORGANIZE THE EXISTING EXCEPTIONS AND MAKE OTHER RELATED CHANGES.

On motion of Senator MALLOY, the Bill was recommitted to the Committee on Judiciary.

CARRIED OVER

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

On motion of Senator HUTTO, the Bill was carried over.

CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE,

AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was carried over.

AMENDED, CARRIED OVER

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO

THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (3420R001.SP.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 6 through 13 and inserting:

/ (a) for a first offense, fined not less than ~~one hundred dollars nor more than two hundred dollars~~ two hundred dollars and not more than three hundred dollars, imprisoned for not more than thirty days, or both;

(b) for a second and subsequent offense, ~~which occurs within three years of the first offense,~~ fined not less than ~~two~~ four hundred dollars ~~nor~~ and not more than ~~three~~ five hundred dollars, imprisoned for not more than thirty days, or both~~;~~

~~(c) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars~~. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-17-500(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) Failure of an individual to require identification for the purpose of verifying a person's age is prima facie evidence of a violation of this section." /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MASSEY, the amendment was withdrawn.

Senator YOUNG proposed the following amendment (JUD3420.018), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Article 7, Chapter 17, Title 16 of the 1976 Code is amended by adding:

"Section 16-17-506. (1) For purposes of this section, "container" means a bottle or other container of any kind that contains e-liquid and is offered for sale, sold, or otherwise distributed, or intended for distribution to consumers, but that does not include a cartridge that is

prefilled and sealed by the manufacturer and not intended to be opened by the customer.

(2) It is unlawful to sell, hold for sale, or distribute a container of e-liquid unless:

(a) the container satisfies the requirements of the 21 C.F.R. 1143.3, if applicable, for the placement of labels, warnings, or any other information upon a package of e-liquid that is to be sold within the United States;

(b) the container complies with child-resistant effectiveness standards under 16 C.F.R. 1700.15(b)(1) when tested in accordance with the requirements of 16 C.F.R. 1700.20; and

(c) the container complies with federal trademark or copyright laws.

(3) A person who knowingly sells, holds for sale, or distributes e-liquid containers in violation of subsection (2) is guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than three years or fined not more than one thousand dollars, or both.

(4) In addition to the other penalties provided by law, law enforcement may seize and destroy or sell to the manufacturer, for export only, any containers in violation of this section." /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 185 -- Senators McElveen, Rice, Alexander and Martin: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019, TO DECEMBER 31, 2025.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Malloy	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Cash	Davis

Total--2

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 401 -- Senators Campbell and Scott: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR

RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (401R001.SP.LKG), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 1 and inserting:

/ (B)(1) Notwithstanding any encroachment permit conditions to the contrary, an entity undertaking a transportation improvement /

Amend the bill further, as and if amended, page 3, by striking lines 17 through 20 and inserting:

/all relocation drawings and bid documents. All documents necessary for inclusion in the transportation improvement project must be provided by the utility at least one hundred eighty days prior to the receipt of bids for the project. However, if the transportation improvement project is under an accelerated schedule, then the entity undertaking the project shall notify the utility of the date by which the documents must be provided. Failure to meet the bidding and construction schedule requirements shall result in the utility having to bear all relocation costs, except if the delay is due to an event beyond the control of the utility. /

Amend the bill further, as and if amended, page 4, by striking lines 1 through 21 and inserting:

/the general contractor. A decision by a large public water utility or large public sewer utility to not have the relocations placed under the control of the general contractor must be communicated in writing to the entity undertaking the transportation improvement project one hundred eighty days prior to the receipt of bids for the project. Failure to meet the project contract requirements and construction schedule shall result in the utility having to bear all relocation costs.

(G) Nothing herein shall prohibit or limit payment by a transportation improvement project for the relocation of public water or public sewer lines necessary for the transportation improvement project if a public utility has a prior right to situate the water or sewer lines in their present location.

(H) The department shall include metrics on utility relocation under this section in its annual accountability report."

SECTION 2. The requirements of Section 57-5-880, as added by this act, expire on July 1, 2026, unless otherwise extended by the General Assembly. /

Renumber sections to conform.
Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 530 -- Senator Leatherman: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO THE CONSOLIDATED PROCUREMENT CODE,

TO REVISE THE CONSOLIDATED PROCUREMENT CODE, ITS APPLICATION, THE PROCEDURES GOVERNED BY THE CODE, AND INTERNAL REFERENCES; TO REORGANIZE THE PROCUREMENT SERVICES DIVISION AT THE STATE FISCAL ACCOUNTABILITY AUTHORITY; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (SA\530C001.RT.SA19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 11 and inserting:

/ SECTION 11 Section 11-35-710 of the 1976 Code is amended to read:

"Section 11-35-710. (A) The board, upon the recommendation of the ~~designated board office~~ chief procurement officer, may exempt governmental bodies from purchasing certain items through the respective chief procurement officer's area of responsibility. The board may exempt specific supplies, services, information technology, or construction from the purchasing procedures required in this chapter and for just cause by unanimous written decision limit or may withdraw exemptions provided for in this section. The following exemptions are granted from this chapter:

(1) the construction, maintenance, and repair of bridges, highways, and roads; vehicle and road equipment maintenance and repair; and other emergency-type parts or equipment utilized by the Department of Transportation or the Department of Public Safety;

(2) the purchase of raw materials by the South Carolina Department of Corrections, Division of Prison Industries;

(3) South Carolina State Ports Authority;

(4) Division of Public Railways of the Department of Commerce;

(5) South Carolina Public Service Authority;

(6) expenditure of funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operation of canteens and bookstores, except as the funds are used for the procurement of construction, architect-engineer, construction-management, and land surveying services;

(7) livestock, feed, and veterinary supplies;

(8) articles for commercial sale by all governmental bodies;

(9) fresh fruits, vegetables, meats, fish, milk, and eggs;

(10) South Carolina Arts Commission and South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculpture, and similar objects. Before a governmental body procures the objects, the head of the purchasing agency shall prepare a written determination specifying the need for the objects and the benefits to the State. The South Carolina Arts Commission shall review the determination and forward a recommendation to the board for approval;

(11) published books, periodicals, and technical pamphlets;

(12) South Carolina Research Authority;

(13) the purchase of supplies, services, or information technology by state offices, departments, institutions, agencies, boards, and commissions or the political subdivisions of this State from the South Carolina Department of Corrections, Division of Prison Industries;

(14) Medical University Hospital Authority, if the Medical University Hospital Authority has promulgated a procurement process in accordance with its enabling provision;

(15) if approved in writing by the State Engineer in advance, and if some aspect of the overall transaction is otherwise approved by the board in advance of the acquisition, an acquisition of construction from an eleemosynary corporation or foundation, or a wholly owned business thereof, established solely for the governmental body's benefit, but only if the eleemosynary corporation or foundation acquires the construction on behalf of or for the use of the governmental body and does so pursuant to this code, as required by Section 11-35-40(4).

(B) The State Fiscal Accountability Authority shall maintain and post publicly a running list of all currently effective actions taken by the board pursuant to subsection (A)." /

Amend the bill further, as and if amended, pages 37-38, by deleting SECTION 23.B.

Amend the bill further, as and if amended, SECTION 56, pages 62-63, by striking Section 11-35-4210(1)(b) and inserting:

/ (b) Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall notify the appropriate chief procurement officer in writing of its intent to protest within seven business days of the date that award or notification of intent to award, whichever is earlier, is posted and sent in accordance with this code. Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner stated in subsection (2)~~(b)~~

within ~~ten~~ fifteen days of the date award or notification of intent to award, whichever is earlier, is posted and sent in accordance with this code; except that a matter that could have been raised pursuant to subitem (a) as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract. /

Amend the bill further, as and if amended, by adding an appropriately numbered SECTION at the end to read:

/ SECTION __. No later than the first Monday in September after this act takes effect, the State Fiscal Accountability Authority shall publish interim regulations it will follow to implement changes to Chapter 35, Title 11 of the 1976 Code, as contained in this act. These interim regulations must be used in implementing this act until such time as the final rules and regulations are adopted in accordance with this section and Chapter 23, Title 1. No later than the first Monday in November after this act takes effect, the State Fiscal Accountability Authority shall publish a draft of the proposed final regulations it will follow to implement changes; provided, however, the interim regulations are not subject to the provisions of Chapter 23, Title 1. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 621 -- Senators Setzler, Campbell, Williams and Corbin: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\621C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 41-43-100 of the 1976 Code is amended to read:

"Section 41-43-100. In addition to other powers vested in the authority by existing laws, the authority has all powers granted the counties and municipalities of this State pursuant to the provisions of Chapter 29, Title 4, including the issuance of bonds by the authority and the refunding of bonds issued under that chapter. The authority may issue bonds ~~upon receipt of a certified resolution by the county or municipality in which the project, as defined in Chapter 29, Title 4, is or will be located, containing the findings pursuant to Section 4-29-60 and evidence of a public hearing held not less than fifteen days after publication of notice in a newspaper of general circulation in the county~~ pursuant to this section after a public hearing is held as required by federal law to enable interest on such bonds to be excluded from gross

income for federal tax purposes. Notice of any required public hearing must be provided to the public and to the clerk of the county council or clerk of the municipal council in the county or municipality in which the project is or will be located at the times and in the manner permitted or required by federal tax law. Additionally, a copy of the public hearing notice must be published by the authority in a newspaper of general circulation in the county in which the project is located before the date of the public hearing, if such public hearing is required by federal law; provided however, the notice posted by the authority as required by federal law shall control for the purpose of compliance with any federal law and not the notice published in the newspaper where the project is located. The authority may combine for the purposes of a single offering bonds to finance more than one project. The interest rate of bonds issued pursuant to this section is not subject to approval by the South Carolina Coordinating Council for Economic Development." /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

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	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

The Senate proceeded to the 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	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

On motion of Senator SETZLER, the Bill was carried over.

READ THE SECOND TIME

H. 4157 -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

The Senate proceeded to the consideration of the Resolution.

Senator CROMER explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

OBJECTION

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

Senator HUTTO objected to the consideration of the Bill.

ADOPTED

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND

COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".

The Resolution was adopted, ordered sent to the House.

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.

The Resolution was adopted, ordered sent to the House.

H. 3488 -- Reps. Bernstein, Ballentine, Huggins and Bales: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 126 INTERCHANGE LOCATED AT ELMWOOD AVENUE AND HUGER STREET IN THE CITY OF COLUMBIA "THOMAS MOFFATT BURRISS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 3797 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND ROSEWOOD DRIVE IN THE CITY OF COLUMBIA "JACO'S CORNER" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator SHEHEEN rose for an Expression of Personal Interest.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:00 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Education proposed the following amendment (203R001.SP.TRY):

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, the General Assembly established the Profile of the South Carolina Graduate as the standard by which all high school students should be measured to ensure college and career readiness; and

Whereas, all high school students should receive an equal opportunity to achieve the goals of the Profile of the South Carolina Graduate; and

Whereas, the General Assembly finds that there are disparities between communities within the State that create barriers that make it difficult for economically distressed rural areas to provide high quality opportunities to students and to recruit and retain highly qualified educators; and

Whereas, 2017 efficiency studies reveal that rural districts would benefit from receiving a series of one-time investments, combined with collaboration with other districts to maximize resources and identify potential savings for taxpayers; and

Whereas, the General Assembly finds that consolidating smaller school districts in economically distressed rural areas will provide certain benefits, including shared leadership, expanded educational opportunities, and potential taxpayer savings; and

Whereas, the General Assembly finds that a combination of targeted collaboration and consolidation will modernize school facilities, technology, career and technology equipment, academic planning, and professional development that will support higher rates of student achievement. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B).

(2) The funds must be used to support costs directly related to the consolidation, including, but not limited to, salary adjustments, facilities,

debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(3) On or before August 1, 2020, eligible districts must submit a preliminary consolidation plan and timeline to the Department of Education for review and approval and must include the proposed use of funds. Upon approval by the Department of Education, the districts shall forward the consolidation plan to their local legislative delegation for action. Upon approval of a consolidation plan by the Department of Education, the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts.

(B)(1) After August 1, 2022, any local school district satisfying the characteristics of subsection (A)(1) that has not implemented consolidation pursuant to subsection (A) shall be merged with one or more districts in the same county and is not eligible for appropriated funds. The Department of Education will direct the merger and shall report to the General Assembly any legislative actions necessary to accomplish the merger.

(2) If a district began consolidation and received funding pursuant to subsection (A) but did not fully implement the consolidation, then the district shall be consolidated pursuant to this subsection. The Department of Education shall direct the district to remit payment in an amount equal to the funds allocated pursuant to subsection (A). The Department of Education shall work with the districts involved to identify services that will be consolidated and to enhance educational services and the programs available to students.

(C) After August 1, 2020, a local school district eligible for consolidation pursuant to subsection (A) may not incur new bonded indebtedness, spend existing district reserves, dispose of district assets, or increase the salary of any district employee without prior approval by the Department of Education unless otherwise directed by the General Assembly.

(D) If sufficient funds are not appropriated to support subsection (A), then the Department of Education is directed to submit a report to the General Assembly by January 10, 2020, outlining the districts that meet the criteria of subsection (A)(1). School districts included in the report required by this subsection are subject to the consolidation process in

subsection (B). The report shall include information on shared services, district efficiency reviews, and other relevant information related to school district consolidation."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

Senator JOHNSON spoke on the committee amendment.

Debate was interrupted by adjournment.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Benjamin Franklin Byrd, 213 Hastings Point Drive, Columbia, SC 29203-9102

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Daniel M. Coble, 3901 Yale Avenue, Columbia, SC 29205-3551

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Harold A. Cuff, 516 Motley Road, Hopkins, SC 29061-9629

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Tomothy Edmond, 6101 Easter Street, Columbia, SC 29203-4969

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Mildred Rita Metts, 3531 River Drive, Columbia, SC 29201-1348

WEDNESDAY, MARCH 27, 2019

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Michael Scott, 3521 Greenway Dr., Columbia, SC 29206-3415 *VICE* Mel Mauer

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Barbara Jo Wofford-Kanwat, 108 King Charles Rd., Columbia, SC 29209-2240

Motion Adopted

On motion of Senator YOUNG, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:12 P.M., on motion of Senator YOUNG, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 28, 2019
(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:

Romans 15:13

"May the God of hope fill you with all joy and peace as you trust in him, so that you may overflow with hope by the power of the Holy Spirit."

Gracious and loving God, we pray that the trust we have in You may give us greater trust in one another in spite of our differences. For You have said that if we cannot forgive our brother that You cannot forgive us. Lord, free us of all defensiveness, suspicion and resentment of those who may not share our party loyalties or policies. Bind us together in the oneness of a shared statesmanship which may require concessions on both party sides to move forward. Bless the women and men of this Senate as they place their ultimate trust in You and seek to be faithful to the trust placed in them by the people of this State. 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 11:04 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	Allen	Bennett
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Kimpson

Leatherman	Malloy	Massey
McElveen	Peeler	Rice
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator CROMER, at 11:34 A.M., Senator CAMPSEN was granted a leave of absence for the day.

Leave of Absence

On motion of Senator VERDIN, at 11:34 A.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator McELVEEN, at 11:34 A.M., Senator M.B. MATTHEWS was granted a leave of absence for the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 7 Sen. Allen
S. 723 Sen. Rankin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 719 -- Senator Hembree: A BILL TO AMEND SECTION 33-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE

AND TOTAL PRIZE LIMITS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.
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Read the first time and referred to the Committee on Judiciary.

S. 720 -- Senator Reese: A BILL TO AMEND SECTION 12-36-910(B)(3)(a) OF THE 1976 CODE, RELATING TO THE SALES TAX ON COMMUNICATION SERVICES, TO EXCLUDE INTERNET VIDEO STREAMING SERVICES FROM THE IMPOSITION OF THE SALES TAX.
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Read the first time and referred to the Committee on Finance.

S. 721 -- Senator Talley: A SENATE RESOLUTION TO CONGRATULATE THE WOFFORD COLLEGE BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THE TEAM FOR WINNING THE 2019 INGLES SOUTHERN CONFERENCE MEN'S BASKETBALL CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 722 -- Senator Talley: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FLETCHER MAGEE FOR HIS OUTSTANDING COLLEGIATE BASKETBALL CAREER WITH WOFFORD COLLEGE AND TO CONGRATULATE HIM ON SETTING THE NCAA DIVISION I RECORD FOR CAREER THREE-POINT FIELD GOALS.
l:\s-res\sft\019flet.kmm.sft.docx

The Senate Resolution was adopted.

S. 723 -- Senators Young, Davis, Sabb and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS, DEFINE THE TERM "COMMERCIAL MOTOR VEHICLE", REVISE THE CIRCUMSTANCES WHEN IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE

OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, SO AS TO PROVIDE DISTRACTED DRIVING SECOND OR SUBSEQUENT OFFENSE IS A TWO-POINT VIOLATION; AND TO PROVIDE THAT AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS, THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE PROVISIONS OF THIS ACT.
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Senator YOUNG spoke on the Bill.

Read the first time and referred to the Committee on Transportation.

S. 724 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-21-860 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, TO ADD THE USE OF AIRBOATS FOR THE MANAGEMENT OF WETLANDS TO THE LIST OF EXEMPTIONS FROM THE RESTRICTIONS ON THE USE OF AIRBOATS.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4309 -- Reps. Funderburk, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT

RESOLUTION TO RECOGNIZE AND HONOR CAMDEN MILITARY ACADEMY FOR SIX DECADES OF PROVIDING OUTSTANDING EDUCATION IN THE PALMETTO STATE AND TO DECLARE APRIL 26, 2019, "CAMDEN MILITARY ACADEMY DAY" IN THE STATE OF SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Education.

Senator SHEHEEN asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator SHEHEEN 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.

On motion of Senator SHEHEEN, the Resolution was adopted and ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 15 -- Senators Rankin and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH THE 2020-2021 SCHOOL YEAR.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 481 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE DIVISION OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION

AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS AND PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE "SOUTH CAROLINA FIRE ACADEMY", TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

COMMITTEE AMENDMENT ADOPTED, AMENDED CARRIED OVER

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Education proposed the following amendment (203R001.SP.TRY), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, the General Assembly established the Profile of the South Carolina Graduate as the standard by which all high school students should be measured to ensure college and career readiness; and

Whereas, all high school students should receive an equal opportunity to achieve the goals of the Profile of the South Carolina Graduate; and

Whereas, the General Assembly finds that there are disparities between communities within the State that create barriers that make it difficult for economically distressed rural areas to provide high quality opportunities to students and to recruit and retain highly qualified educators; and

Whereas, 2017 efficiency studies reveal that rural districts would benefit from receiving a series of one-time investments, combined with collaboration with other districts to maximize resources and identify potential savings for taxpayers; and

Whereas, the General Assembly finds that consolidating smaller school districts in economically distressed rural areas will provide certain benefits, including shared leadership, expanded educational opportunities, and potential taxpayer savings; and

Whereas, the General Assembly finds that a combination of targeted collaboration and consolidation will modernize school facilities, technology, career and technology equipment, academic planning, and professional development that will support higher rates of student achievement. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B).

(2) The funds must be used to support costs directly related to the consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(3) On or before August 1, 2020, eligible districts must submit a preliminary consolidation plan and timeline to the Department of Education for review and approval and must include the proposed use of funds. Upon approval by the Department of Education, the districts shall forward the consolidation plan to their local legislative delegation for action. Upon approval of a consolidation plan by the Department of Education, the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts.

(B)(1) After August 1, 2022, any local school district satisfying the characteristics of subsection (A)(1) that has not implemented consolidation pursuant to subsection (A) shall be merged with one or more districts in the same county and is not eligible for appropriated funds. The Department of Education will direct the merger and shall report to the General Assembly any legislative actions necessary to accomplish the merger.

(2) If a district began consolidation and received funding pursuant to subsection (A) but did not fully implement the consolidation, then the district shall be consolidated pursuant to this subsection. The Department of Education shall direct the district to remit payment in an amount equal to the funds allocated pursuant to subsection (A). The Department of Education shall work with the districts involved to identify services that will be consolidated and to enhance educational services and the programs available to students.

(C) After August 1, 2020, a local school district eligible for consolidation pursuant to subsection (A) may not incur new bonded indebtedness, spend existing district reserves, dispose of district assets, or increase the salary of any district employee without prior approval by the Department of Education unless otherwise directed by the General Assembly.

(D) If sufficient funds are not appropriated to support subsection (A), then the Department of Education is directed to submit a report to the General Assembly by January 10, 2020, outlining the districts that meet

the criteria of subsection (A)(1). School districts included in the report required by this subsection are subject to the consolidation process in subsection (B). The report shall include information on shared services, district efficiency reviews, and other relevant information related to school district consolidation."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

The amendment was adopted.

Amendment No. 1A

Senators YOUNG and HEMBREE proposed the following amendment (203R010.SP.TRY), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1)(a) and (b) and inserting:

/ (a) based on the forty-five day average daily student membership count received by the Department of Education for the 2018-19 School Year, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV in the 2018 tax year pursuant to Section 12-6-3360(B). /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

On motion of Senator YOUNG, the Bill was carried over.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION

TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

On motion of Senator MALLOY, the Bill was carried over.

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. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A

LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM “ANIMAL REFUGE” WITH “RESCUE ORGANIZATION”; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER

STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

S. 185 -- Senators McElveen, Rice, Alexander and Martin: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019, TO DECEMBER 31, 2025.

S. 401 -- Senators Campbell and Scott: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

AMENDED, CARRIED OVER

S. 530 -- Senator Leatherman: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO THE CONSOLIDATED PROCUREMENT CODE, TO REVISE THE CONSOLIDATED PROCUREMENT CODE, ITS APPLICATION, THE PROCEDURES GOVERNED BY THE CODE, AND INTERNAL REFERENCES; TO REORGANIZE THE PROCUREMENT SERVICES DIVISION AT THE STATE FISCAL ACCOUNTABILITY AUTHORITY; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Motion Under Rule 26B Waived

Senator SETZLER asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Senator SETZLER proposed the following amendment (SA\530C002.RT.SA19), which was adopted:

Amend the bill, as and if amended, SECTION 18, page 28, by striking line 7 and inserting:

/posting the notice for ~~ten~~ seven business days before entering into a /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

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. 621 -- Senators Setzler, Campbell, Williams and Corbin: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4157 -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA

ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

CARRIED OVER

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian, Kimpson and Allen: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

On motion of Senator KIMPSON, the Bill was carried over.

AMENDMENT PROPOSED, CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF

PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG proposed the following amendment (189R001.KMM.TRY):

Amend the bill, as and if amended, page 3, by striking lines 28 through 43, and page 4, by striking lines 1 through 2, and inserting:

/ (1) 'Torture' means acts or omissions that:

(a)(i) include one or more of the following:

(A) a pattern of assaults;

(B) psychological maltreatment; or

(C) omissions of care;

(ii) are committed upon a child for the purpose of causing severe physical, mental, or emotional pain, which occurs over a period of time, resulting in serious physical or psychological injury or impairment, prolonged suffering, or the risk of permanent disfigurement, dysfunction, or death; and

(iii) are done with malice or an extreme indifference to the well-being of the child.

(b) Torture includes, but is not limited to:

(i) the infliction of severe physical or emotional pain upon a child repeatedly for the purpose of terrorizing the child;

(ii) the unreasonable or extended binding, restraint, or confinement of a child that results in prolonged suffering or serious physical or psychological injury; or

(iii) the intentional refusal to provide for the health, safety, medical, or nutritional needs of a child for an extended period of time such that the child suffers or risks serious physical, mental, or emotional harm. /

Renumber sections to conform.
Amend title to conform.

Senator YOUNG explained the amendment.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator HUTTO explained the Bill.

Senator MALLOY objected to further consideration of the Bill.

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator YOUNG, the Resolution was carried over.

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator YOUNG, the Resolution was carried over.

THURSDAY, MARCH 28, 2019

READ THE SECOND TIME

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Malloy	Massey
Matthews, John	McElveen	McLeod
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 659 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION (REPEAL SPECIFIC REGULATIONS), DESIGNATED AS REGULATION DOCUMENT NUMBER 4846, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

OBJECTION

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

Senator HUTTO objected to the consideration of the Bill.

POINT OF ORDER

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 276 -- Senator Senn: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST

UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND

SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING

TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

Point of Order

Senator DAVIS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 664 -- Senators Verdin, Martin, Talley, M.B. Matthews, Allen, Turner, Alexander and Davis: A SENATE RESOLUTION TO RECOGNIZE THE CRITICAL IMPORTANCE OF THE F-35 LIGHTNING II AND F-16 FIGHTING FALCON TO AMERICA'S SECURITY AND TO SOUTH CAROLINA AND TO CALL FOR FULL FUNDING BY THE UNITED STATES CONGRESS.

The Resolution was adopted, ordered sent to the House.

POINT OF ORDER

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

Point of Order

Senator SCOTT raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

THURSDAY, MARCH 28, 2019

MOTION ADOPTED

Senator MASSEY moved to dispense with the balance of the motion period.

Senator SCOTT moved to table the motion to dispense with the balance of the motion period.

The motion failed.

At 11:50 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 11:51 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, March 29, 2019
(Local 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 ACTING PRESIDENT, Senator SCOTT.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, April 2, 2019, at 2:00 P.M.

* * *

Tuesday, April 2, 2019
(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:

Isaiah 41:13

"For I am the Lord Your God who takes hold of your right hand and says to you, do not fear; I will help you."

Let us pray. Loving God, in times of trouble, You are the rock upon which we stand. In times of despair, You are the assurance of a new tomorrow. In times of tragedy and loss, we are confronted with the reality that life is fragile and we are here but a short time.

In our State, recent events have shocked us. Evil seems to stalk the most vulnerable in our society. The tragic loss of two young girls has devastated many who loved them dearly. We grieve deeply for their families, but find comfort in Your Word, that reassures us of eternal life. May Your right hand uphold their loved ones in this time of unbearable pain. And may we as a nation and a State draw closer to You, O God, as we seek healing, as a society that, is spiritually broken and often misguided.

Today is also a time to see through the recent darkness and celebrate the life of Senator Rankin's mother, Dorothy. Her love of family and life was a gift that keeps on giving. She will be missed and our prayers are with Senator Rankin and his family. In the name of our Lord and Savior we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

TUESDAY, APRIL 2, 2019

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

1st Congressional District:

Julius Belden Kinney, Jr., 2-B Eugenia Ave., Johns Island, SC 29455-5609 *VICE* Richard K. Toomey

Referred to the Committee on Medical Affairs.

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawks Nest Dr., Hermitage, TN 37076-5621 *VICE* Susan V. Alford

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Kenneth D. McKellar, 108 Haywain Dr., Chapin, SC 29036-9713 *VICE* Kimberly H. Frederick

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Commission on Consumer Affairs, with the term to commence September 30, 2018, and to expire September 30, 2022

At-Large:

John L. (Jack) Pressly, 4001 Kenilworth Rd., Columbia, SC 29205-1541 *VICE* Linda C. Gamble

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2019, and to expire March 30, 2023

Barber:

Christopher L. Javis, 128 Southlake Court, Columbia, SC 29223-5925 *VICE* Patricia Durkin

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Cooperative Credit Unions:

Billy D. Byrd II, 2119 Bobwhite Lane, Hartsville, SC 29550-2871 *VICE* Hansel B. Hart

Referred to the Committee on Banking and Insurance.

Local Appointments

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Brenda Carpenter, 225 McDaniel Dr., Trenton, SC 29847-2919

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Johnson, 157 Rutledge Road, Greenwood, SC 29649-8992

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204-1289

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Donald Jeffrey Simons, P. O. Box 9246, Columbia, SC 29290-0246

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290-0381

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Patience Orbriel Van Ellis, 192 Traditions Circle, Columbia, SC 29229-8050 *VICE* Dierdre Simmons

TUESDAY, APRIL 2, 2019

COMMUNICATIONS RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
April 2, 2019

Mr. Jeffrey S. Gossett
Clerk of the Senate
State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office that the Honorable Dwight A. Loftis, listed on the attached letter, received the greatest number of votes cast for Senator for Senate District #6 at a special election held March 26, 2019, for Greenville County.

The Honorable Dwight A. Loftis is hereby certified as set forth in the commission as the duly and properly elected member of the Senate.

Sincerely,
Mark Hammond
Secretary of State

State of South Carolina
Election Commission
2221 Devine Street
Columbia, SC 29250
April 2, 2019

The Honorable Mark Hammond
Secretary of State
P. O. Box 11350
Columbia, SC 29211

Dear Mr. Secretary:

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies that Mr. Dwight A. Loftis is the declared winner of Senate District #6 at a special election held in Greenville County on March 26, 2019. A copy of the results is enclosed.

Sincerely,

/s/ Marci Andino
Executive Director

Privilege of the Chamber and Floor

On motion of Senator MASSEY, with unanimous consent, the Privilege of the Chamber and the Privilege of the Floor was extended to Senator LOFTIS.

Senator Sworn In

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS presented himself at the Bar and the oath of office was administered.

Remarks by Senator Loftis

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS was granted leave to address the Senate with brief remarks.

Remarks by Senator LOFTIS

Thank you very much. I'm very delighted to be in this in this Body -- delighted for a number of reasons.

In the book of Jeremiah, the Lord told Jeremiah, I knew you before you were formed in your mother's body and before you were born I knew I had plans for you. It's interesting that from nine years old, I have followed the political process, believe it or not, that's kind of hard for me to look back and believe, but I just found the presidential debates very interesting at that time. So to have served in the House for 23 years and then have the privilege to move over to this grand Body -- it's -- I just gave the Lord thanks and I certainly want to honor Him but I also want to honor the people who elected me and sent me here and do well by this gracious Body over here. Thank you very much.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator LOFTIS, were ordered printed in the Journal.

SEATING SELECTION

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS selected Seat 45.

TUESDAY, APRIL 2, 2019

STANDING COMMITTEE SELECTIONS

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and vacancies were filled in the following manner:

Senator LOFTIS filled a vacancy on the Judiciary Committee.

Senator LOFTIS replaced Senator CAMPBELL on the Banking and Insurance Committee.

Senator LOFTIS filled a vacancy on the Corrections and Penology Committee.

Senator LOFTIS replaced Senator HEMBREE on the Agriculture and Natural Resources Committee.

Senator LOFTIS replaced Senator CROMER on the Family and Veterans' Services Committee.

Senator HEMBREE filled a vacancy on the Corrections and Penology Committee.

Doctor of the Day

Senator ALEXANDER introduced Dr. Thomas Evans of Seneca, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MASSEY, at 2:31 P.M., Senator RANKIN was granted a leave of absence for the day.

Expression of Personal Interest

Senator M.B. MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator M.B. MATTHEWS

Thank you Mr. PRESIDENT, for permitting me to be heard. I am before you today -- a lot of you didn't realize that some of us had taken off to spend time with our children for spring break. While I was on spring break with my children, a lot of you heard about the tragic incidences that occurred in Colleton County. I am before you today to tell you a little bit about what has transpired. And I thank a lot of my fellow Senators for calling and checking on me to see exactly what happened. There was a lot of speculation online. Let me tell you what I know from my conversations with all of the parties involved in the incident.

It involved a 10 year old girl in her 5th grade class where there was a substitute teacher. It involved what appears to initially be a simple back and forth between two young girls. It was the substitute teachers first day in that class. There were 20-22 students in that class. It was right before lunch. And you can imagine how kids, normally good kids act -- they usually act out when there is a substitute teacher. We have all been around, or have been 10 years old before. Well, apparently something went on between the two girls, the substitute teacher intervened, and then sent one of the other students into the hallway -- luckily the assistant principal was right down the hallway. He came in and escorted both of the girls to the principal's office. They were still going back and forth with their mouths from what I have been able to discern. The principal put the girls in his office, and one of them complained of her head hurting. She grabbed her head. From what the evidence shows, she was taken right outside of the principal's office and into the nurse's office, which is steps away. Then she became nauseous, vomited, and by the time she was taken to the hospital, she was unresponsive. And then she was Medi-vacced to MUSC. After staying at MUSC the next day, I was in Indianapolis with my daughter at a tournament, the grandmother called me and told me, "Oh my God, she is not responsive, they can't get a lead in her. My grandbaby is going to die." I was shocked because I had heard about what was going on from other folks. Low and behold, by Friday morning, no Wednesday morning, when I was driving in -- that was when I had gotten the call that she had passed.

This is a tragic situation, not only for the family of the deceased 10 year old child, but it's tragic for, imagine, what the school is feeling, what the teacher that was out is feeling, what the principal is feeling, the assistant principal, and the nurse, and more importantly, the little girl on the other side.

I have heard a lot of people say, "Oh they were kicking her, they ganged her." I have heard none of that. That is so far from the truth. Not even banging of head, the head, that was not an issue as I understand it. Imagine what the substitute teacher is feeling.

Well, I ask, and I have asked my community to withhold their opinions on all of this. And I ask this Senate to consider some things. And number 1, give us your prayers. We need to look at some things regarding our education system. I have talked with Molly Spearman about this, and I thank her for responding to us. We need to seriously look at these classroom sizes. All of us are parents, or have had to supervise children. Can you imagine grouping children in a classroom, and these are a lot of the time in at-risk schools -- grouping them 20-22 students per class. And

you've got IEP students mixed with regular students. You don't know what sets folks off. In this particular case, it is understood that it involved IEP students as well as DSS that had intervened previously. So you can imagine. But I wish that, I know we can't get back to the good old days, where your teacher knew you, and your teacher knew your parents, but you know what, I do know, in looking at this -- I have been asked if I was going to introduce anti-bullying legislation. That is the stupidest thing in the world. Because you and I both know that children are not born mean. They are not born a bully. They are not born to hate other students. So, I think we have look at what do we have control of. I would propose that we start thinking about these K-6th grade schools. There should not be one teacher trying to supervise 25 kids. There is no way that teacher can have a relationship with the children. If the teacher was in a small classroom environment, that teacher would know what was going on with little Billy, and what environment he came out of. That teacher would be able to stop a lot of the going back and forth. And, that teacher would be able to separate them. From what I understand, I spoke with all of the parties involved here. These kids were bunched in a class. Four desks bunched all together. Not even a lot of room to walk in the class. We've got to think about that. The other issue is -- we should consider, what I think was proposed in the House, limiting class size, as I said already, and we should consider mental health counselors in these schools. We've got to look at that. And, the Teachers Association says, a lot of them have been complaining, and I've gotten a lot of emails. They don't even get a break. They come there at 7 o'clock -- 7:15 in the morning. And some of them, depending upon what classes you have -- you are with students until you go home. They need to have a mental break. We've also have to think about how we are going to integrate special needs kids with the regular population. I ask you to just look at this tragic situation, and don't let young 10 year old Raniya Wright's death, or public persecution of the other folks, go in vain. Please don't.

The other thing I ask before I sit down is for a moment of silence, two days before the Raniya Wright incident, in Walterboro, a young 21 year old man, in the military, -- he was in the reserves -- had mental issues, called the cops, apparently -- from what we are learning -- and we feel that mental issues may have had something to do with it. But the police officer ended up killing this 21 year old man. And I don't want to get into any speculations otherwise, but I do know, I know the police officer and I know the family of the young man, and they are both very distraught because it was a young, new officer.

So, I would like for at this time, Mr. PRESIDENT to request that the Senate take a moment of silence, for Raniya Wright, Colleton County Schools, the Sherriff's Department, the victim and the decedent Derrick Smith. I would ask that we give them a moment of silence in prayer. Thank you.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator M.B. MATTHEWS, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 89 Sen. Davis
S. 276 Sen. McLeod
S. 575 Sen. Martin
S. 642 Sen. Gambrell
S. 723 Sen. Turner

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 492 Sen. Shealy

RECALLED

S. 546 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator ALEXANDER 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

S. 607 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS,

AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator GROOMS 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

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 725 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA COLLEGE OF PHARMACY TEAM, ADVISORS, AND SCHOOL OFFICIALS FOR WINNING THE 2018-2019 NATIONAL STUDENT PHARMACIST COMPOUNDING COMPETITION.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 726 -- Senator Senn: A SENATE RESOLUTION TO CONGRATULATE THE ROHMING ROBOTS, THE CLEMSON EXTENSION 4-H YOUTH DEVELOPMENT'S FIRST TECH CHALLENGE TEAM, FOR WINNING THE INSPIRE AWARD AT THE 2018-2019 SOUTH CAROLINA FIRST TECH CHALLENGE STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 727 -- Senators M. B. Matthews, Grooms, Campsen, Campbell, Bennett, Kimpson, Goldfinch and Senn: A SENATE RESOLUTION TO HONOR AND RECOGNIZE COACH FRANNY RIVERS SLAY, ASHLEY HALL ATHLETIC DIRECTOR AND VOLLEYBALL COACH, AND TO COMMEND HER FOR AN OUTSTANDING COACHING CAREER.
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The Senate Resolution was adopted.

S. 728 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. EARLE BENNETT UPON THE OCCASION OF HER RETIREMENT FROM WIL LOU GRAY OPPORTUNITY SCHOOL BOARD OF TRUSTEES, TO COMMEND HER FOR HER EIGHT YEARS OF DEDICATED SERVICE, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 729 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. HARRIS PASTIDES UPON THE OCCASION OF HIS RETIREMENT AS PRESIDENT OF THE UNIVERSITY OF SOUTH CAROLINA, TO EXTEND DEEP APPRECIATION FOR HIS TWENTY-ONE YEARS OF DISTINGUISHED SERVICE TO THE STUDENTS OF SOUTH CAROLINA, AND TO OFFER HIM BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.
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The Senate Resolution was adopted.

S. 730 -- Senator Scott: A JOINT RESOLUTION TO CREATE THE MASS TRANSIT FEASIBILITY STUDY COMMITTEE TO EXAMINE THE FEASIBILITY OF CONNECTING WITH THE MASS TRANSIT SYSTEM IN CHARLOTTE, NORTH CAROLINA, AND PROVIDING MASS TRANSIT THROUGHOUT SOUTH CAROLINA.
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Read the first time and referred to the Committee on Transportation.

S. 731 -- Senator Kimpson: A BILL TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 11, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, UNTIL AT LEAST FIVE DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.
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Senator KIMPSON spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 732 -- Senator Jackson: A SENATE RESOLUTION TO EXTEND GRATEFUL THANKS TO JANICE MARIE NEGUS OF KERSHAW COUNTY FOR HER MORE THAN FOUR THOUSAND HOURS OF DEDICATED VOLUNTEER SERVICE WITH THE COLUMBIA VA HEALTH CARE SYSTEM OFFICE OF VOLUNTARY SERVICE.
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The Senate Resolution was adopted.

S. 733 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BOOKER OWENS OF RICHLAND COUNTY FOR HIS DISTINGUISHED VOLUNTARY SERVICE TO THE COLUMBIA VA HEALTH CARE SYSTEM AND FOR HIS OUTSTANDING ASSISTANCE TO THE NATION'S VETERANS.
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The Senate Resolution was adopted.

S. 734 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CALLIE P. MILEY OF RICHLAND COUNTY FOR HER DEDICATION TO THE COLUMBIA VA HEALTH CARE SYSTEM AND FOR HER OUTSTANDING ASSISTANCE TO THE NATION'S VETERANS.
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The Senate Resolution was adopted.

S. 735 -- Senator Johnson: A BILL TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION, TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 736 -- Senators McElveen, Shealy, McLeod, Jackson, Sheheen, Sabb, Hutto, Hembree, M. B. Matthews and Senn: A BILL TO AMEND SECTION 16-17-470 OF THE 1976 CODE, RELATING TO EAVESDROPPING, PEEPING, AND VOYEURISM, TO PROVIDE THAT A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION WHEN THE VICTIM IS A MINOR IS GUILTY OF A FELONY, TO PROVIDE PENALTIES, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Read the first time and referred to the Committee on Medical Affairs.

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Read the first time and referred to the Committee on Transportation.

H. 4260 -- Reps. Caskey, Clary, Lucas, Sandifer, Simrill and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2019" BY ADDING SECTIONS 8-27-70, 8-27-80, AND 8-27-90 ALL SO AS TO PROVIDE PROTECTIONS FOR EMPLOYEES OF A PUBLIC UTILITY WHO REPORT WRONGDOING BY THE UTILITY AND TO PROVIDE REMEDIES FOR EMPLOYEES WHO ARE DISMISSED OR SUFFER ADVERSE EMPLOYMENT ACTIONS BECAUSE OF A REPORT OF WRONGDOING; BY ADDING SECTIONS 37-6-610, 37-6-611, AND 37-6-612 ALL SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS THE CONSUMER ADVOCATE IF THE PUBLIC

SERVICE COMMISSION REGULATES A BUSINESS WITH WHICH THAT PERSON IS ASSOCIATED, AND TO PLACE RESTRICTIONS ON FUTURE EMPLOYMENT AND SPECIFIED ETHICAL REQUIREMENTS ON THE CONSUMER ADVOCATE AND EMPLOYEES OF THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; TO AMEND SECTION 58-3-20, RELATING TO THE PUBLIC SERVICE COMMISSION, SO AS TO DELETE PROVISIONS WHICH PERMIT THE REVIEW COMMITTEE TO FIND A CANDIDATE QUALIFIED IF HE DOES NOT HAVE THE BACKGROUND OR EXPERTISE REQUIRED BY LAW AND PROVISIONS WHICH PERMIT CERTAIN INCUMBENT COMMISSIONERS TO BE REELECTED WHO DO NOT MEET THESE QUALIFICATIONS; BY ADDING SECTIONS 58-3-21 AND 58-3-22 BOTH SO AS TO AUTHORIZE MILEAGE AND SUBSISTENCE ALLOWANCES FOR PUBLIC SERVICE COMMISSIONERS, AND TO PROVIDE THAT MEMBERS OF THE COMMISSION ARE NOT PROHIBITED FROM CONSULTING WITH RETAINED EXPERTS AND ATTORNEYS IN CLOSED SESSION IN A MANNER CONSISTENT WITH THE APPELLATE COURTS OF THIS STATE; TO AMEND SECTION 58-3-25, RELATING TO CONFLICTS OF INTEREST OF MEMBERS OF THE PUBLIC SERVICE COMMISSION AND EMPLOYEES OF THE COMMISSION SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHICH ARE CONSIDERED CONFLICTS, AND TO DELETE A REQUIREMENT FOR CERTAIN FILINGS BY EMPLOYEES; TO AMEND SECTION 58-3-30, RELATING TO CODES OF CONDUCT OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, SO AS TO FURTHER PROVIDE FOR THE CODE OF CONDUCT AND PERMISSIBLE ACTIONS AND PRACTICES OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, AND TO REQUIRE ANNUAL CONTINUING EDUCATION FOR COMMISSIONERS AND EMPLOYEES; TO AMEND SECTIONS 58-3-60, 58-3-190, AND 58-3-200, ALL RELATING TO AUDITS AND EXAMINATIONS OF PUBLIC UTILITIES, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT THE INSPECTION, AUDIT, AND EXAMINATION OF PUBLIC UTILITIES IS THE SOLE RESPONSIBILITY OF THE OFFICE OF REGULATORY STAFF AND NOT THE COMMISSION, AND TO PERMIT THE COMMISSION TO DIRECT THE OFFICE OF REGULATORY STAFF TO AUDIT OR EXAMINE PUBLIC

UTILITIES AND THE AUTHORITY OF THE COMMISSION TO UNDERTAKE THESE ACTIONS ON ITS OWN; BY ADDING SECTION 58-3-65 SO AS TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MAY EMPLOY, THROUGH CONTRACT OR OTHERWISE, THIRD-PARTY CONSULTANTS AND EXPERTS IN CARRYING OUT ITS DUTIES IF THE COMMISSION DETERMINES IT IS IN THE BEST INTEREST OF RATEPAYERS AND IT IS APPROVED BY THE PUBLIC UTILITIES REVIEW COMMITTEE; TO AMEND SECTION 58-3-225, RELATING TO CONDUCT OF HEARINGS BY THE COMMISSION, SO AS TO PROVIDE THAT BEFORE MAKING A DETERMINATION, THE COMMISSION SHALL QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; TO AMEND SECTION 58-3-260, RELATING TO THE PROHIBITION AGAINST COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES TO A PROCEEDING, SO AS TO PERMIT CERTAIN COMMUNICATIONS BETWEEN THE COMMISSION AND THE PUBLIC UTILITIES REVIEW COMMITTEE, AND A LEGISLATIVE COMMITTEE CHARGED WITH REVIEW OF THE COMMISSION; BY ADDING SECTIONS 58-3-281, 58-3-282, 58-3-283, 58-3-284, 58-3-285, 58-3-286, AND 58-3-287, ALL SO AS TO IMPOSE CERTAIN CIVIL AND CRIMINAL PENALTIES AND SANCTIONS AGAINST A PUBLIC UTILITY WHICH VIOLATES THE PROVISIONS OF TITLE 58 OR REFUSES TO OBEY A RULE, ORDER, OR REGULATION OF THE OFFICE OF REGULATORY STAFF OR THE COMMISSION, OR WHICH FILES OR SUBMITS FALSE INFORMATION, INCLUDING A REQUIREMENT THAT THE PRINCIPAL EXECUTIVE OFFICER AND THE PRINCIPAL FINANCIAL OFFICER OF A UTILITY CERTIFY THE ACCURACY OF INFORMATION PROVIDED; TO AMEND SECTION 58-3-520, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO REVISE THE MEMBERSHIP OF THE COMMITTEE AND PREVENT A PERSON FROM BEING APPOINTED TO THE COMMITTEE WHO HAS MADE CERTAIN POLITICAL CONTRIBUTIONS TO THE APPOINTING AUTHORITY; TO AMEND SECTION 58-3-530, RELATING TO THE POWERS AND DUTIES OF THE REVIEW COMMITTEE, SO AS TO PROVIDE THAT THE COMMITTEE SHALL NOMINATE ALL CANDIDATES IT FINDS QUALIFIED FOR EACH SEAT ON THE COMMISSION, AND TO PROVIDE THAT THE COMMITTEE SHALL APPOINT THE EXECUTIVE

DIRECTOR OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-3-560, RELATING TO ELECTION OF COMMISSIONERS, SO AS TO PROVIDE THAT THE PROVISIONS OF SECTION 58-3-24 PROHIBITING THE ELECTION OF MEMBERS OF THE GENERAL ASSEMBLY OR MEMBERS OF THEIR IMMEDIATE FAMILY TO THE COMMISSION, NO LONGER PROHIBITS THEIR ELECTION, AND TO PROVIDE THAT BEGINNING WITH THE 2020 ELECTIONS, THE ELECTIONS MUST BE HELD AT LEAST FORTY-FIVE DAYS AFTER THE SCREENING AND NOMINATION PROCESS; BY ADDING SECTION 58-3-565 SO AS TO PROVIDE THAT MEMBERS OF THE REVIEW COMMITTEE ARE PROHIBITED FROM CERTAIN ACTIONS OR HAVING CERTAIN BUSINESS RELATIONSHIPS; TO AMEND SECTION 58-4-40, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE CERTAIN DISCLOSURE REQUIREMENTS ON THE PART OF EMPLOYEES AND TO PROHIBIT CERTAIN OTHER ACTIONS BY THESE EMPLOYEES; TO AMEND SECTION 58-31-20, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROHIBIT CERTAIN ACTIONS BY BOARD MEMBERS AND TO PROHIBIT CERTAIN BUSINESS RELATIONSHIPS BY BOARD MEMBERS; AND TO REPEAL SECTION 58-4-30 RELATING TO THE QUALIFICATIONS AND APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF.

Read the first time and referred to the Committee on Judiciary.

H. 4324 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford,

Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM ON "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY" ON APRIL 3, 2019, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING SOUTH CAROLINA'S WORKFORCE FOR COMPETITIVE, HIGH-DEMAND JOBS IN OUR STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4325 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE ABBEVILLE AREA MEDICAL CENTER ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND, ON BEHALF OF THE PEOPLE OF SOUTH CAROLINA, TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE CENTER'S MANY YEARS OF DEDICATED SERVICE TO THIS GREAT STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 281 -- Senators Talley and Campbell: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

Ordered for consideration tomorrow.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409 *VICE* Kenneth W. Kinard

Received as information.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Ben W. Satcher, Jr., 358 Catawba Court, Lexington, SC 29072-9500 *VICE* Richard A. Jones, Jr.

Received as information.

HOUSE CONCURRENCES

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH

CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.

Returned with concurrence.

Received as information.

S. 714 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE WHITE KNOLL HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 STATE 5A SOFTBALL CHAMPIONSHIP.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, SECOND READING BILL

S. 675 -- Senators Turner and Allen: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (675R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 2.7 of Act 745 of 1967, as last amended by Act 298 of 2016, is amended to read:

"Section 2.7. Notwithstanding another provision of law, the boundary lines that define the service territory of the Renewable Water Resources are hereby expanded so as to include an area labeled the 'Northern Greenville' area of Greenville County, which is shown on a map filed with the Renewable Water Resources Commission as provided and maintained by the Revenue and Fiscal Affairs Office and designated as document 'ReWa Service Area - 2016A'. The General Assembly intends for this document to serve as the document of record delineating the service territory of the Renewable Water Resources. No residential or commercial entity in the 'Northern Greenville' extended territory is required to tap into the services provided by the Renewable Water Resources unless the residential or commercial entity voluntarily seeks such access ~~or has no other DHEC-approved method for disposal~~." /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 575 -- Senators Campsen, McElveen and Martin: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING

SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 530 -- Senator Leatherman: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO THE CONSOLIDATED PROCUREMENT CODE, TO REVISE THE CONSOLIDATED PROCUREMENT CODE, ITS APPLICATION, THE PROCEDURES GOVERNED BY THE CODE, AND INTERNAL REFERENCES; TO REORGANIZE THE PROCUREMENT SERVICES DIVISION AT THE STATE FISCAL ACCOUNTABILITY AUTHORITY; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, ordered sent to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

READ THE SECOND TIME

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian, Kimpson and Allen: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator KIMPSON proposed the following amendment (JUD0007.020), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking line 30, and inserting therein the following:

/ Insurance Reserve Fund's Internet website.

(7) Notwithstanding the liability limits outlined in Section 15-78-120(a)(1) through (a)(4), where one or more claimants individually and in a representative capacity, have brought a claim or claims seeking actual damages against one or more governmental entities, and where a court has certified those claims for actual damages as a class action, there shall not be a limit on the actual damages recoverable by the named claimant or claimants, or by the members of any such class." /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MALLOY spoke on the Bill.

The amendment was withdrawn.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MARTIN asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT AMENDED AND ADOPTED
SECOND READING FAILED, RECONSIDERED

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN

SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator SHEHEEN proposed the following amendment (DG\439C001.NBD.DG19), which was withdrawn:

Amend the committee report, as and if amended, page [439-2], by striking lines 26 - 34 and inserting:

/ SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( )(1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) is eligible to claim a port transportation credit in the form of an income tax credit or a credit against employee withholding for its transportation costs in an amount determined by the council in its sole discretion. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was withdrawn.

The Committee on Finance proposed the following amendment (SA\439C001.RT.SA19), which was adopted:

Amend the bill, as and if amended, beginning on page 1, by striking line 28 through line 11 on page 2, and inserting:

/ SECTION 1. Section 12-6-3375(A) and (D) of the 1976 Code is amended to read:

"(A)(1) A taxpayer engaged in any of the following: manufacturing, warehousing, freight forwarding, freight handling, goods processing, cross docking, transloading, wholesaling of goods, or distribution, exported or imported through port facilities in South Carolina and which increases its port cargo volume at these facilities by a minimum of five percent in a single calendar year over its base year port cargo volume is eligible to claim an income tax credit or a credit against employee withholding in the amount determined by the Coordinating Council for Economic Development (council).

(2) The maximum amount of tax credits allowed to all qualifying taxpayers pursuant to this section may not exceed ~~eight~~ fifteen million

dollars for each calendar year. The credits may be claimed against the taxes imposed pursuant to Sections 12-6-530 and 12-6-545 and against employee withholdings. The council has sole discretion in allocating the credits provided by this section and must consider the following factors:

(a) the amount of base year port cargo volume;

(b) the total and percentage increase in port cargo volume; and

(c) factors related to the economic benefit of the State or other factors.

(D) The council annually may award up to one million dollars of the ~~eight~~ fifteen million dollars of credits against employee withholdings that are not otherwise refundable pursuant to this title to a new warehouse or distribution facility which commits to expending at least forty million dollars at a single site and creating one hundred new full-time jobs, and the base year cargo ~~shall~~ may not be less than five thousand TEUs or its non-containerized equivalent. The council may make the award in the year the facility is announced provided that it may not tender the certificate until it has received satisfactory proof that the capital investment and job creation requirements have, or will be, satisfied. Any credit certificate expires three years after issuance if satisfactory proof has not been received. If the credit exceeds the taxpayer's withholding tax liability for the taxable quarter that is not otherwise refundable pursuant to this title, the excess amount may be carried forward and claimed against withholding liability that is not otherwise refundable pursuant to this title in the next twenty succeeding taxable quarters."

SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( )(1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) at a facility located in the counties of Allendale, Bamberg, Barnwell, Beaufort, Colleton, Hampton, Jasper, or Orangeburg is eligible to claim a port transportation credit in the form of an income tax credit or a credit against employee withholding for its transportation costs in an amount determined by the council in its sole discretion." /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the committee amendment.

The amendment was adopted.

Senators HUTTO and SHEHEEN proposed the following amendment (DG\439C002.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( )(1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) at a facility located in this State is eligible to claim a port transportation credit or a port volume cargo credit in the form of an income tax credit or a credit against employee withholding in an amount determined by the council in its sole discretion, except that the port transportation credit must be based on the taxpayer's transportation costs. A taxpayer may not claim both the port transportation credit and the port volume cargo credit in the same tax year.

(2) For purposes of this subsection, 'transportation costs' means the costs of transporting freight, goods, and materials to and from port facilities in South Carolina.

(3) The maximum amount of port transportation credits allowed to all qualifying taxpayers pursuant to this subsection is limited to the following amounts of the fifteen million dollars of credits available under this section:

(a) one million dollars for the calendar year ending December 31, 2019;

(b) two million dollars for the calendar year ending December 31, 2020; and

(c) three million dollars for all calendar years after December 31, 2020, until the port transportation credit expires pursuant to item (6).

(4)(a) If the allocable port transportation credit exceeds the taxpayer's income tax liability for the taxable year, the excess amount may be carried forward and claimed against income taxes in the next five succeeding taxable years.

(b) If the allocable port transportation credit exceeds the taxpayer's withholding tax liability for the taxable quarter that is not otherwise refundable pursuant to this title, the excess amount may be carried forward and claimed against withholding liability that is not otherwise refundable pursuant to this title in the next twenty succeeding taxable quarters.

(5)(a) The port transportation credit is allowable to a qualifying taxpayer without regard to whether the taxpayer qualifies for any of the other credits available under this section. A qualifying taxpayer seeking to claim the port transportation credit must submit an application to the

council after the calendar year in which the taxpayer seeks to claim the port transportation credit. The application must be made on a form to be prescribed by the council.

(b) To receive the credit the taxpayer shall claim the credit on its income tax or withholding return in a manner prescribed by the department. The department may require a copy of the certification form issued by the council be attached to the return or otherwise provided.

(6) A taxpayer may not claim the port transportation credit in any tax year after the tax year in which a port in Jasper County is opened and is accepting shipments." /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 11; Nays 33

AYES

Alexander	Allen	Campbell
Harpootlian	Hutto	Kimpson
Matthews, John	*Matthews, Margie*	Nicholson
Peeler	Sheheen	

Total--11

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner

Verdin Williams Young

Total--33

Having failed to receive the necessary votes, second reading of the Bill failed.

Motion Adopted

Having voted on the prevailing side, Senator DAVIS moved to reconsider the vote whereby second reading of the Bill failed.

CARRIED OVER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator MALLOY explained the Bill.

On motion of Senator MARTIN, the Bill was carried over.

RECOMMITTED

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was recommitted to the Committee on Judiciary.

RECOMMITTED

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SHEALY, the Resolution was recommitted to the Committee on Judiciary.

COMMITTEE AMENDMENT AMENDED AND ADOPTED READ THE SECOND TIME

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER proposed the following amendment (666R002.KMM.WC), which was adopted:

Amend the committee amendment, as and if amended, page [666-1], by striking lines 25 through 30 and inserting:

/ "( ) A municipality with a land area of approximate 3.87 square miles and a population estimated as of July 1, 2017, to be between ten and eleven thousand persons by the United States Census Bureau's Population Estimate Program that is located within a county that had a population of two hundred twenty-six thousand seventy-three persons according to the 2010 United States Census may enact an ordinance allowing the operation of a permitted golf cart for up to sixty minutes after sunset on locally owned roads for which the posted speed limit is twenty-five miles an hour or less if the golf cart has operable headlights and brake lights." /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The Committee on Transportation proposed the following amendment (666R001.SP.LKG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 56-2-105 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end:

"( ) Municipalities with a population of less than twenty thousand persons may enact an ordinance allowing the operation of a permitted golf cart for up to sixty minutes after sunset on locally owned roads for which the posted speed limit is twenty-five miles an hour or less if the golf cart has operable headlights and brake lights."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 4

AYES

Alexander	Allen	Bennett
Campsen	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Cromer Kimpson Malloy
Senn

Total--4

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

Senator HUTTO objected to the consideration of the Bill.

OBJECTION

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Senator SHEHEEN objected to the consideration of the Bill.

OBJECTION

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF

PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 276 -- Senators Senn and McLeod: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

Senator CORBIN objected to the consideration of the Bill.

OBJECTION

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Senator SHEHEEN objected to the consideration of the Bill.

OBJECTION

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

Senator MARTIN objected to the consideration of the Bill.

OBJECTION

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator SHEHEEN objected to the consideration of the Bill.

OBJECTION

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF

CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

Senator SHEHEEN objected to the consideration of the Bill.

OBJECTION

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

Senator MARTIN objected to the consideration of the Bill.

OBJECTION

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

Senator MARTIN objected to the consideration of the Bill.

OBJECTION

S. 481 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE DIVISION OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS AND PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE "SOUTH CAROLINA FIRE ACADEMY", TO MAKE TECHNICAL

CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Senator JACKSON objected to the consideration of the Bill.

POINT OF ORDER

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON

REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

AMENDED, ADOPTED

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

The Senate proceeded to the consideration of the Resolution.

Senators YOUNG, SABB and RANKIN proposed the following amendment (JUD4312.001), which was adopted:

Amend the concurrent resolution, as and if amended, by striking line 34, page 1, and inserting:

/ May 8, 2019, at noon to elect a successor to the Honorable Doyet A. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the adoption of the Resolution, as amended.

The Resolution was adopted, as amended, ordered returned to the House.

Motion to Ratify Adopted

At 3:08 P.M., Senator ALEXANDER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:46 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETO.

CARRIED OVER

(R15, S504) -- Senators Hutto and M.B. Matthews: AN ACT TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

On motion of Senator MASSEY, the veto was carried over.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

TUESDAY, APRIL 2, 2019

Message from the House

Columbia, S.C., April 2, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator ALEXANDER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

CONCURRENCE

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator ALEXANDER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

On motion of Senator ALEXANDER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDER.

DEBATE INTERRUPTED

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY spoke on the Bill.

On motion of Senator MARTIN, with unanimous consent, and Senator MASSEY retaining the floor, 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, Edgefield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Brenda Carpenter, 225 McDaniel Dr., Trenton, SC 29847-2919

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Johnson, 157 Rutledge Road, Greenwood, SC 29649-8992

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204-1289

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Donald Jeffrey Simons, P. O. Box 9246, Columbia, SC 29290-0246

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290-0381

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Patience Orbriel Van Ellis, 192 Traditions Circle, Columbia, SC 29229-8050 *VICE* Dierdre Simmons

Motion Adopted

On motion of Senator MARTIN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators HUTTO, ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HARPOOTLIAN, HEMBREE, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, LOFTIS, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, REESE, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Dorothy "Dot" Sadler Rankin of Conway, S.C. Dot was the mother of our beloved Senator Luke Rankin. She was an avid reader, enjoyed traveling, playing bridge and meeting new people. Dot was a member of First Baptist Church of Conway. Dot was a loving mother and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SETZLER with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond Sox Caughman, Sr. of Lexington, S.C. Raymond served in the United States Army. He worked in banking and retired from BB&T before becoming the Coroner of Lexington County. Raymond served the community on various boards including the S.C. Bankers Association, Lexington Chamber of Commerce, Lexington Rotary Club and Lutheran Men to mention a few. Raymond was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:52 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, April 3, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

Deuteronomy 26:11

"So you shall rejoice in every good thing which the Lord your God has given you."

This morning we remember the words of Thomas Jefferson who said, "Can the liberties of a nation be secure when we have removed a conviction that these liberties are a gift of God?"

Let us pray. As we rejoice in our blessings this day, we reaffirm the deepest conviction of our founding fathers that "In God We Trust." If we abandon this profession from our public and political lives -- in whom or in what would our nation place its ultimate faith?

You, O Sovereign God, have been our spiritual guide since the inception of our country. You were the inspiration for our constitution and the author of our liberties. You were and always will be the blessing that defines who we are and what we can become. May we always honor Your supreme authority in our lives, nation and in our State. 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 12:05 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	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Grooms	Harpootlian	Kimpson

Leatherman	Loftis	Malloy
Martin	Massey	Nicholson
Peeler	Rice	Senn
Setzler	Shealy	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, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Barry S. Koon, 14149 C R Koon Highway, Newberry, SC 29108-8250

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Linda Dudley-Graham, Post Office Box 863, Iva, SC 29655-0863

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William Gilmer, Post Office Box 505, Honea Path, SC 29564-0505

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mary Frances Cole, 127 Royal Drive, Williamston, SC 29697-2046

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Wynee D. Eubanks, 107 Hillandale Rd., Pendleton, SC 29670-2024

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ronald W. Whitman, 2601 Saxony Drive, Anderson, SC 29621-2946

Doctor of the Day

Senator HARPOOTLIAN introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.

WEDNESDAY, APRIL 3, 2019

Leave of Absence

On motion of Senator CROMER, at 12:10 P.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator FANNING, at 12:31 P.M., Senator McLEOD was granted a leave of absence until 1:30 P.M.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 3, 2019, at 12:05 P.M. and the following Acts and Joint Resolutions were ratified:

(R26, S. 540) -- Senator Alexander: AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MAY NOMINATE LESS THAN THREE QUALIFIED CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE FOR THE GOVERNOR'S CONSIDERATION UNTIL THE CURRENT VACANCY IN THE POSITION OF EXECUTIVE DIRECTOR IS FILLED OR JULY 1, 2019, WHICHEVER OCCURS FIRST.
L:\COUNCIL\ACTS\540WAB19.DOCX

(R27, H. 3310) -- Rep. Elliott: AN ACT TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.
L:\COUNCIL\ACTS\3310CM19.DOCX

(R28, H. 3732) -- Reps. Hewitt, Fry, West, Sandifer and Murphy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.
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(R29, H. 3750) -- Reps. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: AN ACT TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO REVISE THE NUMBER OF ANTLERLESS DEER TAGS THAT MAY BE ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 50-11-390, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' AUTHORITY TO REGULATE THE TAKING OF DEER, SO AS TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT TO ESTABLISH A MINIMUM NUMBER OF ANTLERLESS DAYS IN THE STATE'S GAME ZONES.
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(R30, H. 4112) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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(R31, H. 4157) -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE STATE ELECTION COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.
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WEDNESDAY, APRIL 3, 2019

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 89 Sen. Turner
S. 577 Sen. Martin
S. 663 Sen. Cash

RECALLED AND COMMITTED

H. 3263 -- Reps. G.M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR

CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

There was no objection and the Bill was recalled from the Committee on Banking and Insurance.

On the motion of Senator ALEXANDER, with unanimous consent, the Bill was committed to the Committee on Labor, Commerce and Industry.

WEDNESDAY, APRIL 3, 2019

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 737 -- Senator Martin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MARY DELLA HEATHERLY FOR HER OUTSTANDING CONTRIBUTIONS AS A PUBLIC SERVANT DEVOTED TO THE CARE OF ELDERLY, DISABLED, AND VULNERABLE CITIZENS IN SPARTANBURG COUNTY AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 738 -- Senator Davis: A BILL TO ENACT THE "SOUTH CAROLINA BLOCKCHAIN INDUSTRY EMPOWERMENT ACT OF 2019", TO ESTABLISH THIS STATE AS AN INCUBATOR FOR TECHNOLOGY INDUSTRIES SEEKING TO DEVELOP INNOVATION BY USING BLOCKCHAIN TECHNOLOGY; TO AMEND ARTICLE 2, CHAPTER 6, TITLE 33 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF SHARES FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, BY ADDING SECTION 33-6-245, TO PROVIDE FOR THE CONSTRUCTION OF TERMS RELATING TO STOCK AND CERTIFICATE TOKENS; TO AMEND SECTION 33-6-250 OF THE 1976 CODE, RELATING TO THE FORM AND CONTENT OF CORPORATE STOCK CERTIFICATES, TO AUTHORIZE CORPORATIONS TO ISSUE CERTIFICATE TOKENS IN LIEU OF STOCK CERTIFICATES; TO AMEND TITLE 34 OF THE 1976 CODE, RELATING TO BANKING, FINANCIAL INSTITUTIONS, AND MONEY, BY ADDING CHAPTER 47, TO PROVIDE THAT A PERSON WHO DEVELOPS, SELLS, OR FACILITATES THE EXCHANGE OF AN OPEN BLOCKCHAIN TOKEN IS NOT SUBJECT TO SPECIFIED SECURITIES AND MONEY TRANSMISSION LAWS, AND TO PROVIDE SPECIFIED VERIFICATION AUTHORITY TO THE SECRETARY OF STATE AND BANKING COMMISSIONER; TO AMEND TITLE 34 OF THE 1976 CODE, RELATING TO BANKING, FINANCIAL INSTITUTIONS, AND MONEY, BY ADDING CHAPTER 49, TO CREATE THE FINANCIAL TECHNOLOGY SANDBOX FOR THE TESTING OF FINANCIAL PRODUCTS AND SERVICES IN SOUTH CAROLINA, TO AUTHORIZE LIMITED WAIVERS OF SPECIFIED PROVISIONS OF LAW UNDER CERTAIN CONDITIONS, TO

ESTABLISH STANDARDS AND PROCEDURES FOR SANDBOX APPLICATIONS, OPERATIONS, AND SUPERVISION, TO AUTHORIZE RECIPROCITY AGREEMENTS WITH OTHER REGULATORS, TO REQUIRE CRIMINAL HISTORY BACKGROUND CHECKS, TO REQUIRE THE CREATION OF FINANCIAL TECHNOLOGY INNOVATION ACCOUNTS TO BE USED FOR SPECIAL PURPOSES, TO REQUIRE A CONSUMER PROTECTION BOND, AND TO SPECIFY STANDARDS FOR THE SUSPENSION AND REVOCATION OF A SANDBOX AUTHORIZATION; TO AMEND TITLE 34 OF THE 1976 CODE, RELATING TO BANKING, FINANCIAL INSTITUTIONS, AND MONEY, BY ADDING CHAPTER 51, TO SPECIFY THAT DIGITAL ASSETS ARE PROPERTY WITHIN THE UNIFORM COMMERCIAL CODE, TO AUTHORIZE SECURITY INTERESTS IN DIGITAL ASSETS, TO ESTABLISH AN OPT-IN FRAMEWORK FOR BANKS TO PROVIDE CUSTODIAL SERVICES FOR DIGITAL ASSET PROPERTY AS CUSTODIANS, TO SPECIFY STANDARDS AND PROCEDURES FOR CUSTODIAL SERVICES, TO CLARIFY THE JURISDICTION OF SOUTH CAROLINA COURTS RELATING TO DIGITAL ASSETS, TO AUTHORIZE A SUPERVISION FEE, AND TO PROVIDE FOR OTHER RELATED PROVISIONS FOR DIGITAL ASSETS; TO AMEND SECTION 35-11-110 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE ANTI-MONEY LAUNDERING ACT, TO PROVIDE THAT THE ANTI-MONEY LAUNDERING ACT DOES NOT APPLY TO THE BUYING, SELLING, ISSUING, OR TAKING CUSTODY OF PAYMENT INSTRUMENTS OR STORED VALUE IN THE FORM OF VIRTUAL CURRENCY OR RECEIVING VIRTUAL CURRENCY FOR TRANSMISSION TO A LOCATION WITHIN OR OUTSIDE THE UNITED STATES BY ANY MEANS; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 739 -- Senators Senn and Harpootlian: A CONCURRENT RESOLUTION TO URGE LOCAL GOVERNMENTS, MUNICIPALITIES, LAW ENFORCEMENT AGENCIES, COLLEGES, AND UNIVERSITIES TO ACCELERATE THEIR EFFORTS TO IMPROVE THE SAFETY OF TRANSPORTATION NETWORK COMPANIES AND RIDE-HAILING SERVICES.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 740 -- Senators Gambrell and Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND CELEBRATE DAVY HITE FOR HIS EXCEPTIONAL ANGLING SKILL, BROADCASTING ABILITY, STEWARDSHIP OF THE OUTDOORS, AND SERVICE TO OUR COUNTRY AND TO CONGRATULATE HIM ON HIS SELECTION INTO THE 2019 BASS FISHING HALL OF FAME IN SPRINGFIELD, MISSOURI.
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The Senate Resolution was adopted.

S. 741 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE PROVIDENCE UNITED METHODIST CHURCH UPON THE OCCASION OF THE ONE HUNDREDTH ANNIVERSARY OF ITS PRESENT CHURCH BUILDING, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN THE PROVIDENCE COMMUNITY, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

H. 3620 -- Reps. Pope, Tallon, Bryant, Bailey, Johnson, Forrest, Clary, Caskey, B. Cox, Elliott, Gilliam, Wooten, Davis, Taylor, Cobb-Hunter, Rivers, R. Williams, Jefferson and Weeks: A BILL TO AMEND SECTIONS 9-1-1790 AND 9-11-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETIREMENT BENEFITS AFTER RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO REMOVE THE TEN THOUSAND DOLLAR EARNINGS

LIMITATION ON EMPLOYEES RETURNING TO EMPLOYMENT WHO RETIRED BEFORE JANUARY 2, 2019.

Read the first time and referred to the Committee on Finance.

H. 3800 -- Reps. B. Cox, Hiott, Elliott, Morgan, White, Clemmons, Hyde, Caskey, Magnuson, Hewitt, Trantham, Davis, Forrest and Hixon: A BILL TO AMEND SECTION 50-9-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPRENTICE HUNTING LICENSES, SO AS TO ALLOW FOR THE WAIVER OF THE CERTIFICATE OF COMPLETION REQUIREMENT FOR UP TO THREE YEARS AND TO ALLOW FOR A PERSON TO RECEIVE THIS WAIVER NO MORE THAN THREE TIMES.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Read the first time and referred to the Committee on Judiciary.

H. 4108 -- Reps. Stavrinakis, Simrill, Gilliard, Moore, Mack, Brown, Cogswell and Sottile: A CONCURRENT RESOLUTION TO REQUEST THE CHARLESTON COUNTY AVIATION AUTHORITY RENAME THE CHARLESTON INTERNATIONAL AIRPORT, THE "ERNEST F. 'FRITZ' HOLLINGS CHARLESTON INTERNATIONAL AIRPORT" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THE AIRPORT CONTAINING THE WORDS "ERNEST F. 'FRITZ' HOLLINGS INTERNATIONAL AIRPORT".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4185 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BROAD RIVER ROAD AND HAVILAND CIRCLE IN RICHLAND COUNTY

"DEPUTY DONNIE RENO WASHINGTON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4186 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB ROAD IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4187 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4189 -- Rep. Lowe: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4233 -- Rep. Stringer: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 14 AND FEWS CHAPEL ROAD IN

GREENVILLE COUNTY "WILLIAM 'BUD' TURNER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4235 -- Rep. Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 1 APPROXIMATELY FOUR MILES OUTSIDE THE TOWN OF MCBEE "SERGEANT DARRYL QUICK MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4236 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF COIT STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH SUMTER STREET TO ITS INTERSECTION WITH DARLINGTON STREET "REVEREND DR. WILLIAM EDWARD CHANEY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF "SERVICE CONTRACT" AND

"WARRANTY" AND TO DEFINE THE TERMS "ROAD HAZARD", "THEFT PROTECTION PROGRAM", AND "THEFT PROTECTION PROGRAM WARRANTY"; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4246 -- Reps. Sandifer and Thayer: A BILL TO AMEND ACT 60 OF 2017, RELATING TO CRIMINAL BACKGROUND CHECKS BY THE REAL ESTATE COMMISSION, SO AS TO CHANGE THE TIME EFFECTIVE DATE TO JULY 1, 2020.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4373 -- Rep. Brown: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE THE ROHMING ROBOTS FOR WINNING THE INSPIRE AWARD AT THE SOUTH CAROLINA FIRST TECH CHALLENGE STATE CHAMPIONSHIP FOR THE 2018-2019 FIRST ROBOTICS SEASON AND FOR ADVANCING TO THE FIRST CHAMPIONSHIP.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4376 -- Reps. Funderburk, Lucas, Bales, Wheeler, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C.

Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR CAMDEN MIDDLE SCHOOL OF KERSHAW COUNTY AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, STUDENTS, AND PARENTS ON THE SCHOOL'S BEING CHOSEN AS A NATIONAL 2019 SCHOOL TO WATCH.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4377 -- Reps. Funderburk, Lucas, Bales, Wheeler, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LUGOFF-ELGIN MIDDLE SCHOOL OF KERSHAW COUNTY AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, STUDENTS, AND PARENTS FOR BEING CHOSEN AS A 2019 NATIONAL "SCHOOL TO WATCH."

The Concurrent Resolution was adopted, ordered returned to the House.

WEDNESDAY, APRIL 3, 2019

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 293 -- Senators Cash, Corbin and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out S. 603 favorable:

S. 603 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 18 AND THURSDAY, NOVEMBER 21 AND FRIDAY, NOVEMBER 22, 2019. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 689 -- Senators Climer, Allen and Bennett: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSION FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Appointment Reported

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

WEDNESDAY, APRIL 3, 2019

Statewide Appointment

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2018, and to expire June 30, 2024

At-Large - General Public:

Amy L. McFadden, 164 Mohican Drive, Georgetown, SC 29440-5864 *VICE* James Bradford Thompson

Received as information.

Message from the House

Columbia, S.C., April 3, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 3, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 476 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 391 IN SALUDA COUNTY OVER THE LITTLE SALUDA RIVER AT MILE MARKER 9.30 "CORPORAL DALE HALLMAN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 725 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA COLLEGE OF PHARMACY TEAM, ADVISORS, AND SCHOOL OFFICIALS FOR WINNING THE 2018-2019 NATIONAL STUDENT PHARMACIST COMPOUNDING COMPETITION.

Returned with concurrence.

Received as information.

Expressions of Personal Interest

Senators HARPOOTLIAN and SENN rose for Expressions of Personal Interest.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

INTERRUPTED DEBATE

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 2

Senator MALLOY proposed the following amendment (203R003.SP.GM):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ "Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district that maintains an average daily membership of less than one thousand five hundred students based on the most recent count received by the Department of Education shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the Bill.

Debate was interrupted.

WEDNESDAY, APRIL 3, 2019

RECESS

At 12:42 P.M., on motion of Senator MASSEY, with Senator MASSEY retaining the floor, the Senate receded from business.

At 12:57 P.M., the Senate resumed.

Motion Adopted

Senator MASSEY asked unanimous consent to meet tomorrow, Thursday, April 4, 2019, under the provisions of Rule 1B, giving second reading to all uncontested Senate Bills on the Second Reading Calendar, waiving the provisions of Rule 26B, and that the Senate would meet at noon on Tuesday, April 9, 2019.

There was no objection.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

S. 712 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.

On motion of Senator GAMBRELL.

S. 735 -- Senator Johnson: A BILL TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION, TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY.

On motion of Senator JOHNSON.

S. 735--Ordered to a Third Reading

On motion of Senator JOHNSON, with unanimous consent, S. 735 was ordered to receive a third reading on Thursday, April 4, 2019.

WEDNESDAY, APRIL 3, 2019

READ THE SECOND TIME

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO

AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 303 -- Senators Kimpson, Shealy, Fanning and Davis: A BILL TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING

IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND OR RELATIVE FREELY CHOOSES TO ASSUME THAT RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 276 -- Senators Senn and McLeod: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK

AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES

FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN

APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR

OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 281 -- Senators Talley and Campbell: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 546 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO 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 the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 607 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, AND TO 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 the consideration of the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Barry S. Koon, 14149 C R Koon Highway, Newberry, SC 29108-8250

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Linda Dudley-Graham, Post Office Box 863, Iva, SC 29655-0863

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Gilmer, Post Office Box 505, Honea Path, SC 29564-0505

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mary Frances Cole, 127 Royal Drive, Williamston, SC 29697-2046

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Wynee D. Eubanks, 107 Hillandale Rd., Pendleton, SC 29670-2024

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ronald W. Whitman, 2601 Saxony Drive, Anderson, SC 29621-2946

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator M.B. MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Miss RaNiya Wright of Walterboro, S.C. RaNiya was the daughter of Ms. Ashley Wright and Mr. Jermaine Van Dyke. She was a 5th grade student at Forest Hills Elementary School. RaNiya was a sweet girl who was loved by many and will be dearly missed.

ADJOURNMENT

At 1:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 4, 2019
(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 ACTING PRESIDENT, Senator SHEALY. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 663 Sen. Campbell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
l:\council\bills\dbs\31555cz19.docx
Read the first time and ordered placed on the Calendar without reference.

S. 743 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GILBERT HIGH SCHOOL STUDENT COUNCIL, STUDENT BODY, ADVISORS, AND SCHOOL OFFICIALS ON THE SCHOOL'S FIRST ANNUAL CHARITY WEEK, TOMAHAWK FEST 2019, AND TO COMMEND THEM FOR THEIR HARD WORK AND FUNDRAISING EFFORTS FOR THE CHILDREN OF THIS STATE.
l:\s-res\ks\047toma.kmm.ks.docx
The Senate Resolution was adopted.

H. 3780 -- Reps. White, Hixon, Taylor, Cobb-Hunter, Funderburk, Anderson, Hewitt, R. Williams, Davis, Brown, Weeks, Rivers, S. Williams and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 59 SO AS TO CREATE THE "GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY (GREAT) PROGRAM", TO FACILITATE THE DEPLOYMENT OF BROADBAND TO UNSERVED AREAS OF THE STATE, TO PROVIDE DEFINITIONS, TO ESTABLISH THE GROWING RURAL ECONOMIES WITH ACCESS TO TECHNOLOGY FUND, TO PROVIDE THAT ANY PROPERTY OWNED BY A MUNICIPALITY MAY BE LEASED OR RENTED IN CERTAIN SITUATIONS, TO PROVIDE THAT A MUNICIPALITY-OWNED UTILITY MAY BE LEASED, TO PROVIDE THAT A MUNICIPALITY IS AUTHORIZED TO SELL OR LEASE ANY PUBLIC ENTERPRISE THAT IT OWNS, TO PROVIDE THAT THE STATE SHALL ALLOW COLLOCATION, INSTALLATION, AND OPERATION OF CERTAIN EQUIPMENT BY A BROADBAND PROVIDER ON ANY EXISTING STRUCTURES, AND TO PROVIDE FOR A MONTHLY 911 SERVICE CHARGE; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 7, TITLE 59 AS "ARTICLE 1, GENERAL PROVISIONS".

Read the first time and referred to the Committee on Judiciary.

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL

PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3807 -- Reps. Felder, Bernstein and Mack: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TEEN SKIN CANCER PREVENTION ACT" BY ADDING CHAPTER 129 TO TITLE 44 SO AS TO PROHIBIT INDIVIDUALS UNDER EIGHTEEN YEARS OF AGE FROM USING TANNING EQUIPMENT IN TANNING FACILITIES, TO ESTABLISH PENALTIES, AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3936 -- Reps. Davis, Daning, Chellis, Thigpen, Pendarvis, Erickson, Jefferson, R. Williams and Brown: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

Read the first time and referred to the Committee on Education.

H. 4261 -- Reps. McCoy, G. M. Smith, Ott, Sandifer, Simrill, Lucas, Jefferson, R. Williams, Fry, Ballentine and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-31-25 SO AS TO PROVIDE THAT MAJOR UTILITY FACILITIES OF THE PUBLIC SERVICE AUTHORITY MUST BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION FOR APPROVAL IN THE MANNER DETERMINED BY LAW; BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 58 SO AS TO ESTABLISH CERTAIN MANDATORY PROCEDURES THAT THE PUBLIC SERVICE AUTHORITY MUST FOLLOW PRIOR TO REVISING ANY OF ITS BOARD-APPROVED RETAIL RATE SCHEDULES FOR RESIDENTIAL, LIGHTING, COMMERCIAL, OR INDUSTRIAL CUSTOMERS IN A MANNER THAT RESULTS IN A RATE INCREASE; BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 58 SO AS TO CREATE THE "SOUTH CAROLINA PUBLIC SERVICE AUTHORITY REVIEW AND OVERSIGHT COMMISSION", AND TO DEFINE THE COMMISSION'S COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES; TO AMEND SECTION 58-31-20, RELATING TO THE PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS AND ITS ADVISORY BOARD, SO AS TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO SUBMIT ANNUAL AUDITS TO THE ADVISORY BOARD AND TO THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY REVIEW AND OVERSIGHT COMMISSION, AND TO REQUIRE THE LIVE STREAMING OF BOARD AND COMMITTEE MEETINGS; TO AMEND SECTION 58-31-30, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO APPROVE THE PUBLIC SERVICE AUTHORITY'S CONSTRUCTION OF ANY MAJOR UTILITY FACILITY; AND TO AMEND SECTION 58-33-20, RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 33, TITLE 58, SO AS TO REVISE THE DEFINITIONS OF "MAJOR UTILITY FACILITY" AND "PERSON".

Read the first time and referred to the Committee on Judiciary.

H. 4262 -- Reps. Simrill, Rutherford, Sandifer, Forrester, West, Jefferson, R. Williams, Anderson, Weeks, G. R. Smith, S. Williams and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 11, TITLE 58 SO AS TO ENACT THE "SOUTH CAROLINA SMALL

WIRELESS FACILITIES DEPLOYMENT ACT"; TO MAKE LEGISLATIVE FINDINGS; TO DEFINE RELEVANT TERMS; TO PROVIDE, AMONG OTHER THINGS, THAT CERTAIN AGREEMENTS OR ENACTMENTS PERTAINING TO THE DEPLOYMENT OF SMALL WIRELESS FACILITIES THAT DO NOT COMPLY WITH CERTAIN PROVISIONS OF THIS ACT MUST BE DEEMED INVALID AND UNENFORCEABLE BEGINNING OCTOBER 1, 2019; TO PROVIDE THAT CERTAIN UNITS OF LOCAL GOVERNMENT "AUTHORITIES" WITH CONTROL OVER RIGHTS OF WAY MAY NOT PROHIBIT, REGULATE, OR CHARGE FOR THE COLLOCATION OF CERTAIN SMALL WIRELESS FACILITIES; TO PROVIDE THAT SMALL WIRELESS FACILITIES MUST BE CLASSIFIED AS PERMITTED USES AND NOT SUBJECT TO ZONING REVIEW AND APPROVAL UNDER SPECIFIED CIRCUMSTANCES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS, FEES, APPLICATION REVIEW, AND ISSUANCE OF PERMITS FOR COLLOCATION OF SMALL WIRELESS FACILITIES; TO REQUIRE AUTHORITIES TO ALLOW THE COLLOCATION OF SMALL WIRELESS FACILITIES ON AUTHORITY UTILITY POLES UNDER SPECIFIED CIRCUMSTANCES; TO PROHIBIT AUTHORITIES FROM REGULATING THE DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION, OR OPERATION OF ANY SMALL WIRELESS FACILITY IN SPECIFIED CIRCUMSTANCES; TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT HAS JURISDICTION TO RESOLVE ALL DISPUTES ARISING UNDER THE ACT; AND TO PROHIBIT AN AUTHORITY FROM REQUIRING A WIRELESS PROVIDER TO INDEMNIFY THE AUTHORITY OR ITS OFFICERS OR EMPLOYEES AND FROM NAMING THE AUTHORITY AS AN ADDITIONAL INSURED ON A WIRELESS PROVIDER'S INSURANCE POLICY.

Read the first time and referred to the Committee on Judiciary.

H. 4287 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER

FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Read the first time and referred to the Committee on Finance.

H. 4396 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO HONOR GASPER LOREN TOOLE III OF AIKEN COUNTY UPON THE OCCASION OF HIS RETIREMENT FROM THE BOARD OF DIRECTORS OF SECURITY FEDERAL BANK, TO OFFER GRATITUDE FOR HIS MANY SIGNIFICANT CONTRIBUTIONS TO AIKEN COUNTY AND THE PALMETTO STATE, AND TO WISH HIM MANY YEARS OF HAPPINESS AND FULFILLMENT.

The Concurrent Resolution was adopted, ordered returned to the House.

RECALLED AND COMMITTED

H. 4117 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF NURSING, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4863, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator VERDIN, with unanimous consent, the Resolution was recalled from the Committee on Medical Affairs and committed to the Committee on Labor, Commerce and Industry.

THURSDAY, APRIL 4, 2019

Message from the House

Columbia, S.C., April 4, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

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 Bill was read the third time and ordered sent to the House of Representatives:

S. 735 -- Senator Johnson: A BILL TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION, TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY.

THURSDAY, APRIL 4, 2019

ADJOURNMENT

At 11:10 A.M., on motion of Senator JACKSON, 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.

* * *

Friday, April 5, 2019
(Local 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 ACTING PRESIDENT, Senator JACKSON.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bills:
S. 112 Sen. Gregory
S. 591 Sen. Gregory

ADJOURNMENT

At 11:04 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, April 9, 2019, at 12:00 Noon.

* * *

Tuesday, April 9, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 121:7-8:

"The Lord shall preserve thee from all evil: he shall preserve thy soul. The Lord shall preserve thy going out and thy coming in from this time forth and even for evermore."

Let us pray. Gracious and loving God, as children, one of our earliest needs was to "feel safe". This protection in our formative years was vested in our parents. But as we grew and experienced more and more independence, a more united effort beyond our parents was needed.

Today we give thanks for those whom You have united to keep us "feeling safe". In our most immediate workplace, we are grateful for the vigilance and professionalism of our very own security staff.

In our community, we are grateful for the law enforcement both municipal and county that preserves our coming in and going out.

And nationally, we are forever grateful to the brave men and women of our armed forces that literally put their lives on the line to preserve our freedom and way of life both here and abroad.

We pray fervently, O God, for your daily blessing on all these dedicated individuals. May we never take for granted the sacrifices they make on our behalf. Through Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Bennett	Cash	Climer
Corbin	Cromer	Goldfinch

Hembree	Hutto	Jackson
Johnson	Leatherman	Martin
Massey	McElveen	Nicholson
Peeler	Rice	Sabb
Senn	Setzler	Shealy
Talley	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:

Local Appointments

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Nancy Devine, 121 Wilson Road, Williamston, SC 29697-9723

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Matthew Lollis, 116 Royal Drive, Williamston, SC 29697-2045

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Denise M. Malone, 803 Concord Ave., Anderson, SC 29621-1905

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sherry Mattison, 309 Oakwood Estates Dr., Anderson, SC 29621-2471

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jerry Lee Mullikin, 2301 Six and Twenty Road, Pendleton, SC 29670-9383

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Dan Sharp, 2402 East North Avenue, Anderson, SC 29625-2903

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Samuel Thompson Tucker III, 230 Grace Lane, Piedmont, SC 29673-7710

Reappointment, Greenwood County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lisa Hotchkiss, 716 Wingert Road, Greenwood, SC 29649-9668

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Belinda Johnson, 1703A Westbrook Drive, Greenwood, SC 29649-7600

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gordon B. Johnson, Post Office Box 546, Prosperity, SC 29127-0546

Initial Appointment, Sumter County Master-in-Equity, with the term to commence December 31, 2016, and to expire December 31, 2022
Michael Mckinney Jordon, 2292 Gingko Dr., Sumter, SC 29150 *VICE* Howard P. King

Doctor of the Day

Senator SETZLER introduced Dr. Jennifer Root of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 3:07 P.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 3:24 P.M., Senators CLIMER and GAMBRELL were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DAVIS, at 4:10 P.M., was granted a leave of absence until 5:45 P.M.

TUESDAY, APRIL 9, 2019

Leave of Absence

On motion of Senator SHEALY, at 4:49 P.M., Senator TURNER was granted a leave of absence until 5:15 P.M.

Leave of Absence

On motion of Senator McELVEEN, at 4:49 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator JOHNSON, at 4:53 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 139 Sen. Verdin
S. 281 Sen. Martin
S. 303 Sen. Alexander
S. 563 Sen. Grooms
S. 574 Sen. Loftis

Expression of Personal Interest

Senator GOLDFINCH rose for an Expression of Personal Interest.

Remarks by Senator GOLDFINCH

Thank you, Mr. PRESIDENT. As you may have heard just a day or two ago, Representative Peter McCoy had been threatened by an online post by a member of Facebook. He had threatened to kill him -- to shoot him. I felt it incumbent to come to the well and have a discussion on this. I was assigned as the subcommittee chair to handle this open carry Bill.

I decided to postpone the meeting because of the safety of our own members. I cannot sit idly by. I have been beat up relentlessly since this started. Democrat or Republican, white or black, left or right, anti-gun or pro-gun -- it does not matter to me. I will come here and I will defend your constitutional right to do your job whether I agree with you here or not. That is exactly what I am doing for Representative Peter McCoy. I am postponing the meeting and I know there are many people in the lobby and the balcony that are interested in this issue.

When the threat is mitigated, we will have a hearing again. I think it is incumbent to stand up and speak up when one of our own is threatened. All of us have a figurative target on our backs and I will not stand here and allow any of us -- if I have anything to do with it -- to have another

literal target on our back. It is unconscionable. We have to protect our own because there is nobody out there that will.

I ask you to please support me in this decision, and to support your colleagues. We cannot allow this to go any further than it already has. The incivility must end today.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator GOLDFINCH, were ordered printed in the Journal.

RECALLED AND ADOPTED

S. 683 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 8 THROUGH 12, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 10, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY" IN SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE 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.

On motion of Senator HEMBREE, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 4292 -- Rep. Davis: A CONCURRENT RESOLUTION TO PROCLAIM APRIL 9, 2019, AS "STEM EDUCATION DAY" THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN IN RECOGNIZING THE POSITIVE IMPACT THAT STEM EDUCATION HAS ON THE QUALITY OF LIFE FOR THE RESIDENTS OF THE PALMETTO STATE.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE 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.

On motion of Senator HEMBREE, the Resolution was adopted and ordered sent to the House.

RECALLED AND COMMITTED

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY

WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator VERDIN, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Medical Affairs.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 744 -- Senators McElveen and Johnson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR TEMETRIUS JAMEL "JA" MORANT FOR HIS OUTSTANDING COLLEGIATE BASKETBALL CAREER WITH MURRAY STATE UNIVERSITY.
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The Senate Resolution was adopted.

S. 745 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE THE CLEMSON PUBLIC SERVICE AND AGRICULTURE EXTENSION EMERGING LEADERSHIP INITIATIVE FOR ITS VALUABLE EFFORTS IN FOSTERING FUTURE LEADERS IN THIS STATE.
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The Senate Resolution was adopted.

S. 746 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE MID-CAROLINA MIDDLE SCHOOL ACADEMIC TEAM, COACHES, AND SCHOOL OFFICIALS ON WINNING THE 2019 SOUTH CAROLINA STATE CHAMPIONSHIP OF ACADEMICS.
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The Senate Resolution was adopted.

S. 747 -- Senator Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-830 SO AS TO AUTHORIZE LOCAL GOVERNMENTS TO ADOPT ORDINANCES FOR THE CIVIL ENFORCEMENT OF CERTAIN TRAFFIC LAWS BY THE USE OF TRAFFIC-CONTROL SIGNAL MONITORING SYSTEMS; TO AMEND SECTION 14-25-45, RELATING TO THE JURISDICTION OF SUMMARY COURTS, SO AS TO PROVIDE FOR JURISDICTION OVER NONCRIMINAL CITATIONS ISSUED PURSUANT TO SECTION 56-5-830; TO AMEND SECTION 56-5-710, RELATING TO THE POWERS OF LOCAL AUTHORITIES TO ENFORCE TRAFFIC LAWS, SO AS TO ADD THE AUTHORITY TO ADOPT ORDINANCES FOR THE CIVIL ENFORCEMENT OF CERTAIN TRAFFIC LAWS BY THE USE OF TRAFFIC-CONTROL SIGNAL MONITORING SYSTEMS; AND TO AMEND SECTION 56-5-970, RELATING TO TRAFFIC-CONTROL SIGNALS, SO AS TO PROVIDE THAT VEHICULAR TRAFFIC, WHEN SAFE, MUST SLOW DOWN IMMEDIATELY WHEN FACING A STEADY YELLOW INDICATION SIGNAL.
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Read the first time and referred to the Committee on Judiciary.

S. 748 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF WILHELMINA DAVIS OF RICHLAND COUNTY, TO HONOR HER STEADFAST COMMITMENT TO THE MEMBERS OF THIS CHAMBER, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.
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The Senate Resolution was adopted.

H. 3079 -- Reps. Pope, Burns, Bryant, Clyburn, Yow, Brown, Hixon and Forrest: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Read the first time and referred to the Committee on Judiciary.

H. 3346 -- Reps. Yow, Lucas and Henegan: A BILL TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 3778 -- Reps. Lucas, G. M. Smith, Sandifer, Simrill, Murphy, Weeks, Pope, McCoy, Hayes, Clary, Stringer, Bannister, Elliott, B. Cox, Morgan, W. Cox, Stavrinakis, Cobb-Hunter and Fry: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

Read the first time and referred to the Committee on Finance.

H. 4009 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 49-30-80, RELATING TO THE REMOVAL OF UNPERMITTED STRUCTURES, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO

CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-3-510, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AUTHORITY TO CONTRACT FOR THE HARVEST OF TIMBER ON LANDS HELD BY THE DEPARTMENT, SO AS TO REQUIRE THE DEPARTMENT TO NOTIFY THE STATE FORESTER AT LEAST THIRTY DAYS PRIOR TO THE BIDDING OF TIMBER SALES; TO AMEND SECTION 50-5-25, RELATING TO DEPARTMENT OF NATURAL RESOURCES UNDER THE MARINE RESOURCES ACT, SO AS TO NO LONGER REQUIRE THE DEPARTMENT TO DEPOSIT FUNDS FROM THE SALE OF EXPERIMENTAL MARICULTURE PRODUCTS INTO A CERTAIN FUND; TO AMEND SECTION 50-5-2510, RELATING TO THE SUSPENSION OF SALTWATER PRIVILEGES FOR THE ACCUMULATION OF POINTS, SO AS TO

ALTER THE REQUIREMENTS FOR THE NOTICE OF SUSPENSION; TO AMEND SECTION 50-5-2515, RELATING TO THE NOTICE OF SUSPENSION OF SALTWATER PRIVILEGES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 50-9-960, RELATING TO THE MARINE RESOURCES FUND, SO AS TO ENCOURAGE DEVELOPMENT OF THE MARICULTURE INDUSTRY AND TO REQUIRE THE DEPOSIT OF REVENUE FROM SALES OF EXPERIMENTAL MARICULTURE PRODUCTS PRODUCED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE MARINE RESOURCES FUND; TO AMEND SECTION 50-9-1140, RELATING TO THE SUSPENSION OF HUNTING AND FISHING PRIVILEGES, SO AS TO ALTER THE REQUIREMENTS FOR THE NOTICE OF SUSPENSION; TO AMEND SECTION 50-9-1150, RELATING TO THE NOTICE OF SUSPENSION OF HUNTING AND FISHING PRIVILEGES, SO AS TO PROVIDE THAT A PERSON OR ENTITY MAY APPEAL THE DECISION TO SUSPEND HUNTING AND FISHING PRIVILEGES UNDER THE ADMINISTRATIVE PROCEDURES ACT; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-13-675, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO PROHIBIT THE USE OF NONGAME FISHING DEVICES IN LAKE JOCASSEE; TO AMEND SECTION 50-13-1415, RELATING TO THE IMPORTATION, POSSESSION, OR PLACING OF WATER HYACINTH AND HYDRILLA IN THE WATERS OF THIS STATE, SO AS TO PROHIBIT THE POSSESSION, SALE, OR PLACEMENT OF CERTAIN AQUATIC PLANT PESTS; TO AMEND SECTION 50-15-10, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 50-15-40, RELATING TO PROGRAMS FOR MANAGEMENT OF NONGAME AND ENDANGERED WILDLIFE, SO AS TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES; TO

AMEND SECTION 50-21-860, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS UPDATE THE REFERENCE TO THE SECTION ESTABLISHING THE FRESHWATER-SALTWATER DIVIDING LINE; TO AMEND SECTION 50-23-11, AS AMENDED, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR THE DEMONSTRATION NUMBER WHEN THE DEALER ALLOWS FOR THE OPERATION OF THE WATERCRAFT; TO REPEAL SECTION 1-30-75 RELATING TO THE TRANSFER OF AUTHORITY AND DUTIES FROM CERTAIN AGENCIES TO THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL SECTIONS 3-5-100 AND 3-5-170 BOTH RELATING TO CULTIVATING OYSTERS ON AREAS LEASED BY THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL SECTION 11-37-200 RELATING TO THE WATER RESOURCES COORDINATING COUNCIL; TO REPEAL ARTICLE 5 OF CHAPTER 3, TITLE 47 RELATING TO FERAL DOGS; TO REPEAL SECTIONS 47-3-510, 47-3-520, AND 47-3-550 ALL RELATING TO THE REGISTRATION OF DOGS; TO REPEAL SECTION 49-3-30 RELATING TO THE TRANSFER OF THE WATER RESOURCES COMMISSION TO THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL SECTIONS 49-30-40 THROUGH 49-30-60 ALL RELATING TO THE PUBLIC WATERS NUISANCE ABATEMENT ACT; TO REPEAL SECTIONS 50-3-10 AND 50-3-150 BOTH RELATING TO THE TRANSFER OF THE WILDLIFE AND MARINE RESOURCES DEPARTMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL SECTION 50-3-180 RELATING TO THE MITIGATION TRUST FUND; TO REPEAL ARTICLE 11 OF CHAPTER 3, TITLE 50 RELATING TO THE CONSERVATION GRANT FUND; TO REPEAL SECTION 50-5-17 RELATING TO THE FLOUNDER POPULATION STUDY PROGRAM; TO REPEAL SECTION 50-5-2545 RELATING TO POINTS FOR VIOLATIONS OF MARINE RESOURCES LAWS RECEIVED PRIOR TO THE EFFECTIVE DATE OF THE MARINE RESOURCES ACT OF 2000; TO REPEAL SECTION 50-9-1160 RELATING TO JUDICIAL REVIEW OF A SUSPENSION OF HUNTING AND FISHING PRIVILEGES; TO REPEAL SECTION 50-11-851 RELATING TO THE PROHIBITION ON SHOOTING CARRIER PIGEONS; TO REPEAL SECTIONS 50-11-1110 AND 50-11-1120 BOTH RELATING TO THE AUTHORITY OF THE DEPARTMENT TO OPEN CERTAIN SEASONS UPON THE

REQUEST OF A COUNTY LEGISLATIVE DELEGATION; TO REPEAL SECTIONS 50-11-1360 THROUGH 50-11-1430 ALL RELATING TO PEN-RAISED QUAIL; TO REPEAL SECTION 50-13-1936 RELATING TO FEES FOR OPERATION OF THE WALHALLA FISH HATCHERY; TO REPEAL ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; TO REPEAL ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; TO REPEAL SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; TO REPEAL SECTION 50-19-250 RELATING TO THE PROHIBITION OF NIGHT FISHING IN A CERTAIN PORTION OF FOUR HOLE SWAMP; TO REPEAL SECTION 50-19-450 RELATING TO THE AUTHORITY TO PROMULGATE REGULATIONS TO MANAGE FISHERIES IN CERTAIN AREAS IN SPARTANBURG COUNTY; TO REPEAL ARTICLE 13 OF CHAPTER 19, TITLE 50 RELATING TO DEVICES ON THE LITTLE PEE DEE RIVER; TO REPEAL ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; TO REPEAL ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; TO REPEAL ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; TO REPEAL ARTICLE 25 OF CHAPTER 19, TITLE 50 RELATING TO HUNTING CROWS IN YORK COUNTY; TO REPEAL ARTICLE 27 OF CHAPTER 19, TITLE 50 RELATING TO FISHING IN YORK COUNTY; TO REPEAL SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; TO REPEAL SECTION 50-19-1935 RELATING TO THE DUTY TO MONITOR A BASS FISHERY IN THE WATEREE-SANTEE RIVERINE SYSTEM; TO REPEAL SECTION 50-19-2310 RELATING TO STRIPED BASS SEASONS IN LAKE GREENWOOD AND BOYD'S MILL; TO REPEAL SECTION 50-19-2330 RELATING TO THE REMOVAL AND CONTROL OF NONGAME FISH IN LAKE GREENWOOD AND BOYD'S MILL; TO REPEAL ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; TO

REDESIGNATE ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND TO REDESIGNATE ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN WATEREE LAKE".

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4014 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 10-9-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LEASE OF DEVELOPMENT RIGHTS TO GEOTHERMAL RESOURCES, SO AS TO DESIGNATE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AS THE DESIGNATED AGENT IN SELECTING LANDS.

Read the first time and referred to the Committee on Finance.

H. 4015 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 11 OF TITLE 13 RELATING TO THE NEW HORIZONS DEVELOPMENT AUTHORITY.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4127 -- Reps. Ballentine and Cobb-Hunter: A BILL TO AMEND SECTION 43-21-200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT ON AGING'S PHYSICIAN STUDENT LOAN REPAYMENT PROGRAM, SO AS TO CHANGE THE PROGRAM'S ELIGIBILITY REQUIREMENTS.

Read the first time and referred to the Committee on Medical Affairs.

H. 4133 -- Reps. Weeks, G. M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS

IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

Read the first time and referred to the Committee on Finance.

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V. S. Moss, D. C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4394 -- Reps. Ridgeway, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis,

Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SCOTT'S BRANCH BOYS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2018 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4395 -- Reps. Ridgeway, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE CLARENDON HALL BOYS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2019 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 1A STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose,

Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Ordered for consideration tomorrow.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator McELVEEN, the Privilege of the Chamber, to that area behind the rail, was extended to Temetrius Jamal "Ja" Morant and his family in recognition of his success on the basketball court with Murray State University and to congratulate Ja as he prepares for the upcoming NBA draft.

Expression of Personal Interest

Senator NICHOLSON rose for an Expression of Personal Interest.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME
DEBATE INTERRUPTED

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 2

Senator MALLOY proposed the following amendment (203R003.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ "Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district that maintains an average daily membership of less than one thousand five hundred students based on the most recent count received by the Department of Education shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the Bill.

ACTING PRESIDENT PRESIDES

Senator DAVIS assumed the Chair.

Senator FANNING continued speaking on the amendment.

PRESIDENT PRESIDES

At 1:26 P.M., the PRESIDENT assumed the Chair.

Senator FANNING continued speaking on the amendment.

Senator JOHNSON spoke on the amendment.

Remarks by Senator JOHNSON

This has become important to me… more than I thought it would. Let me just begin by saying that I don't need anybody in here to lecture me about being African-American. I've been African-American since September 27, 1960. I do not need that. I do not need anybody in here to tell me that Manning sits between Summerton and Turbeville. I don't even need a map to tell me that. What I said, I will say again. Senator FANNING spends a lot of time talking against a Bill that he admitted does not affect any part of his district. It affects two school districts in *my* district. As I told you before -- if, ands and buts? -- I'm not interested in them. If we had local legislation, I would support it. I have mentioned

several times that when we have talked about this Bill in the past as local legislation and I go into Turbeville for example, and mention consolidation, it is worse than talking about their mother. But now we have Senator YOUNG'S Bill, S. 203, and as I said, for whatever reason, we got together and Clarendon 1 and Clarendon 3 want to consolidate as one district because it is their impression that it benefits the students in their districts. How? In Clarendon 3, they don't even have art classes. Clarendon 3 has a phenomenal young lady basketball player that has been playing varsity basketball since the 8th grade, a star with all kinds of Division 1 college coaches coming to visit her, and guess what, the gym is falling apart. So, they see opportunities here to have some things that they deserve in their district that they don't have. So what, that Manning is between Turbeville and Summerton? You can get from Turbeville to Summerton in about 25-28 miles. I talked to Senator MATTHEWS the other day and from one part of his district in Orangeburg to the other part is 81 miles. Nobody has a problem with that, but they have a problem with 25 or 26 miles. I'm not falling for that. I just refuse to fall for that. In the article Cyndi Ross Scoppe wrote in the *Charleston Post & Courier,* she had it exactly right. This is not about race. It is about grown-ups verses young people (students). People talk about a hill to die on. Guess what? The hill I'm going to die on is doing what is best for the students in Clarendon County and if Clarendon 1, 2 and 3 want to consolidate, I'm happy. If Clarendon 1 and 3 want to consolidate, I'm happy. When they consolidate, they will have about 2,000 students and Clarendon 2 will have about 2,800. I do believe that there is going to come a time when all three are going to want to consolidate. I believe everybody in here, sitting in the Senate, probably has in their school districts what the people want. I want the same thing for my people. There are not going to be any schools closed. I've made it very clear. We are already working on the plan. There are not going to be any schools closed. If you close one of the schools, there is no place for the students to go. We're talking about a consolidation that is going to mainly end up being consolidation of administration. We are going to have through this Bill funds to help with the expense of that consolidation -- and we are told that any funds that are saved through consolidation is going where? -- back into the educational system. So why in the world would anybody have a problem with a Bill that does not affect them at all? I don't know. They say, "If it were local legislation I would support it" -- why does it matter? It is about the kids in the school district and we in Clarendon County are excited about the possibility to merge Clarendon 1 and Clarendon 3 and if I am in Fairfield

or wherever else, I'm happy for them. It affects Clarendon County and we are happy and we are working toward a plan. We are excited. This is the first time on the record that our folks want to consolidate. So, yes, I could have done local legislation, but everybody would have been in an uproar and I probably would have gotten voted out (which so be it, it doesn't matter). But now we have something the people want, and if the people want it, I'm all for it!"

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator JOHNSON, were ordered printed in the Journal.

Senator MALLOY spoke on the amendment.

Objection

On motion of Senator MALLOY, with unanimous consent, and Senator MALLOY retaining the floor, the Bill was read the second time, carrying over all amendments, and the provisions of Rule 26B were waived in order to allow amendments to be considered on third reading.

Senator LEATHERMAN objected.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 3

Senator MARTIN proposed the following amendment (203R004.SP.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section 59-17-46. (A) Notwithstanding the provisions of Section 59-17-45, any local school district shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county if the district maintains an average daily membership that is less than one thousand five hundred based on annual student counts received by the Department of Education. These funds must be used to support costs directly related to the consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department

of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(B) An eligible district intending to consolidate must submit a preliminary consolidation plan, timeline, and the proposed use of funds to the local legislative delegation for review and approval through the passage of local legislation. Upon approval by the local legislative delegation, the district shall forward the consolidation plan to the Department of Education. The Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts.

(C) Upon submission of a consolidation plan, a local school district may not incur new bonded indebtedness, spend existing district reserves, dispose of district assets, or increase the salary of any district employee without prior approval by the Department of Education, unless otherwise directed by its local legislative delegation.

(D) If sufficient funds are not appropriated to support the consolidation, then the Department of Education is directed to submit a report annually to the General Assembly outlining the districts that have submitted consolidation plans. The report shall include information on shared services, district efficiency reviews, and other relevant information related to school district consolidation." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator MARTIN proposed the following amendment (203R009.SP.SRM):

Amend the bill, as and if amended, SECTION 1, by deleting Section 59-17-45(A)(3) and inserting:

/ (3) On or before August 1, 2020, an eligible district intending to consolidate must submit a preliminary consolidation plan, timeline, and the proposed use of funds to the local legislative delegation for review and approval through the passage of local legislation. Upon approval by the local legislative delegation, the district shall forward the consolidation plan to the Department of Education. The Department of Education shall make an initial allocation to the impacted districts. The

Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Bill was read the second time, carrying over all amendments, and the provisions of Rule 26B were waived in order to allow amendments to be considered on third reading and the Bill retain its place in Interrupted Debate on the calendar.

There was no objection.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian, Kimpson and Allen: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator TURNER proposed the following amendment (7R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 23 through 42 and inserting:

/ (b) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment, <u>except as provided in subsection (c)</u>.

(c) A party that files an offer of judgment under this chapter as provided in Section 15-35-400(A) shall be allowed to recover as provided in Section 15-35-400(B) from the offeree regardless of whether the total of administrative, filing, or other court costs, and the eight percent interest on the amount of the verdict or award from the date of the offer, combined with the verdict or award exceeds the liability limits specified in Sections 15-78-120(a)(1) through (a)(4). The eight percent interest must be determined from the date of the offer and must be computed on the amount of the verdict or award subsequent to the application of any limitations on liability in Section 15-78-120(a)(1) through (a)(4). Nothing in this subsection shall be construed to limit or restrict the right of a defendant who is an offeror pursuant to Section 15-35-400(A) from receiving administrative, filing, or other court costs, and a reduction from the judgment or award of eight percent interest on the amount of the verdict or award as provided in Sections 15-35-400(B)(1) and (B)(3).

~~(c)~~(d) In any claim, action, or proceeding to enforce a provision of /

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 3

AYES

Alexander	Allen	Campsen
Cash	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Young	

Total--38

NAYS

Bennett	Corbin	Williams

Total--3

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

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. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

The Senate proceeded to the consideration of the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 3

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Bennett	Malloy	Martin

Total--3

The Bill was read the third time, passed and ordered sent to the House.

AMENDED, READ THE THIRD TIME

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD

ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG proposed the following amendment (189R001.KMM.TRY), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 28 through 43, and page 4, by striking lines 1 through 2, and inserting:

/ (1) 'Torture' means acts or omissions that:

(a)(i) include one or more of the following:

(A) a pattern of assaults;

(B) psychological maltreatment; or

(C) omissions of care;

(ii) are committed upon a child for the purpose of causing severe physical, mental, or emotional pain, which occurs over a period of time, resulting in serious physical or psychological injury or impairment, prolonged suffering, or the risk of permanent disfigurement, dysfunction, or death; and

(iii) are done with malice or an extreme indifference to the well-being of the child.

(b) Torture includes, but is not limited to:

(i) the infliction of severe physical or emotional pain upon a child repeatedly for the purpose of terrorizing the child;

(ii) the unreasonable or extended binding, restraint, or confinement of a child that results in prolonged suffering or serious physical or psychological injury; or

(iii) the intentional refusal to provide for the health, safety, medical, or nutritional needs of a child for an extended period of time such that the child suffers or risks serious physical, mental, or emotional harm. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 9

AYES

Alexander	Allen	Bennett
Campsen	Cash	Fanning
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Williams	Young

Total--33

NAYS

Corbin	Cromer	Davis
Grooms	Malloy	Martin
Massey	Rice	Verdin

Total--9

The Bill was read the third time, passed and ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME

S. 303 -- Senators Kimpson, Shealy, Fanning, Davis and Alexander: A BILL TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE

MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND OR RELATIVE FREELY CHOOSES TO ASSUME THAT RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (303R002.SP.MEK), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 44-17-410(2) of the 1976 Code is amended to read:

"(2) a certification in triplicate by at least one licensed physician stating that the physician has examined the person and is of the opinion that the person is mentally ill and because of this condition is likely to cause harm to himself through neglect, inability to care for himself, or personal injury, or otherwise, or to others if not immediately hospitalized. The certification must contain the grounds for the opinion. A person for whom a certificate has been issued may not be admitted on the basis of that certificate after the expiration of three calendar days after the date of the examination; <u>however, in the event of a natural disaster or the existence of life-threatening conditions during the time that a person may be taken into custody, the certificate expires three days after conditions are determined to be safe for transport;</u>"

SECTION 2. Section 44-17-440 of the 1976 Code is amended to read:

"Section 44-17-440. (A) The certificate required by Section 44-17-410, emergency admission, must authorize and require a state or local law enforcement officer~~, preferably in civilian clothes and preferably with crisis intervention training,~~ to take into custody and transport the person to the hospital designated by the certification. No person may be taken into custody after the expiration of three days from the date of certification. <u>In the event of a natural disaster or the existence of life-threatening conditions during the time that a person may be taken into custody, the certificate expires three days after conditions are determined to be safe for transport.</u> ~~A friend or relative may transport the individual to the mental health facility designated in the application or engage the services of an emergency medical technician as defined by~~

~~Section 44-61-310, if the friend or relative has read and signed a statement on the certificate which clearly states that it is the responsibility of a state or local law enforcement officer to provide timely transportation for the patient and that the friend or relative freely chooses to assume that responsibility and liability. A friend or relative who chooses to transport the patient is not entitled to reimbursement from the State for the cost of the transportation.~~ An officer or an emergency medical technician acting in accordance with this article is immune from civil liability. Upon entering a written agreement between the local law enforcement agency, the governing body of the local government, the emergency medical service providers, and the directors of the community mental health centers, an alternative transportation program utilizing peer supporters and case managers may be arranged for nonviolent persons requiring mental health treatment. The agreement clearly must define the responsibilities of each party and the requirements for program participation.

(B) A state or local law enforcement officer responsible for transporting a patient should be a part of a therapeutic transport unit and must have undergone crisis intervention training.

(1) For the purposes of this subsection, 'crisis intervention training' means training that teaches an officer to identify mental health resources for those in crisis and take appropriate action to ensure officer and community safety.

(2) For the purposes of this subsection, 'therapeutic transport unit' means an individual, office, department, division, or other component of public law enforcement that is responsible for moving a patient for mental or chemical dependency evaluation or treatment in accordance with orders issued by the probate court or a physician.

(C) If a certifying physician determines that a patient's condition would not pose a flight risk or likely harm to himself or others if transported by a friend or relative; a friend or relative of the patient is readily available; and, in the case of a patient sixteen years of age or older, the patient does not object, then the certifying physician or his designee must notify a friend or relative, if available, that the friend or relative may transport the patient to the mental health facility designated in the application or engage the services of an emergency medical technician as defined by Section 44-61-310. The friend or relative must read and sign a statement on the certificate stating that it is the responsibility of a state or local law enforcement officer to provide timely transportation for the patient and that the friend or relative freely chooses to assume that responsibility and liability. A friend or relative

who chooses to transport the patient must do so in a timely manner and is not entitled to reimbursement from the State for the cost of the transportation.

(D) An individual who has been certified for an involuntary emergency admission but not yet admitted to a facility and needs to be transported from a mental health center or an emergency department of a hospital to another facility for admission may be transported by an emergency medical technician.

(E)(1) There is established in the State Treasury a separate and distinct fund known as the 'Therapeutic Transport Fund'. The revenues of the fund must be distributed by the Department of Public Safety Coordinating Council for the purpose of assisting state and local law enforcement agencies in implementing the provisions of this section, including, but not limited to, initial crisis intervention training costs and staffing, and ongoing costs related to training and staffing needs. The Department of Public Safety Coordinating Council shall oversee the fund. The Department of Public Safety Coordinating Council shall disburse the funds in a fair and equitable manner, taking into consideration priorities in funding. Applications for funding may not be submitted until crisis intervention training has been completed.

(2) The Department of Public Safety Coordinating Council shall make its best efforts to seek and acquire available sources of public and private funding to be included in the fund."

SECTION 3. Within one hundred eighty days of the effective date of this act, the Department of Public Safety Coordinating Council shall establish a process for the application for and disbursement of monies to state and local law enforcement agencies, pursuant to Section 44-17-440(E)(1), as added by this act.

SECTION 4. This act takes effect on July 1, 2020.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator VERDIN proposed the following amendment (303R003.SP.DBV), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 44-17-440(D) and inserting:

/ (D) An individual who has been certified for an involuntary emergency admission but not yet admitted to a facility and needs to be transported from a mental health center or an emergency department of a hospital to another facility for admission may be transported by ~~an emergency medical technician~~ a contracted non-emergency ambulance./

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDMENT PROPOSED, CARRIED OVER

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and SABB proposed the following amendment (JUD0017.004):

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE

SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEW RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND SECTION 23-11-110(A) AND (B), RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES FOR SHERIFF, TO MAKE CLARIFICATIONS IN ADDITIONAL QUALIFICATIONS, AND TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-40 of the 1976 Code is amended to read:

"Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county board of voter registration and elections whichever is responsible under law for preparing the ballot, not later than twelve o'clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o'clock noon on the following Monday. Political parties nominating candidates by party primary must verify the

qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and such candidate's name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 2. Section 7-13-350 of the 1976 Code is amended to read:

"Section 7-13-350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for general elections held under Section 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior

to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

(C) For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

(D) For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 3. Section 7-13-351 of the 1976 Code is amended to read:

"Section 7-13-351. Any nominee by petition for one or more of the national, state, circuit, multi-county district, countywide, or less than countywide offices, to be voted on in the general election must be placed upon the appropriate ballot by the officer, commissioners, or other authority charged by law with preparing the ballot if the petition is submitted to the officer, commissioner, or other authority, as the case may be, for general elections held under Section 7-13-10, not later than twelve o'clock noon on July fifteenth or, if July fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday. At the time the petition is submitted, the authority charged with accepting it shall issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained in the petition. The county board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing the ballot for that office and must certify the results to the authority not later than

twelve o'clock noon August fifteenth or, if August fifteenth falls on Sunday, not later than twelve o'clock noon on the following Monday.

The petition of any candidate in any special election, including municipal special elections, must be submitted to the authority charged with printing the ballot for those offices not later than twelve o'clock noon on the sixtieth day prior to the date of the holding of the election, or if the sixtieth day falls on Sunday, by not later than twelve o'clock noon on the following Monday. At the time a petition is submitted, the authority charged with accepting it must issue a receipt to the person submitting the petition which must reflect the date the petition was submitted and the total number of signatures contained in the petition. The candidate submitting the petition must certify, on a form designed and provided by the State Election Commission, that he meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing of the ballots for that office and must certify the results thereof to the authority not later than twelve o'clock noon on the forty-fifth day prior to the date of holding the election, or if the forty-fifth day falls on Sunday, by twelve o'clock noon on the following Monday.

Once submitted for verification, a petition for nomination of a candidate for any office may not be returned to the petitioner, but must be retained by the authority to whom the petition was submitted and must become a part of the records of the election for which the petition was submitted.

In the event of an emergency declared by the Governor and the conditions precipitating the emergency declaration prevent a candidate from filing the nominating petition within the time required by this section, the candidate has an additional five days to submit the nominating petition to the appropriate office.

The authority to whom a petition is submitted must verify that qualifications of each potential petition candidate prior to certification of that candidate to be placed on the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which the petition is submitted. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office sought shall not have his name placed on the ballot.

For purposes of this section, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 4. Section 17-5-130 of the 1976 Code is amended to read:

"Section 17-5-130. (A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;

(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;

(d) have attained the age of twenty-one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;

(e) have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner;

(f) be a medical doctor; or

(g) have a bachelor of science degree in nursing.

(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit on a form designed and provided by the South Carolina Election Commission with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of coroner and the following information:

(a) the person's date and place of birth;

(b) the person's citizenship;

(c) the county the person is a resident of, and how long the person has been a resident of that county;

(d) whether the person is a registered voter;

(e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;

(f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;

(g) the date the person obtained an associate or baccalaureate degree, if applicable;

(h) the date the person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable; and

(i) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable.

(5)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(C) Each person serving as coroner in the person's first term is required to complete a ~~basic training session~~ recognized forensic science degree or certification program ~~to be determined~~ recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy. The South Carolina Coroners Association must post information about the recognized forensic science degree or certification program with links to allow for registration on its website. Before any change to the approved recognized forensic science degree or certification program takes place, the new recognized forensic science degree or certification program must be approved by the Criminal Justice Academy and posted on the South Carolina Coroners Association website. This ~~basic training session~~ recognized forensic science degree or certification program must be completed no later than the end of the calendar year following the person's election as coroner. A person appointed to fill the unexpired term in the office of coroner shall complete a ~~basic training session to be determined~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the ~~basic training session~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy if the person has successfully completed the session prior to the person's election or appointment as coroner. A coroner who is unable to attend this ~~training session~~ recognized forensic science degree or certification program when offered because of an emergency or extenuating circumstances, within one year from the date the disability or cause terminates, shall complete the ~~standard basic training session~~ recognized forensic science degree or certification program required of coroners. A coroner who does not fulfill the obligations of this

subsection is subject to suspension by the Governor until the coroner completes the training session.

(D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each year, all coroners and deputy coroners shall complete a minimum of sixteen hours training annually as selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

(E)(1) The basis for the minimum annual requirement of in-service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection (C) is excused from the minimum annual training requirements of subsection (D) for the calendar year in which the basic training session is completed.

(2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in-service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

(3) A coroner who fails to complete the minimum annual in-service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until the coroner completes the annual minimum in-service training required in this section. The Governor shall appoint, at the time of the coroner's suspension, a qualified person to perform as acting coroner during the suspension.

(F) A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

(G)(1) The Director of the South Carolina Criminal Justice Academy shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as 'recognized' pursuant to the requirements of this section. Also, the committee shall assist in determining annual training requirements as set forth in this section. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners

Association. The members of the committee shall serve without compensation.

(2) The Coroners Training Advisory Committee shall govern the qualifications of all coroners, deputy coroners, and candidates for coroner as set forth in this section. Also, the committee must certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before the committee or failure to follow state law relating to the performance of official duties may result in sanctioning in the form of a private or public reprimand. Also, the committee may recommend suspension to the Governor and loss of funding to the county council. A person may appeal an action of the committee pursuant to the provisions of Chapter 23, Title 1. The committee may hire an administrative assistant if it is determined necessary.

(H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training."

SECTION 5. Sections 23-11-110(A) and (B) of the 1976 Code are amended to read:

"(A) All sheriffs <u>and candidates for sheriff</u> in this State must have the following qualifications:

(1) be a citizen of the United States;

(2) be a resident of the county in which he seeks the office of sheriff for at least one year immediately preceding the date of the election for sheriff;

(3) be a registered voter;

(4) have attained the age of at least twenty-one years prior to the date of his qualifying for election to the office;

(5) have:

(a) obtained a high school diploma, its recognized equivalent in educational training as established by the State Department of Education, and have at least five years experience as a <u>Class 1</u> certified law enforcement officer; or

(b) obtained a two-year associate degree and three years experience as a <u>Class 1</u> certified law enforcement officer; or

(c) obtained a four-year baccalaureate degree and one year~~s~~ experience as a <u>Class 1</u> certified law enforcement officer; or

(d) served as a summary court judge for at least ten years.

For purposes of this section, a '<u>Class 1</u> certified law enforcement officer' is a person who has been issued a certificate as a <u>Class 1</u> law

enforcement officer ~~pursuant to Section 23-23-10~~ by the South Carolina Law Enforcement Training Council. A sheriff holding office on the effective date of this section is not required to have obtained the necessary experience as a certified law enforcement officer in this State;

(6) have not been convicted of, ~~or~~ pled guilty to, or been pardoned for a violation of Section 56-1-460 or 56-5-2930, or both, within the past ten years or a felony in this State or another state; ~~and~~

(7) have not been convicted of, pled guilty to, or been pardoned for a felony or a crime of moral turpitude in this State or another state;

(8) be fingerprinted and have the State Law Enforcement Division make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than one hundred thirty days prior to the general election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the records search with the county election commission in the county of his residence; and

(9) be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. A sheriff holding office on the effective date of this section is exempt from the provisions in this subsection.

(B)(1) A person offering his candidacy for the office of sheriff, shall file a fully completed sworn affidavit, on a form designed and provided by the South Carolina Election Commission, no later than the close of filing, with the county executive committee of the person's political party. The county executive committee of any political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on Saturday, Sunday, or a holiday, the affidavits must be filed by noon the following day. A person seeking nomination by petition must file a fully completed sworn affidavit with the county election commission in the county of his residence.

(2) The affidavit must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of sheriff and the following information:

(a) the date and place of the person's birth;

(b) the date the person graduated from high school or the date the person obtained the recognized equivalent of a high school diploma;

(c) the date the person received any associate or baccalaureate degrees when applicable;

(d) the number of years' experience the person has had as a certified law enforcement officer when applicable;

(e) the number of years the person has served as a summary court judge when applicable; and

(f) an affirmation that the person meets all of the qualification requirements of subsection (A).

(3)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection."

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator SABB spoke on the Bill.

On motion of Senator MASSEY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0180.003), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 28-37 and inserting therein:

/ "Section 16-11-605. (A)(1) Except as provided in subsection (D), a person shall not intentionally and willfully operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of two hundred fifty feet from the flight path of a federal military installation with restricted public access without written consent from the commander of the specific military installation or his designee. If specific approvals have been given, then all flights must meet the requirements set forth by the Federal Aviation Administration for the operation of unmanned aerial vehicles.

(2) Except as provided in subsection (D), a person shall not intentionally and willfully operate an unmanned aerial vehicle within a horizontal distance of five hundred feet of the Savannah River Site without written consent from the manager of the facility or his designee. If specific approvals have been given, then all flights must meet the requirements set forth by the Federal Aviation Administration for the operation of unmanned aerial vehicles. /

Amend the bill further, as and if amended, page 3, by striking line 9 and inserting:

/ vehicle.

(E) For purposes of this section, 'federal military installation' includes, but is not limited to, Fort Jackson, Shaw Air Force Base, Marine Corps Air Station Beaufort, Marine Corps Recruit Depot Parris Island, Joint Base Charleston, McEntire Joint National Guard Base, the United States Coast Guard Stations at Charleston and Georgetown, and any facility, range, or military training route located within the State that is subject to the base commanders' use, oversight, or control, to include locations where the military conducts other testing and training activities such as tactical landing zones, special use airspace, and terrain flight routes." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED, OBJECTION

S. 276 -- Senators Senn and McLeod: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC

SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0276.002), which was adopted:

Amend the bill, as and if amended, by striking Section 16-23-540(A), beginning on page 1, line 38 and ending on page 2, line 7, and inserting therein:

/ "Section 16-23-540. (A) It is unlawful for a person to threaten, solicit another to threaten, or conspire to threaten to cause damage, serious bodily injury, or death to others or to cause damage to or destroy a building or other real or personal property by use of a dangerous weapon if the threat is to occur while:

(1) on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution;

(2) in a church, as defined by Section 61-6-120(A)(1);

(3) in any publicly owned building or recreational park areas; or

(4) at a public gathering place. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

Senator SENN explained the Bill.

The amendment was adopted.

Senator SHEALY proposed the following amendment (JUD0276.005), which was withdrawn:

Amend the bill, as and if amended, page 2 by striking lines 8-15 and inserting therein:

/ (B)(1) A person who is charged with violating subsection (A) may, as a condition of his bond, be required to undergo a mental health

evaluation. The purpose of this evaluation is to determine if the defendant needs mental health treatment or counseling. When the court requires a mental health evaluation, the evaluation may not take place until the facility conducting the evaluation has received all of the documentation including, but not limited to, warrants, incident reports, and NCIC reports associated with the charges. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the solicitor may refer him to a mental health court or the court may require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as a condition of his bond or as a condition of probation./

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator HUTTO proposed the following amendment (JUD0276.004), which was adopted:

Amend the bill, as and if amended, page 2 by striking lines 16-19 and inserting therein:

/ (2) Mental health treatment or counseling pursuant to item (1) is all that may be imposed upon a person referred by the solicitor to a mental health court or when required by the court to undergo pretrial mental health treatment or counseling. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (276R001.KMM.ASM):

Amend the bill, as and if amended, page 2, by striking lines 8 through 22 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his bond, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved

mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator CORBIN objected to further consideration of the Bill.

COMMITTEE AMENDMENT AMENDED AND ADOPTED AMENDED, AMENDMENT PROPOSED, CARRIED OVER

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE

ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN proposed the following amendment (JUD0342.00), which was adopted:

Amend the committee report, as and if amended, starting on page [342-1], by striking lines 26 through 42, and ending on page [342-2], by striking lines 1 through 14, and inserting therein the following:

/ (2) 'Alcohol server' means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. 'Alcohol server' shall not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and shall not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title.

(3) 'Alcohol server certificate' means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) 'DAODAS' means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) 'Department' means the South Carolina Department of Revenue.

(6) 'Division' means the South Carolina Law Enforcement Division.

(7) 'Employee' means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) 'Licensee' means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) 'Manager' means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) 'Permittee' means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption./

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0342.003), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 4 through 38, and inserting therein the following:

/ (2) 'Alcohol server' means an individual who sells, serves, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. 'Alcohol server' shall not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink.

(3) 'Alcohol server certificate' means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) 'DAODAS' means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) 'Department' means the South Carolina Department of Revenue.

(6) 'Division' means the South Carolina Law Enforcement Division.

(7) 'Employee' means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) 'Licensee' means a person issued a license by the department pursuant to Title 61 to sell, serve, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) 'Manager' means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) 'Permittee' means a person issued a permit by the department pursuant to Title 61 to sell, serve, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption. /

Amend the bill further, as and if amended, page 4, by striking lines 39 through 40, and inserting therein the following:

/ (2) A provider shall not charge an individual more than thirty-five dollars for a training program. /

Amend the bill further, as and if amended, page 6, by striking lines 7 through 9, and inserting therein the following:

/ (5) Online or computer-based training programs shall use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test. /

Amend the bill further, as and if amended, page 7, by striking lines 30 through 34, and inserting therein the following:

/ (D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter in order for the holder to be employed as a server. /

Amend the bill further, as and if amended, page 8, by striking lines 1 through 15, and inserting therein the following:

/ Section 61-3-150. (A) In addition to civil and criminal penalties available for violations of the provisions of Title 61, an alcohol server who violates the provisions of this chapter, upon a final administrative determination:

(1) for a first offense, may be fined not more than fifty dollars, have his alcohol server certificate suspended for a period not to exceed fifteen days, or both;

(2) for a second offense not related to the first offense, may be fined not more than two hundred dollars, have his alcohol server certificate suspended for a period not to exceed thirty days, or both; and

(3) for a third or subsequent offense not related to earlier offenses, may be fined not more than three hundred fifty dollars, have his alcohol server certificate suspended not more than six months, or both. /

Amend the bill further, as and if amended, page 9, by striking lines 21 through 37, and inserting therein the following:

/ "Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense. /

Amend the bill further, as and if amended, page 10, by striking line 1, and inserting therein the following:

/ of two hours and the cost to the person may not exceed ~~fifty~~ thirty-five dollars. /

Amend the bill further, as and if amended, page 10, by striking lines 18 through 30, and inserting therein the following:

/ (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense." /

Amend the bill further, as and if amended, page 12, by striking lines 1 through 16, and inserting therein the following:

/ (C) A permittee, servant, agent, or employee of the permittee who holds an alcohol server permit and violates the provisions of items (A)(1) or (A)(2), upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61

must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense." /

Amend the bill further, as and if amended, page 12, by striking lines 28 through 40, and inserting therein the following:

/ (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense." /

Amend the bill further, as and if amended, page 13, by striking lines 10 through 22, and inserting therein the following:

/ (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense." /

Amend the bill further, as and if amended, page 13, by striking lines 31 through 43, and inserting therein the following:

/ (1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense. /

Amend the bill further, as and if amended, page 14, by striking line 7, and inserting therein the following:

/ of two hours and the cost to the person may not exceed ~~fifty~~ thirty-five dollars. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the committee amendment.

The amendment was adopted.

Senator RICE proposed the following amendment (JUD0342.006), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 4 through 11, and inserting therein the following:

/ (2) 'Alcohol server' means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. 'Alcohol server' shall not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and shall not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and shall not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senators HUTTO and YOUNG proposed the following amendment (JUD0342.007):

Amend the bill, as and if amended, page 9, after line 18 by inserting an appropriately numbered new SECTION to read:

/ SECTION . Section 61-2-145 of the 1976 Code is amended to read:

"Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. ~~Failure~~ The department must automatically suspend the permit or license for any person who fails to maintain this coverage ~~constitutes grounds for suspension or revocation of the permit or license~~.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement. Upon notification of the permit or license holder's lapse or termination of the liquor liability insurance policy or general

liability insurance policy, the department must automatically suspend the permit or license theretofore issued.

(D) Notwithstanding any other provision of law, when the department has suspended the permit or license pursuant to subsection (A) or (C), the permittee or licensee may request an expedited contested case hearing with the Administrative Law Court to review the department's decision. The expedited hearing must be held within thirty days from the request, and the judge must issue an order no later than fifteen business days after the hearing is concluded.

~~(D)~~(E) For the purposes of this section, the term 'alcoholic beverages' means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0480.002):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-90. (A) Notwithstanding any other provision of law, an agency in this State authorized to conduct a state fingerprint-based background check conducted by SLED may also conduct a nationwide federal fingerprint-based background check conducted by the Federal Bureau of Investigation in a manner prescribed by SLED.

(B) SLED, upon request, may submit the fingerprints collected by agencies authorized to conduct state fingerprint-based background checks by SLED to the Federal Bureau of Investigation's Next Generation Identification (NGI) program.

(C) SLED and the Federal Bureau of Investigation may retain collected fingerprints. Retained fingerprints may be searched by future submissions to SLED and the NGI System, including latent fingerprint searches, and appropriate responses sent to SLED and authorized recipients.

(D) SLED may charge a reasonable fee for the collection and retention of the fingerprints."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator MALLOY objected to the consideration of the Bill.

AMENDED, READ THE THIRD TIME

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator TALLEY proposed the following amendment (595R001.KMM.SFT), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 21 and inserting:

/that delivers services for which Child Care and Development /

Amend the bill further, as and if amended, page 5, by striking line 32 and inserting:

/childcare center, or childcare provider that delivers services for /

Amend the bill further, as and if amended, page 6, by striking lines 35 through 39 and inserting:

/registered, or approved, or who delivers services for which Child Care and Development Fund financial assistance is provided under this chapter; and

(2) any other employee at a facility licensed, registered, or approved, or who delivers services for which Child Care and /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn

Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

The Senate proceeded to the consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill was read the third time, passed and ordered to the House.

COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (649R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 32 through 34 and inserting:

/check as a condition of licensure renewal. Each of the provisions contained in Act 60 of 2017 identified herein is effective for initial license applications or renewals due on or after July 1, 2020. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the committee amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED
AMENDED, OBJECTION

S. 281 -- Senators Talley, Campbell and Martin: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (281R006.SP.SFT), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 15, Chapter 3, Title 47 of the 1976 Code is amended by adding:

"Section 47-3-980. (A) It is unlawful for a person to intentionally misrepresent an animal in his possession as a service animal or service animal-in-training for the purpose of obtaining any right or privilege provided to a disabled person if the person knows that the animal in his possession is not a service animal or service animal-in-training.

(B) A person who is adjudicated to be in violation of the provisions of subsection (A) must be fined:

(1) for a first offense, an amount not less than three hundred fifty dollars and not more than one thousand dollars;

(2) for a second offense, an amount not less than six hundred dollars and not more than one thousand dollars; and

(3) for a third or subsequent offense, an amount not less than one thousand dollars and not more than five thousand dollars.

(C) Inquiries made in order to investigate and enforce the provisions of this section are limited to those inquiries allowed by the Department of Justice pursuant to 28 C.F.R. Section 36.302.

(D) A custodial arrest for a violation of subsection (A) must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of subsection (A) does not constitute a criminal offense.

Section 47-3-990. Places of public accommodation may establish rules and regulations related to access to such facilities by non-service animals, including emotional support animals."

SECTION 2. Section 56-7-10(A) of the 1976 Code is amended to read:

"Section 56-7-10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

~~Offense - Citation~~
~~Interfering with Police Officer Serving Process - Section 16-5-50~~
~~Dumping Trash on Highway/Private Property-Section 16-11-700~~
~~Indecent Exposure-Section 16-15-130~~
~~Disorderly Conduct - Section 16-17-530~~
~~Damaging Highway - Section 57-7-10~~

~~Place Glass, Nails, Etc. on Highway Section 57-7-20~~
~~Obstruction of Highway by Railroad Cars, Etc. - Section 57-7-240~~
~~Signs Permitted on Interstate Section 57-25-140~~
~~Brown Bagging - Section 61-5-20~~
~~Drinking Liquors in Public Conveyance - Section 61-13-360~~
~~Poles Dragging on Highway - Section 57-7-80~~
~~Open Container - Section 61-9-87~~
~~Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440~~
~~Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty-One - Section 63-19-2450~~
~~Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30~~
~~Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20~~
~~Falsification of Age to Purchase Beer or Wine Section 61-9-50~~
~~Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy Section 61-9-60~~
~~Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age,~~
~~Buying Beer or Wine Unlawfully for Another Section 61-9-85~~
~~Employment of a Person Under the Age of Twenty-One as an Employee in Retail or~~
~~Wholesale or Manufacturing Liquor Business Section 61-13-340~~
~~Failure to Remove Doors from Abandoned Refrigerators - Section 16-3-1010~~
~~Malicious Injury to Animals or Personal Property - Section 16-11-510~~
~~Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued~~
~~at Less Than Fifty Dollars Section 16-11-580~~
~~Littering Section 16-11-700~~
~~Larceny of a Bicycle Valued at Less Than One Hundred Dollars Section 16-13-80~~
~~Shoplifting Section 16-13-110~~
~~Cock Fighting Section 16-17-650~~
~~Ticket Scalping - Section 16-17-710~~
~~Domestic Violence, second and third degree - Section 16-25-20~~
~~Glue Sniffing Section 44-53-1110~~
~~Trespassing Section 16-11-755~~
~~Trespassing Section 16-11-600~~

~~Trespassing Section 16-11-610~~

~~Trespassing Section 16-11-620~~

~~Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs - Section 50-21-110~~

~~Negligence of Boat Livery to Provide Proper Equipment and RegistrationSection 50-21-120~~

~~Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170~~

~~Operation of Watercraft Without a Certificate of Title Section 50-23-190~~

~~Parking on private property without permission - Section 16-11-760~~

~~Certificate of Veterinary Inspection; Requirement for Out-of-State Livestock or Poultry - Section 47-4-60~~

~~Inhibition of Livestock Inspection Section 47-4-120~~

~~Imported Swine - Section 47-6-50~~

~~Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20~~

~~Liability of Person Removing Livestock for Slaughter - Section 47-11-120~~

~~Notice to Disinfect Section 47-13-310~~

~~Quarantine of Livestock or Poultry - Section 47-4-70~~

~~Unlawful for Horse to Enter State Unless Tested Section 47-13-1350~~

~~Quarantine of Exposed Horses - Section 47-13-1360~~

~~Proof of Test Required for Public Assembly of Horses - Section 47-13-1370~~

~~False Certificates - Section 47-13-1390~~

~~Unlawful to Feed Garbage to Swine Section 47-15-20~~

~~Notification Required from Certain Persons Disposing of Garbage Section 47-15-40~~

~~Sale of Uninspected Meat and Meat Products - Section 47-17-60~~

~~Sale of Uninspected Poultry and Poultry Product Section 47-19-70~~

(1) Interfering with Police Officer Serving Process Section 16-5-50;

(2) Dumping Trash on Highway/Private Property Section 16-11-700;

(3) Indecent Exposure Section 16-15-130;

(4) Disorderly Conduct Section 16-17-530;

(5) Damaging Highway Section 57-7-10;

(6) Place Glass, Nails, Etc. on Highway Section 57-7-20;

(7) Obstruction of Highway by Railroad Cars, Etc. Section 57-7-240;

(8) Signs Permitted on Interstate Section 57-25-140;

(9) Brown Bagging Section 61-5-20;

(10) Drinking Liquors in Public Conveyance Section 61-13-360;

(11) Poles Dragging on Highway Section 57-7-80;

(12) Open Container Section 61-9-87;

(13) Purchase or Possession of Beer or Wine by a Person Under Age Section 63-19-2440;

(14) Purchase or Possession of Alcoholic Liquor by a Person Under Age Twenty One Section 63-19-2450;

(15) Unlawful Possession and Consumption of Alcoholic Liquors Section 61-5-30;

(16) Sale of Beer or Wine on Which Tax Has Not Been Paid Section 61-9-20;

(17) Falsification of Age to Purchase Beer or Wine Section 61-9-50;

(18) Unlawful Purchase of Beer or Wine for a Person Who Cannot Legally Buy Section 61-9-60;

(19) Unlawful Sale or Purchase of Beer or Wine, Giving False Information as to Age, Buying Beer or Wine Unlawfully for Another Section 61-9-85;

(20) Employment of a Person Under the Age of Twenty One as an Employee in Retail or Wholesale or Manufacturing Liquor Business Section 61-13-340;

(21) Failure to Remove Doors from Abandoned Refrigerators Section 16-3-1010;

(22) Malicious Injury to Animals or Personal Property Section 16-11-510;

(23) Timber, Logs, or Lumber Cutting, Removing, Transporting Without Permission, Valued at Less Than Fifty Dollars Section 16-11-580;

(24) Littering Section 16-11-700;

(25) Larceny of a Bicycle Valued at Less Than One Hundred Dollars Section 16-13-80;

(26) Shoplifting Section 16-13-110;

(27) Cock Fighting Section 16-17-650;

(28) Ticket Scalping Section 16-17-710;

(29) Domestic Violence, second and third degree Section 16-25-20;

(30) Glue Sniffing Section 44-53-1110;

(31) Trespassing Section 16-11-755;

(32) Trespassing Section 16-11-600;

(33) Trespassing Section 16-11-610;

(34) Trespassing Section 16-11-620;

(35) Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs Section 50-21-110;

(36) Negligence of Boat Livery to Provide Proper Equipment and Registration Section 50-21-120;

(37) Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area Section 50-21-170;

(38) Operation of Watercraft Without a Certificate of Title Section 50-23-190;

(39) Parking on private property without permission Section 16-11-760;

(40) Certificate of Veterinary Inspection; Requirement for Out of State Livestock or Poultry Section 47-4-60;

(41) Inhibition of Livestock Inspection Section 47-4-120;

(42) Imported Swine Section 47-6-50;

(43) Operating Equine Sales Facility or Livestock Market Without Permit Section 47-11-20;

(44) Liability of Person Removing Livestock for Slaughter Section 47-11-120;

(45) Notice to Disinfect Section 47-13-310;

(46) Quarantine of Livestock or Poultry Section 47-4-70;

(47) Unlawful for Horse to Enter State Unless Tested Section 47-13-1350;

(48) Quarantine of Exposed Horses Section 47-13-1360;

(49) Proof of Test Required for Public Assembly of Horses Section 47-13-1370;

(50) False Certificates Section 47-13-1390;

(51) Unlawful to Feed Garbage to Swine Section 47-15-20;

(52) Notification Required from Certain Persons Disposing of Garbage Section 47-15-40;

(53) Sale of Uninspected Meat and Meat Products Section 47-17-60;

(54) Sale of Uninspected Poultry and Poultry Product Section 47-19-70;

(55) Misrepresenting Service Animals Section 47-3-980."

SECTION 3. Section 47-3-920(4) of the 1976 Code is amended to read:

"(4)(a) 'Service animal' or 'service animal-in-training' means an animal that is trained or that is being trained ~~for the purposes of assisting or accommodating the sensory, mental, or physical disability of a disabled person~~ to do work or perform tasks for an individual with a

disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. A service animal is not a pet and is limited to a dog or a miniature horse. The work done or tasks performed must be directly related to the individual's disability and may include, but are not limited to:

(i) guiding an individual who is visually impaired or blind;

(ii) alerting an individual who is deaf or hard of hearing;

(iii) pulling a wheelchair;

(iv) assisting with mobility or balance;

(v) alerting others and protecting an individual if the individual is having a seizure;

(vi) retrieving objects;

(vii) alerting an individual to the presence of allergens;

(viii) providing physical support and assistance with balance and stability to an individual with a mobility disability;

(ix) helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors;

(x) reminding an individual with a mental illness to take his prescribed medications;

(xi) calming an individual with post-traumatic stress disorder during an anxiety attack; or

(xii) doing other specific work or performing other special tasks.

(b) The crime-deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

SECTION 4. Section 47-3-920 of the 1976 Code is amended by adding appropriately numbered new items to read:

"( ) 'Emotional support animal' means an animal intended to provide companionship and reassurance.

( ) 'Places of public accommodation' means airports, train stations, bus stations, and establishments defined in Section 45-9-10."

SECTION 5. Section 47-3-970 of the 1976 Code is amended to read:

"Section 47-3-970. (A) A defendant convicted of a violation of ~~this article~~ Sections 47-3-930, 47-3-940, 47-3-950, or 47-3-960 may be ordered to make full restitution for damages including incidental and consequential expenses incurred by the guide dog or service animal and its user, which arise out of or are related to the criminal offense.

(B) Restitution ~~for a conviction under this article~~ ordered pursuant to this section includes, but is not limited to:

(1) the value of the replacement of an incapacitated or deceased guide dog or service animal, the training of a replacement guide dog or service animal, or retraining of the affected guide dog or service animal and related veterinary and care expenses; and

(2) medical expenses of the guide dog or service animal user, training of the guide dog or service animal user, and compensation for wages or earned income lost by the guide dog or service animal user.

(C) This article does not affect civil remedies available for conduct punishable under this article. Restitution paid pursuant to this article must be set off against damages awarded in a civil action arising out of the same conduct that resulted in the restitution payment."

SECTION 6. Section 31-21-70 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( )(1) A landlord may ask a tenant or prospective tenant the following questions to determine whether an animal that is not a service animal should be deemed a reasonable accommodation:

(a) 'Does the person seeking to use and live with the animal have a disability that is a physical or mental impairment that substantially limits one or more major life activities?'

(b) 'Does the person seeking to use and live with the animal have a disability-related need for the animal?'

(2) Landlords may request documentation to verify the tenant's responses to the above questions. Such documentation shall be deemed sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support."

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the committee amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (281R008.SP.GM), which was adopted:

Amend the bill, as and if amended, by striking Section 47-3-980(B) and inserting:

/ (B) A person who is adjudicated to be in violation of the provisions of subsection (A) must be fined:

(1) for a first offense, an amount not more than five hundred dollars;

(2) for a second offense, an amount not more than one thousand dollars; and

(3) for a third or subsequent offense, an amount not more than five thousand dollars./

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

READ THE THIRD TIME

S. 546 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO 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 the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*

Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill was read the third time, passed and ordered to the House.

AMENDED, READ THE THIRD TIME

S. 607 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, AND TO 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 the consideration of the Bill.

Senators CAMPBELL and GROOMS proposed the following amendment (JUD0607.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 41, in Section 7-7-120(A), as contained in SECTION 1 and inserting therein the following:

/ ~~Carnes Cross Road 3~~ /

Amend the bill further, as and if amended, page 2, by striking lines 42 and 43, in Section 7-7-120(A), as contained in SECTION 1 and inserting therein the following:

/ Pimlico ~~1~~

~~Pimlico 2~~ /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

RECALLED, AMENDED, READ THE SECOND TIME

S. 444 -- Senators Hembree, Davis, Shealy, Young, Climer, Gregory, Harpootlian, Bennett, Verdin, Campsen, M.B. Matthews and Turner: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO PROVIDE THAT THE ABILITY OF THE CIRCUIT

SOLICITOR TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S RIGHT TO A SPEEDY TRIAL; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL CRIME VICTIMS' CONSTITUTIONAL RIGHTS.

Senator HUTTO 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 today.

Senator HUTTO asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was the second reading of the Bill.

Senators MASSEY and HUTTO proposed the following amendment (JUD0444.002), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting

/ Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-7-330 of the 1976 Code is amended to read:

"Section 1-7-330. ~~The solicitors shall attend the courts of general sessions for their respective circuits. Preparation of the dockets for general sessions courts shall be exclusively vested in the circuit solicitor and the solicitor shall determine the order in which cases on the docket are called for trial. Provided, however, that no later than seven days prior to the beginning of each term of general sessions court, the solicitor in each circuit shall prepare and publish a docket setting forth the cases to be called for trial during the term.~~

(A) The circuit solicitor has the authority to call cases in such order and in such manner as will facilitate the efficient administration of his official duties, subject to the overall broad supervision of the trial judge. The circuit solicitor will determine the order in which the docketed cases are called subject to rulings of the court as outlined in subsection (B). A defendant may move for a speedy trial or he may make a motion for a continuance beyond the term or for postponement to a date later within

the term. In the calling of cases for trial, the circuit solicitor has broad discretion in the first instance, and the trial judge has broad discretion in the final analysis.

(B) The trial court has the ultimate authority to determine whether a case on the published docket and called by the circuit solicitor will be tried by ruling on motions properly before it for continuances, dates certain, and speedy trials.

(C)(1) For purposes of this subsection and subsection (D), 'consult' means an interaction between two persons in which the initiating person:

(a) provides information to another person;

(b) provides the other person an opportunity to respond; and

(c) takes the other person's response, if any, into consideration.

(2) Criminal cases in circuit court must be calendared by the circuit solicitor according to a written criminal case docketing plan developed by the circuit solicitor for each circuit. Before developing the plan, the circuit solicitor must consult with the chief administrative judge, the circuit public defender, and one member of the Circuit Public Defender Selection Panel within that circuit appointed by the panel. In developing the docketing plan, the circuit solicitor must consider processes that promote justice by maximizing efficient but thorough case preparation and resolution by and between circuit solicitors and the defense, and by maximizing the effective use of judges' time.

(D)(1) A criminal docketing plan for each circuit must be developed by the circuit solicitor and made effective no later than January 1, 2020. Thereafter, a new docketing plan must be developed and made effective no later than the first day of the sixth month following the beginning of the circuit solicitor's four-year term of office and, upon consultation as required, continued or amended every four years after. If the circuit solicitor does not develop a criminal docketing plan before January 1, 2020, or fails to continue or amend the docketing plan before expiration, the chief administrative judge for general sessions court must either issue a new written criminal case docketing plan or continue or amend the plan last in effect, and such plan will be effective for one year or until the circuit solicitor takes action as required. In that event, all organizational and administrative tasks associated with the management of the trial docket in general sessions court shall become the duty and responsibility of the chief administrative judge until the circuit solicitor takes action and publishes a criminal docketing plan as authorized. Nothing in this section prohibits the circuit solicitor from amending the most recent criminal docketing plan at other such times additional to those required by this subsection, provided that the solicitor complies with any and all

consultation requirements in subsection (C) prior to issuing any amendment.

(2) Each criminal docketing plan must be published on the circuit solicitor's website, if available, or at each courthouse in the circuit solicitor's circuit if a website is unavailable. Each criminal docketing plan, at a minimum, must include the provisions required pursuant to this section but may contain additional provisions not inconsistent with this section. The circuit solicitor may, in his sole discretion, develop an individual docketing plan for each county within the circuit.

(E)(1) At least one administrative appearance must be established by the docketing plan, and any appearances must be scheduled and conducted by the chief administrative judge for general sessions court or his judicial designee. Venue for administrative appearances may be in any county in the circuit; however, the presence of the defendant must only be required for administrative appearances where the defendant is unrepresented by counsel or where the administrative appearance is held in the county where the case originated. A defendant that is represented by counsel must not be required to attend more than three administrative appearances. Administrative appearances must be scheduled at least twenty-eight calendar days apart.

(2) Procedures for administrative appearances as to cases with unrepresented defendants must be included in the docketing plan and provide for:

(a) the circuit solicitor to notify the court of unrepresented defendants;

(b) the chief administrative judge or his judicial designee to schedule administrative appearances for the purpose of informing unrepresented defendants of his rights and the risks and disadvantages of self-representation; and

(c) the court to establish, as to a defendant who voluntarily waives the right to counsel, a satisfactory court record demonstrating the decision to represent himself was made with a knowing and intelligent understanding of his rights and the risks of self-representation.

(3) At an administrative appearance:

(a) the court shall, as the first order of business, determine the status of the defendant's representation by counsel and appoint counsel if necessary; and

(b) the court may inquire as to the existence of any mental health issues that would require an order of the court.

(4) Nothing in this subsection precludes the disposition of a criminal case by plea, deferred prosecution, or dismissal prior to any administrative appearance.

(F) A status conference may be requested by any party at any time with the chief administrative judge to address issues including, but not limited to, plea negotiations, the scheduling of motions, compliance with discovery requests, or issues related to the defendant's bond.

(G) Pretrial conferences for cases on the published trial docket must be established by the docketing plan and must be conducted by the chief administrative judge for general sessions court or his judicial designee. The chief administrative judge or his judicial designee will address administrative matters and issues affecting the published trial docket, which may include a review or discussion of the status of available discovery in compliance with Rule 5 of the Rules of Criminal Procedure.

(H) The chief administrative judge for general sessions court is responsible for the scheduling of motions throughout the terms of general sessions whether or not the case has been scheduled for trial in accordance with Rule 4 of the Rules of Criminal Procedure and the common law.

(I)(1) Not less than thirty-five days before the term of court, the circuit solicitor shall submit a proposed list of cases to the appropriate chief administrative judge and provide notice to defense counsel representing defendants on the proposed trial docket. The proposed trial docket should not contain cases that the circuit solicitor does not reasonably expect to be disposed of during the term of court. At any time prior to the publishing of the proposed trial docket, a defendant may submit his case to the circuit solicitor for consideration, if the case has exhausted plea negotiations and is ready to be set for trial. In any county in which multiple sessions of court are being held, the circuit solicitor, in his discretion, may publish a proposed list of cases for each session of court.

(2) The circuit solicitor must either post the proposed trial docket on his website or send the proposed trial docket to defense attorneys by regular mail, electronic mail or delivery, or hand delivery to the last known address. The circuit solicitor must also send the proposed trial docket to the clerk of court for each county within the circuit by electronic mail or delivery, or by such other method agreed to by the circuit solicitor and the clerk of court. The clerk of court must provide notice to defendants, including pro se defendants, pursuant to court requirements and by a delivery method approved by the court. Except by consent of the chief administrative judge, circuit solicitor, and defense

counsel or pro se defendant, a case must not be added to the trial docket after it is published. Defense counsel or pro se defendants must file any motions for continuance with the court within seven business days of notice of the proposed trial docket. After the court rules on any continuance requests, or if there are no continuance motions, the proposed list of cases becomes the published trial docket. The filing of or the failure to file a motion for continuance within the seven business days does not affect a defendant's right to file a motion for continuance at a later time. If more than one session of court is scheduled for a court week, the circuit solicitor shall determine the number of plea sessions and trial sessions. The chief administrative judge shall determine which judge will preside over the solicitor-designated sessions.

(3) The circuit solicitor, defense counsel, or a pro se defendant may file a motion with the court for protection or relief from a trial docket. A motion by defense counsel pursuant to this subsection shall contain an affirmation that the counsel, prior to filing the motion, has communicated or attempted to communicate with the circuit solicitor in good faith to request accommodation for protection or relief and an explanation of whether the request was unanswered or denied, or how the request was inadequately resolved. The chief administrative judge, or a circuit judge designated by the chief administrative judge, may schedule and hold a hearing for the purpose of determining whether a motion for protection or relief should be granted and must, in any such determination, consider the age and complexity of the involved cases, experience of counsel, prejudice to any party or victim, and other relevant factors as determined by the court provided, however, that such a hearing must not be scheduled in a manner that conflicts with hearings or trials scheduled or taking place on other docketed cases.

(4) The circuit solicitor, after consultation with the parties, shall schedule new court dates for cases not reached during that term. The notice requirements of subsection (I)(1) are satisfied for any case that is called for trial within four weeks of the end of the term of court for which the case was initially scheduled unless the court grants a motion pursuant to subsection (B).

(5) Cases, if called by the circuit solicitor, should be called in the order of the published docket unless circumstances arise affecting the fair administration of justice and the responsible allocation of resources. The circuit solicitor must provide written notice to the court, circuit public defender, and appropriate defense counsel of his intent to call a case out of the published docket order. If the defendant whose case is called out of order objects to the calling of his case, the court shall rule

on the defendant's objection to the change upon the defendant's motion pursuant to subsection (B).

(J)(1) When a case has not otherwise been scheduled for trial within one year of indictment, the chief administrative judge, circuit solicitor, or defendant may call for a status conference to identify and discuss each party's preparation level and any issues or obstacles slowing or preventing case preparation. The chief administrative judge shall schedule the status conference no later than sixty days following request.

(2) For any case that is still pending two years from the date of its indictment, the chief administrative judge, or his judicial designee, may require and hold a hearing sua sponte for the purpose of determining whether a trial date should be set. Factors to be considered by the judge include the age of the case, pretrial detention, other cases pending before the court, other charges pending against the defendant, and the status of witnesses and evidence for both the defendant and the circuit solicitor. The court may order the placement of a case on a trial docket pursuant to this subsection within a reasonable, specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on a hearing held pursuant to subsection (J)(2).

(K) A defendant may make a request to be placed on a trial or plea docket with the circuit solicitor and, if both parties agree on a date, the circuit solicitor shall calendar the case. If the parties cannot agree, the defendant may file a motion to be placed on the trial or plea docket. All filed motions to be placed on a trial or plea docket must establish the basis of the request and contain an affirmation that the defendant, prior to filing the motion, has communicated with the circuit solicitor and has attempted in good faith but failed to have the circuit solicitor docket the case in a manner that accommodated his request. The chief administrative judge, or his judicial designee, may hold a hearing for the purpose of determining whether a trial or plea date should be set. The court may grant a motion to have a case placed on the trial docket within a reasonable specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on the motion.

(L) Nothing in this section may be construed to deprive any victim or any defendant of any constitutional or statutory rights."

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of

this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. Except as otherwise provided in SECTION 1, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Motion Under Rule 26B Waived

Senator MASSEY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS

REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

The Senate proceeded to the consideration of the Resolution.

Senator MARTIN proposed the following amendment (3929R001.SP.SRM), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. During the 2018-2019 School Year, a local school district may waive additional makeup days in addition to the three days forgiven pursuant to Section 59-1-425 by the local school district for any days missed during the 2018-2019 School Year because of snow, extreme weather conditions, or other disruptions requiring schools to close. The provisions of this joint resolution apply notwithstanding the provisions of Section 59-1-425 or another provision of law that requires school districts to request a waiver from the State Board of Education. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*

McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Massey

Total--1

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

On motion of Senator MASSEY, the Bill was carried over.

OBJECTION

S. 293 -- Senators Cash, Corbin and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

Senator SENN objected to the consideration of the Bill.

POINT OF ORDER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

TUESDAY, APRIL 9, 2019

ADOPTED

S. 603 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 18 AND THURSDAY, NOVEMBER 21 AND FRIDAY, NOVEMBER 22, 2019. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

The Resolution was adopted, ordered sent to the House.

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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, 2019, and to expire April 30, 2023

Nancy Devine, 121 Wilson Road, Williamston, SC 29697-9723

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Matthew Lollis, 116 Royal Drive, Williamston, SC 29697-2045

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Denise M. Malone, 803 Concord Ave., Anderson, SC 29621-1905

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Sherry Mattison, 309 Oakwood Estates Dr., Anderson, SC 29621-2471

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jerry Lee Mullikin, 2301 Six and Twenty Road, Pendleton, SC 29670-9383

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William Dan Sharp, 2402 East North Avenue, Anderson, SC 29625-2903

Reappointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Samuel Thompson Tucker III, 230 Grace Lane, Piedmont, SC 29673-7710

Reappointment, Greenwood County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lisa Hotchkiss, 716 Wingert Road, Greenwood, SC 29649-9668

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Belinda Johnson, 1703A Westbrook Drive, Greenwood, SC 29649-7600

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gordon B. Johnson, Post Office Box 546, Prosperity, SC 29127-0546

Initial Appointment, Sumter County Master-in-Equity, with the term to commence December 31, 2016, and to expire December 31, 2022
Michael Mckinney Jordon, 2292 Gingko Dr., Sumter, SC 29150 *VICE* Howard P. King

TUESDAY, APRIL 9, 2019

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 5:37 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, April 10, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 16:11

"A just weight and balance are the Lord's; all weights in the bag are his work."

Let us pray. Almighty God, Your hand is in all creation and it is clear that we are not all created to be equal in the eyes of the world.

But You are a just God whose power over us and through us reaches beyond our perception. Grant to us, O God, discernment to excel in our lane with the talents we have.

May we put aside jealousy and resentment and realize that You have given each of us special gifts to love and be loved according to Your divine plan. May this be the weight and measure by which we live and serve You and the people of South Carolina. 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 12:03 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Climer	Cromer	Davis
Harpootlian	Hembree	Hutto
Leatherman	Malloy	Martin
Massey	*Matthews, John*	Peeler
Rice	Sabb	Senn

Setzler	Sheheen	Talley
Turner	Verdin	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

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2019, and to expire May 19, 2026

At-Large:

John F. Camp, 1418 Laurel Street Upstairs, Columbia, SC 29201-2566 *VICE* Stephen H. Mudge

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

3rd Congressional District:

Karl Derek Wessinger, 1046 Jeremiah Dr., Gray Court, SC 29645-4764 *VICE* Brent Roy Goodson

Referred to the Committee on Agriculture and Natural Resources.

Local Appointment

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator MARTIN, the Privilege of the Chamber, to that area behind the rail, was extended to Mary Della Heatherly, Senator MARTIN's aunt, in recognition of her public service in the care of the elderly, disabled and vulnerable citizens in Spartanburg County and the State of South Carolina.

WEDNESDAY, APRIL 10, 2019

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator HARPOOTLIAN, the Privilege of the Chamber, to that area behind the rail, was extended to Darla Moore in recognition of the University of South Carolina's Darla Moore School of Business Centennial Anniversary and to congratulate her of the impact the program has on our State.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4842
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-1-140(2), 44-1-150, and 44-1-180
SUBJECT: Retail Food Establishments; and Retail Food Establishment Inspection Fees
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 10, 2019

Doctor of the Day

Senator NICHOLSON introduced Dr. Robert Tiller of Greenwood, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:07 P.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator M.B. MATTHEWS, at 1:55 P.M., Senator KIMPSON was granted a leave of absence for the day.

Leave of Absence

On motion of Senator MARTIN, at 3:59 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

WEDNESDAY, APRIL 10, 2019

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 203 Sens. Shealy and Massey
S. 293 Sen. Verdin
S. 556 Sen. Cash

RECALLED

H. 3819 -- Reps. Gagnon and West: A BILL TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

Senator NICHOLSON asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

The Bill was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3016 -- Reps. Govan, Jefferson, S. Williams and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOFF AVENUE IN THE CITY OF ORANGEBURG FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 "DR. H.N. TISDALE AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4235 -- Rep. Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 1 APPROXIMATELY FOUR MILES OUTSIDE THE TOWN OF MCBEE "SERGEANT DARRYL QUICK MEMORIAL BRIDGE" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

OBJECTION

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

Senator MARTIN objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 749 -- Senator Shealy: A SENATE RESOLUTION TO CELEBRATE THE THIRTY-THIRD ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 9-11, 2019, IN BATESBURG-LEESVILLE, AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.
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The Senate Resolution was adopted.

S. 750 -- Senator Rankin: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE THE PENGUINEERS, THE TEAM THAT SERVED AS CAPTAIN OF THE WINNING ALLIANCE AT THE SOUTH CAROLINA FIRST TECH CHALLENGE STATE CHAMPIONSHIP FOR THE 2018/19 FIRST ROBOTICS SEASON

AND ADVANCED TO THE FIRST CHAMPIONSHIP IN HOUSTON, TEXAS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 751 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-295 SO AS TO REQUIRE AN INSURER TO CERTIFY THAT IT REDUCED THE LEVEL OF COST SHARING BY AN AMOUNT EQUAL TO AT LEAST A MAJORITY OF THE REBATES RECEIVED BY THE INSURER.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 752 -- Senators Talley, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE JUDGE JAMES F. FRALEY, JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE SEVENTH JUDICIAL CIRCUIT AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 753 -- Senator Gambrell: A BILL TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO TRANSFER ONE PERCENT OF THE REVENUES TO THE V-SAFE PROGRAM; AND TO TRANSFER CERTAIN FUNDS TO THE V-SAFE PROGRAM.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 754 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-49-35 SO AS TO REQUIRE CERTAIN TRAINING OF THE BOARD OF TRUSTEES OF THE JOHN DE LA HOWE SCHOOL; BY ADDING SECTION 59-49-85 SO AS TO PROVIDE QUALIFICATIONS OF THE SCHOOL'S FACULTY; BY ADDING SECTION 59-49-112 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH THE STANDARD COURSE OF STUDY OF THE SCHOOL; BY ADDING SECTION 59-49-115 SO AS TO PROVIDE FOR THE AWARDING OF DIPLOMAS; BY ADDING SECTION 59-49-117 SO AS TO PROVIDE ADMISSIONS REQUIREMENTS OF STUDENTS; BY ADDING SECTION 59-49-135 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH A FOUNDATION AND MAINTAIN AN ENDOWMENT FUND FOR THE SCHOOL; BY ADDING SECTION 59-49-160 SO AS TO PROVIDE THE BOARD MAY EMPLOY CAMPUS POLICE, TO PROVIDE QUALIFICATIONS AND OTHER REQUIREMENTS OF THESE CAMPUS POLICE, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN MOTOR VEHICLE LAWS ON CAMPUS, AND TO PROVIDE THE BOARD MAY PROMULGATE CERTAIN RELATED REGULATIONS; TO AMEND SECTION 59-49-10, RELATING TO THE ESTABLISHMENT OF THE JOHN DE LA HOWE SCHOOL, SO AS TO RENAME AND REESTABLISH THE SCHOOL AS THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE, AND TO PROVIDE THE PURPOSE OF THE SCHOOL; TO AMEND SECTION 59-49-20, RELATING TO THE BOARD OF TRUSTEES, SO AS TO ADD CERTAIN EX OFFICIO MEMBERS; TO AMEND SECTION 59-49-30, RELATING TO REMOVAL OF BOARD MEMBERS BY THE GOVERNOR FOR CAUSE, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-40, RELATING TO MEETINGS OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-70, RELATING TO THE DECLARATION OF THE SCHOOL AS A BODY POLITIC, SO AS TO MAKE CONFORMING CHANGES CONCERNING THE RENAMING OF THE SCHOOL; TO AMEND SECTION 59-49-100, RELATING TO THE PURPOSE OF THE SCHOOL, SO AS TO PROVIDE ADDITIONAL ADMISSIONS CRITERIA; TO AMEND SECTION 59-49-110, RELATING TO THE CONDUCT OF FORESTRY AND FARM PRACTICES BY THE SCHOOL AND USE OF REVENUE DERIVED FROM THESE PRACTICES, SO AS TO PROVIDE THE

SCHOOL SHALL SERVE AS A DEMONSTRATION FARM AND PROVIDE INSTRUCTION AND SUPPORT TO FARMERS AND PERSONS WORKING IN, OR WHO HAVE AN INTEREST IN, THE BUSINESS OF AGRICULTURE; TO AMEND SECTION 59-49-130, RELATING TO OBSOLETE PROVISIONS CONCERNING THE USE OF INCOME DERIVED FROM CERTAIN ENDEAVORS, SO AS TO PROVIDE FOR THE USE OF INCOME DERIVED FROM CERTAIN CURRENT ENDEAVORS OF THE SCHOOL; AND TO AMEND SECTION 59-49-150, RELATING TO EXPENSES OF STUDENTS, SO AS TO PROVIDE STUDENTS WHO ARE LEGAL RESIDENTS OF THIS STATE ARE NOT REQUIRED TO PAY TUITION BUT SHALL PAY CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES UNLESS THEY MEET CERTAIN POVERTY REQUIREMENTS, AND TO PROVIDE ALL OUT-OF-STATE AND FOREIGN EXCHANGE STUDENTS WHO ATTEND THE SCHOOL SHALL PAY TUITION AND CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES.
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Read the first time and referred to the Committee on Education.

S. 755 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE ARTHUR JAMES GAYTON OF COLUMBIA ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 756 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-31-280 SO AS TO COMBINE AND CONSOLIDATE INTO A SINGLE ENTITY THE BOARDS OF COMMISSIONERS OF PUBLIC WORKS AND THE GOVERNING BODIES OF CERTAIN SPECIAL PURPOSE DISTRICTS OR PUBLIC SERVICE DISTRICTS ONLY IN THOSE MUNICIPALITIES THAT HAVE AN ELECTED BOARD OF COMMISSIONERS OF PUBLIC WORKS WHOSE ELECTED MEMBERS SERVE SIMULTANEOUSLY ON THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT THAT PROVIDES SEWERAGE TREATMENT SERVICES TO ALL OR TO A PORTION OF THE SAME SERVICE AREA THAT RECEIVES WATER SERVICE FROM THE

MUNICIPALITY, TO PROVIDE FOR THE CONSOLIDATED ENTITY'S POWERS, DUTIES, AND RESPONSIBILITIES, AND TO PROVIDE FOR THE COMPOSITION, ELECTION, AND TERMS OF THE CONSOLIDATED ENTITY'S GOVERNING BOARD OF COMMISSIONERS.
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Read the first time and referred to the Committee on Judiciary.

S. 757 -- Senators Jackson and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 31 SO AS TO PROVIDE FOR CERTAIN HOUSING ATTAINABILITY PROTECTIONS, TO PROVIDE DEFINITIONS, TO PROVIDE THAT A COUNTY OR MUNICIPALITY THAT INTENDS TO ADOPT AN ORDINANCE THAT MAY INCREASE OR DECREASE CERTAIN HOUSING COSTS SHALL PREPARE A HOUSING IMPACT ANALYSIS, TO PROVIDE THAT A STATE AGENCY THAT INTENDS TO PROMULGATE AN ORDINANCE THAT MAY INCREASE OR DECREASE CERTAIN HOUSING COSTS SHALL PREPARE A HOUSING IMPACT ANALYSIS, TO PROVIDE THE UNIT SHALL PREPARE A REPORT CONCERNING THE UNIT'S IMPLEMENTATION OF THE HOUSING PLANS INCLUDED IN ITS COMPREHENSIVE PLAN, TO PROVIDE THE UNIT SHALL PREPARE A REPORT CONCERNING THE UNIT'S RESIDENTIAL DEVELOPMENT FEES, AND TO PROVIDE THAT THE HOUSING AUTHORITY SHALL PREPARE A COMPREHENSIVE FIVE YEAR STATE HOUSING STRATEGY PLAN.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 758 -- Senator Gregory: A BILL TO AMEND SECTION 40-6-240(B) OF THE 1976 CODE, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR LICENSED AUCTIONEERS, TO PROVIDE THAT A LICENSEE WHO IS SIXTY-FIVE YEARS OLD OR OLDER WITH TWENTY-FIVE YEARS OF LICENSURE MAY APPLY FOR A CONTINUING EDUCATION WAIVER.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 759 -- Senator Harpootlian: A BILL TO AMEND CHAPTER 2, TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING SECTION 61-2-15, TO PROVIDE FOR THE CREATION OF THE DEPARTMENT OF ALCOHOL LICENSING AND ENFORCEMENT, TO PROVIDE A GOVERNANCE STRUCTURE, AND TO PROVIDE DUTIES; TO AMEND SECTION 61-2-30 OF THE 1976 CODE, RELATING TO PERSONNEL, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 61-2-40 OF THE 1976 CODE, RELATING TO THE FINANCIAL INTEREST OF EMPLOYEES, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 61-2-105 OF THE 1976 CODE, RELATING TO INSPECTION, INVESTIGATION, AND ENFORCEMENT FEES, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-4-10 OF THE 1976 CODE, RELATING TO THE CREATION OF THE DEPARTMENT OF REVENUE, TO REMOVE DUTIES RELATED TO ALCOHOL LICENSURE; TO DELETE SECTION 23-3-15(C) OF THE 1976 CODE, RELATING TO THE STATE LAW ENFORCEMENT DIVISION'S JURISDICTION RELATED TO ALCOHOL ENFORCEMENT; TO TRANSFER CERTAIN DUTIES TO THE DEPARTMENT; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 760 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY;

TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY, AND TO PROVIDE THAT THE BYLAWS MUST DIVIDE THE AREA OF THE COOPERATIVE INTO SEPARATE VOTING DISTRICTS EQUAL TO THE NUMBER OF BOARD OF TRUSTEE MEMBERS TO BE ELECTED, AND THAT MEMBERS OF THE COOPERATIVE RESIDING IN A VOTING DISTRICT SHALL ELECT A MEMBER OF THE BOARD FROM THAT DISTRICT; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; TO AMEND SECTION 33-49-620, RELATING TO VOTING DISTRICTS WHICH MAY BE ESTABLISHED TO ELECT CERTAIN TRUSTEES AND DELEGATES WHO MAY VOTE FOR TRUSTEES, SO AS TO CONFORM ITS PROVISIONS IN ORDER TO REFLECT THAT BOARD MEMBERS MUST BE ELECTED FROM PARTICULAR VOTING DISTRICTS BY THE MEMBERS FROM THAT DISTRICT, AND TO PROVIDE THAT MEMBERS MAY VOTE ONLY IN PERSON AT A MEETING OR AT AN EARLY VOTING SITE; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE ALL MEETINGS OF THE MEMBERSHIP OR THE BOARD TO BE PUBLIC MEETINGS WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH THE SAME EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A

COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.
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Senator M.B. MATTHEWS spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 761 -- Senator M. B. Matthews: A BILL TO AMEND ARTICLE 2, CHAPTER 10, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL HEALTH SERVICES, BY ADDING SECTION 59-10-230, TO PROVIDE THAT EACH PUBLIC SCHOOL DISTRICT SHALL ENSURE THE CONTINUOUS PRESENCE OF A MENTAL HEALTH COUNSELOR DURING OPERATING HOURS, AND TO PROVIDE THAT ONE COUNSELOR MUST BE PROVIDED FOR EVERY FIVE HUNDRED STUDENTS ENROLLED AT A SCHOOL.
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Read the first time and referred to the Committee on Education.

S. 762 -- Senator M. B. Matthews: A BILL TO AMEND ARTICLE 1, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING SECTION 59-18-130 AND SECTION 59-18-140, TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL LOWER CHILD-TO-TEACHER RATIOS TO ASSIST CHRONICALLY UNSATISFACTORY SCHOOLS, TO ADDRESS FUNDING, AND TO PROVIDE THAT KINDERGARTEN THROUGH THIRD GRADE CLASSES IN LOW PERFORMING SCHOOLS WITH MORE THAN FIFTEEN STUDENTS MUST HAVE A TEACHER AND A TEACHER'S ASSISTANT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 59 OF THE 1976 CODE, RELATING TO TEACHERS, BY ADDING SECTION 59-25-60, TO PROVIDE THAT EACH CLASSROOM TEACHER AND FULL-TIME LIBRARIAN IS ENTITLED TO AT LEAST A THIRTY-MINUTE DAILY PLANNING PERIOD FREE FROM THE INSTRUCTION AND SUPERVISION OF STUDENTS.
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Read the first time and referred to the Committee on Education.

H. 3080 -- Reps. Stavrinakis, Hosey and Rivers: A BILL TO AMEND SECTION 61-4-550, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

Read the first time and referred to the Committee on Judiciary.

H. 3174 -- Reps. Elliott, Tallon, G. R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Read the first time and referred to the Committee on Transportation.

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

Read the first time and referred to the Committee on Finance.

H. 3210 -- Reps. Loftis, Clyburn, Collins, Burns, Clary, W. Cox, Morgan, Hyde, Stringer, Elliott, B. Cox, Gagnon, Caskey, Bannister, Willis, Sottile, Stavrinakis, Daning, Blackwell, Taylor, Forrester, Fry, West, Finlay, Simrill, V. S. Moss, Bryant, Bales, D. C. Moss, Erickson, Herbkersman, Whitmire and Weeks: A BILL TO AMEND ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT, SO AS TO REAUTHORIZE THE ACT FOR AN ADDITIONAL SIX YEARS.

Read the first time and referred to the Committee on Finance.

H. 3231 -- Reps. G. M. Smith, Norrell, Mace, Bernstein and Hixon: A BILL TO AMEND SECTION 20-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ADD AS A GROUND CONDUCT OR TREATMENT THAT DESTROYS THE WELL-BEING, HAPPINESS, AND WELFARE OF A SPOUSE AND RENDERS CONTINUED COHABITATION UNSAFE OR UNENDURABLE.

Read the first time and referred to the Committee on Judiciary.

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G. R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard, Blackwell, Govan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

Read the first time and referred to the Committee on Judiciary.

H. 3351 -- Reps. Jefferson, W. Newton, R. Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-11-102 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING

PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60-11-103 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; AND TO REPEAL SECTION 60-11-120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF DEPARTMENT OF ARCHIVES AND HISTORY.

Read the first time and referred to the Committee on Education.

H. 3485 -- Reps. Jefferson, R. Williams, Cobb-Hunter and Weeks: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND SECTION 12-6-5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

Read the first time and referred to the Committee on Finance.

H. 3577 -- Reps. Allison, Taylor and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-25 SO AS TO PROVIDE EDUCATOR PREPARATION PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION MAY SUBMIT SEPARATE AND DISTINCT EDUCATOR PREPARATION PROGRAMS FOR ALTERNATIVE PREPARATION TO THE STATE BOARD OF EDUCATION FOR APPROVAL, TO PROVIDE THESE PROGRAMS ARE NOT REQUIRED TO BE NATIONALLY ACCREDITED BUT MUST MEET CERTAIN OTHER REQUIREMENTS, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ANNUALLY SHALL REPORT RELATED DATA TO THE STATE BOARD OF EDUCATION AND THE GENERAL ASSEMBLY; AND TO AMEND

SECTION 59-26-20, RELATING TO DUTIES OF THE STATE BOARD OF EDUCATION AND COMMISSION ON HIGHER EDUCATION CONCERNING THE TRAINING, CERTIFICATION, AND EVALUATION OF PUBLIC EDUCATORS, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS REGARDING A CYCLICAL EVALUATION PROCESS FOR APPROVED TEACHER EDUCATOR PROGRAMS, AND TO PROVIDE RELATED REQUIREMENTS.

Read the first time and referred to the Committee on Education.

H. 3596 -- Reps. Long, Erickson, Clemmons, Bales, Fry, Loftis, Burns, Hewitt, Bannister, Forrester, Herbkersman, Huggins, Lowe, D. C. Moss, B. Newton, W. Newton, Pope, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Toole, Trantham, Johnson, V. S. Moss, Stringer, Willis, Bailey, Elliott, B. Cox, Magnuson, Clary, Hixon, Martin, Davis, Mace, Kimmons, Bennett, Bradley, Jordan, Finlay, Gagnon, McDaniel, Daning, Allison, Collins, McCoy, Atkinson, Hayes, Kirby, Wooten, Ballentine, Caskey, McCravy, Gilliam, Hill, Chellis, Crawford, Taylor, Young, Weeks, Yow, Whitmire, Hosey, Clyburn, Brown, Govan, Moore and Henderson-Myers: A BILL TO AMEND SECTION 12-43-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATION OF PROPERTY AND ASSESSMENT RATIOS FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO LIMIT ROLLBACK TAXES TO ONE YEAR WHEN LAND CLASSIFIED AS AGRICULTURAL REAL PROPERTY IS APPLIED TO ANOTHER USE.

Read the first time and referred to the Committee on Finance.

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR

PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Read the first time and referred to the Committee on Medical Affairs.

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Read the first time and referred to the Committee on Medical Affairs.

H. 3730 -- Reps. Fry, West, G. R. Smith, Johnson, Hardee, Dillard, Robinson, Garvin, S. Williams, Sandifer, Martin, W. Newton and B. Newton: A BILL TO AMEND SECTION 44-53-370, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, SO AS TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL".

Read the first time and referred to the Committee on Judiciary.

H. 3737 -- Reps. Spires, Calhoon, Huggins, Caskey, Ott, Ballentine, Toole and Wooten: A BILL TO AMEND SECTION 55-11-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE RICHLAND-LEXINGTON AIRPORT DISTRICT, SO AS TO INCREASE THE DISTRICT'S MEMBERSHIP BY TWO MEMBERS WHO MUST BE RESIDENTS OF CAYCE OR WEST COLUMBIA.

Read the first time and referred to the Committee on Transportation.

H. 3967 -- Reps. Mace, Trantham, Kimmons, Crawford, Henderson-Myers, Bernstein, McCoy, Fry, Magnuson, Allison, Henegan, Thayer, Cobb-Hunter, King, Brawley, Dillard, Davis, Hewitt, Spires, Collins, Sottile, Daning, Cogswell, Taylor, Atkinson, Ballentine, Bannister, Bennett, Clary, Elliott, Huggins, Long, McDaniel, McKnight, Pendarvis, Rutherford, Simmons, G. R. Smith, Garvin, Rose, B. Cox, Caskey, Moore and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-35 SO AS TO PROVIDE METHODS OF RESTRAINING INMATES WITH A CLINICAL DIAGNOSIS OF PREGNANCY OR IN POSTPARTUM RECUPERATION.

Read the first time and referred to the Committee on Corrections and Penology.

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G. M. Smith, G. R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Simmons and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY

ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

Read the first time and referred to the Committee on Finance.

H. 4004 -- Reps. Clary, G. M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4008 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

Read the first time and referred to the Committee on Finance.

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING

OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4017 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Cobb-Hunter, Stavrinakis and Gagnon: A BILL TO AMEND SECTION 1-30-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO ESTABLISH OBJECTIVES FOR THE SOUTH CAROLINA FILM COMMISSION.

Read the first time and referred to the Committee on Judiciary.

H. 4019 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3

OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4021 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF SWIMMING OR USE OF CABINS AT STATE PARKS, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 51-3-50, RELATING TO THE POWER OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM TO OPEN PARKS TO NORMAL PUBLIC USE, SO AS TO REMOVE A LIMITATION ON THE DEPARTMENT'S POWER; TO REPEAL SECTION 51-3-20 RELATING TO LIMITATIONS ON THE FACILITIES AT STATE PARKS; TO REPEAL SECTION 51-3-30 RELATING TO PENALTIES FOR USING CABINS OR SWIMMING AT A STATE PARK; AND TO REPEAL SECTION 51-3-40 RELATING TO THE LIMITATIONS ON THE OPERATIONS OF CERTAIN STATE PARKS.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4211 -- Reps. Stavrinakis, Simrill, Bernstein, Finlay, Bales and Weeks: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

Read the first time and referred to the Committee on Finance.

H. 4318 -- Reps. Hixon, Forrest and Kirby: A BILL TO AMEND SECTION 50-11-544, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, SO AS TO DELETE THE TERM "WILD TURKEY TRANSPORTATION TAGS" AND REPLACE IT WITH THE TERM "WILD TURKEY TAGS" AND TO PROVIDE THE TAGS WILL NO LONGER BE ISSUED AT NO COST; TO AMEND SECTION 50-11-580, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND,

BAG LIMITS, AND AN ANNUAL REPORT, SO AS TO REVISE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO REVISE THE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO PROVIDE FOR THE TAKING OF FEMALE WILD TURKEYS; BY ADDING SECTION 50-11-590 SO AS TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; BY ADDING SECTION 50-9-640 SO AS TO PROVIDE FEES FOR WILD TURKEY TAGS; TO REPEAL SECTION 50-11-520 RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; TO REPEAL SECTION 7 OF ACT 41 OF 2015 RELATING TO THE HUNTING AND TAKING OF WILD TURKEY; AND BY ADDING SECTION 50-11-546 SO AS TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY, AND PENALTIES FOR A VIOLATION OF THIS PROVISION.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC

VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Read the first time and referred to the Committee on Transportation.

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 4412 -- Rep. Hayes: A BILL TO AMEND SECTIONS 4-10-470 AND 4-10-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO AUTHORIZE ITS IMPOSITION IN CERTAIN SITUATIONS.

Read the first time and referred to the Committee on Finance.

H. 4433 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King,

Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2019 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4435 -- Reps. Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JACQUALINE "JACQUIE" KASPROWSKI, PRINCIPAL OF CARDINAL NEWMAN SCHOOL, FOR THIRTEEN YEARS OF EXEMPLARY SERVICE AS SHE DEPARTS TO CONTINUE AS ASSOCIATE DIRECTOR OF SECONDARY EDUCATION FOR THE DIOCESE OF CHARLESTON, AND TO WISH HER CONTINUED JOY IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4436 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR TERRY PEACE, SENIOR VICE PRESIDENT OF BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, ON THE OCCASION OF HER UPCOMING RETIREMENT, TO THANK HER FOR HER TWENTY-SEVEN YEARS OF HARD WORK AND DEDICATED SERVICE TO THE COMPANY AND HER COMMUNITY, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4437 -- Reps. Stavrinakis, Govan, Murphy, McCoy, Mace, B. Cox, Gilliard and Mack: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE ERNEST F. "FRITZ" HOLLINGS OF CHARLESTON COUNTY, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND

SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR

AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 10, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Appointment, Sumter County Master-in-Equity, with term to commence December 31, 2016, and to expire December 31, 2022:

Mr. Michael McKinney Jordan, 2292 Gingko Drive, Sumter, S.C. 29150

Vice: Howard P. King

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, APRIL 10, 2019

Message from the House

Columbia, S.C., April 10, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawks Nest Dr., Hermitage, TN 37076-5621
VICE Susan V. Alford

Received as information.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

WEDNESDAY, APRIL 10, 2019

Statewide Appointment

Appointment, South Carolina Public Charter School District Board of Trustees, with term coterminous with Governor with term to commence July 1, 2018, and to expire July 1, 2021

SC Chamber of Commerce

Kippy (Kip) Derrick Miller, 15 Calumet Court Greenville, SC 29615 *VICE* Laboan D. Chappell

Received as information.

HOUSE CONCURRENCES

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".

Returned with concurrence.

Received as information.

S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 "RANDOLPH GARRETT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 683 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 8 THROUGH 12, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 10, 2019, AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 203 -- Senators Young, Shealy and Massey: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 4

Senator MARTIN proposed the following amendment (203R009.SP.SRM), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, by deleting Section 59-17-45(A)(3) and inserting:

/ (3) On or before August 1, 2020, an eligible district intending to consolidate must submit a preliminary consolidation plan, timeline, and the proposed use of funds to the local legislative delegation for review and approval through the passage of local legislation. Upon approval by the local legislative delegation, the district shall forward the consolidation plan to the Department of Education. The Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator MALLOY asked unanimous consent to proceed to Amendment No. 9.

Amendment No. 9

Senator MALLOY proposed the following amendment (203R011.KMM.GM), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 17 through 42, and page 2, by striking lines 1 through 3.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator MALLOY proposed the following amendment (203R006.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ "Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Spartanburg County. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator MALLOY proposed the following amendment (203R007.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ "Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Florence County. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 7

Senator MALLOY proposed the following amendment (203R008.SP.GM), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-45(A)(1) and inserting:

/ "Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other districts within its county:

(a)(i) based on the most recent student count received by the Department of Education, maintains an average daily membership that is less than one thousand five hundred; and

(ii) is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B); or

(b) is a school district located in Lexington County. For Lexington-Richland District 5, the portion of the district located in Lexington County shall be consolidated with districts in Lexington County. The Richland County portion of the district may become a single district or may consolidate with a district with which it shares a boundary within Richland County. /

Renumber sections to conform.

Senator MALLOY explained the amendment.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Amendment No. 8

Senator FANNING proposed the following amendment (DG\ 203C001.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-145(A) and (B) and inserting:

/ SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section 59-17-45. (A)(1) On or before August 1, 2022, any local school district meeting the following characteristics shall be eligible to receive appropriated funds for the purpose of consolidating with other contiguous districts within its county:

(a) based on the forty-five day average daily student membership count received by the Department of Education for the 2018-19 School Year, maintains an average daily membership that is less than one thousand five hundred; and

(b) is located within a county ranked as Tier IV in the 2018 tax year pursuant to Section 12-6-3360(B).

(2) The funds must be used to support costs directly related to the consolidation, including, but not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology, and other factors that the district demonstrates are necessary to complete consolidation. The Department of Education is eligible to carry forward these funds from one fiscal year to the next and use them for the same purpose.

(3) On or before August 1, 2020, eligible districts must submit a preliminary consolidation plan and timeline to the Department of Education for review and approval and must include the proposed use of funds. The Department of Education may not approve any consolidation plan unless each proposed consolidated district is contiguous with at least one other proposed consolidated district. Upon approval by the Department of Education, the districts shall forward the consolidation plan to their local legislative delegation for action. Upon approval of a consolidation plan by the Department of Education, the Department of Education shall make an initial allocation to the impacted districts. The Department of Education shall allocate the remaining funds following any legislative action formally consolidating the districts.

(B)(1) After August 1, 2022, any local school district satisfying the characteristics of subsection (A)(1) that has not implemented

consolidation pursuant to subsection (A) shall be merged with one or more contiguous districts in the same county and is not eligible for appropriated funds. The Department of Education will direct the merger and shall report to the General Assembly any legislative actions necessary to accomplish the merger.

(2) If a district began consolidation and received funding pursuant to subsection (A) but did not fully implement the consolidation, then the district shall be consolidated pursuant to this subsection. The Department of Education shall direct the district to remit payment in an amount equal to the funds allocated pursuant to subsection (A). The Department of Education shall work with the districts involved to identify services that will be consolidated and to enhance educational services and the programs available to students. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Present 1

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Gambrell	Senn

Total--2

PRESENT

Malloy

Total--1

There being no further amendments, the Bill, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator BENNETT, with unanimous consent, Senators BENNETT, SHEHEEN, JACKSON, DAVIS, NICHOLSON, SCOTT, CORBIN and HEMBREE were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

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. 675 -- Senators Turner and Allen: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED

BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

S. 712 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.

S. 162 -- Senators Bennett, Johnson and Climer: A BILL TO AMEND SECTION 12-37-2615 OF THE 1976 CODE, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

AMENDED, THIRD READING FAILED

S. 509 -- Senator Grooms: A BILL TO AMEND ARTICLE 4, CHAPTER 15, TITLE 56 OF THE 1976 CODE, RELATING TO NONFRANCHISE AUTOMOBILE DEALER PRE-LICENSING, BY ADDING SECTION 56-15-415, TO PROVIDE THAT AN APPLICANT FOR AN INITIAL NONFRANCHISE AUTOMOBILE DEALER LICENSE MUST COMPLETE PRELICENSING EDUCATION COURSES BEFORE HE MAY BE ISSUED A LICENSE, TO PROVIDE THAT CERTAIN EDUCATIONAL REQUIREMENTS MUST BE SATISFIED BEFORE A LICENSE MAY BE RENEWED, AND TO PROVIDE THAT A PERSON WHO PROVIDES EDUCATION COURSES MUST BE AFFILIATED WITH A NATIONAL OR STATE INDUSTRY TRADE ASSOCIATION; AND TO AMEND SECTIONS 56-15-430, 56-15-440, AND 56-15-450 OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF THE PROVISIONS THAT REGULATE NONFRANCHISE AUTOMOBILE DEALER PRELICENSING TO FRANCHISED

AUTOMOBILE DEALERS, NONFRANCHISED AUTOMOBILE DEALERS OWNED AND OPERATED BY A FRANCHISED AUTOMOBILE DEALER, NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS IS MOTOR VEHICLE SALVAGE, AND NONFRANCHISED AUTOMOBILE DEALERS WHOSE PRIMARY BUSINESS OBJECTIVE AND SUBSTANTIAL BUSINESS ACTIVITY IS IN THE RENTAL OF MOTOR VEHICLES, TO PROVIDE THAT CERTAIN EDUCATION REQUIREMENTS DO NOT APPLY TO THESE AUTOMOBILE DEALERS.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS proposed the following amendment (509R002.SP.LKG), which was adopted:

Amend the bill, as and if amended, page 3, line 3, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 56-15-310(A) of the 1976 Code is amended to read:

"Section 56-15-310. (A)(1) Before engaging in business as a dealer or wholesaler in this State, a person first must make application to the Department of Motor Vehicles for a license. Each license issued expires ~~twelve~~ thirty-six months from the month of issue (licensing period) and must be displayed prominently at the established place of business. The fee for the license is one hundred fifty dollars. The license applies to only one place of business of the applicant and is not transferable to another person or place of business except that a licensed dealer may exhibit and sell motor homes, as defined by Section 56-15-10, at fairs, recreational or sports shows, vacation shows, and other similar events or shows upon obtaining a temporary dealer's license in the manner required by this section. No other exhibitions may be allowed, except as may be permitted by this section. Before exhibiting and selling motor homes at temporary locations as permitted above, the dealer shall first make application to the department for a license. To be eligible for a temporary license, a dealer shall hold a valid dealer's license issued pursuant to this chapter. Every temporary dealer's license issued is valid for a period not to exceed ten consecutive days and must be prominently displayed at the temporary place of business. No dealer may purchase more than six temporary licenses in any one licensing period. The fee for each temporary license issued is twenty dollars. A temporary license applies to only one dealer operating in a temporary location and is not transferable to any other dealer or location.

(2) Any person failing to secure a temporary license as required by this section is guilty of a misdemeanor and, upon conviction, must be punished in the same manner as he would be punished for failure to secure his regular dealer's license.

(3) The provisions of this section may not be construed as allowing the sale of any type of motor vehicles other than motor homes at authorized temporary locations.

(4) Every owner with a stake in the business of ten percent or more must undergo a state criminal records check, including a fingerprints check, by the South Carolina Law Enforcement Division, and a national criminal records check, including a fingerprints check by the Federal Bureau of Investigations. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division is authorized to store the prints for notification purposes. The fingerprint-based criminal background checks must be performed no more than ninety days prior to application or renewal submission to the Department of Motor Vehicles."

SECTION __. Section 56-15-320(B) of the 1976 Code is amended to read:

"(B) Each applicant for licensure as a dealer or wholesaler shall furnish a surety bond in the penal amount of ~~thirty~~ fifty thousand dollars on a form prescribed by the director of the department. The bond must be given to the department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a motor vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made in connection with the sale or transfer of a motor vehicle by a licensed dealer or wholesaler or the dealer's or wholesaler's agent acting for the dealer or wholesaler or within the scope of employment of the agent or loss or damage suffered by reason of the violation by the dealer or wholesaler or his agent of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer or wholesaler and against the dealer's or wholesaler's surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for claims is limited to ~~thirty~~ fifty thousand dollars on each bond and to the amount of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days' written notice of its intent

to cancel the bond. The cancellation does not affect liability incurred or accrued before the cancellation."

SECTION __. Section 56-15-350 of the 1976 Code is amended to read:

"Section 56-15-350. (A) Any license issued under this chapter may be denied, suspended, or revoked, if the applicant or licensee or an agency of the applicant or licensee acting for the applicant or licensee is determined by the Department of Motor Vehicles to have:

~~(a)~~(1) made a material misstatement in the application for the license;

~~(b)~~(2) violated any provision of this chapter;

~~(c)~~(3) been found by a court of competent jurisdiction to have committed any fraud connected with the sale or transfer of a motor vehicle;

~~(d)~~(4) employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers and wholesalers by the laws of this State;

~~(e)~~(5) been convicted of any violation of law involving the acquisition or transfer of a title to a motor vehicle or of any violation of law involving tampering with, altering, or removing motor vehicle identification numbers or markings;

~~(f)~~(6) been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a motor vehicle odometer, including the provisions of 49 U.S.C. 32701-32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) refused or failed to comply with the department's reasonable requests to inspect or copy the records, books, and files of the dealer or wholesaler or failed to maintain records of each motor vehicle transaction as required by this chapter or by state and federal law pertaining to odometer records; ~~or~~

~~(h)~~(8) ~~Given~~, loaned, or sold a dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer or wholesaler pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any vehicle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer or wholesaler to whom the license plate was originally issued; or

(9) been convicted of embezzlement by a state or federal court.

(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall inform the licensee of his right to request a contested case hearing with the Office of Motor Vehicle Hearings in accordance with the rules of procedure for the Administrative Law Court and pursuant to the Administrative Procedures Act of this State. A licensee desiring a hearing shall file a request in writing with the Office of Motor Vehicle Hearings within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon a denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates."

SECTION __. Section 56-15-570 of the 1976 Code is amended to read:

"Section 56-15-570. (A) Each applicant for licensure as a wholesale motor vehicle auction shall furnish a surety bond in the penal amount of ~~fifteen~~ thirty thousand dollars on a form prescribed by the Department of Motor Vehicles. The bond must be given to the department and executed by the applicant as principal and by a corporate surety company authorized to do business in this State as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a motor vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made by the licensee in connection with the sale or transfer of a motor vehicle by the licensee or its agent acting for it or within the scope of employment of the agent or loss or damage suffered by reason of a violation by the licensee or its agent of this chapter.

(B) An owner or his legal representative who suffers loss or damage has a right of action against the wholesale motor vehicle auction and against the licensee's surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for all claims is limited to ~~fifteen~~ thirty thousand dollars on each bond and to the amount of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days' written notice of its intent to cancel the bond. The surety shall notify the department if the bond is canceled. The cancellation does not affect liability incurred or accrued before the cancellation."

SECTION __. Section 56-14-30(A) of the 1976 Code is amended to read:

"Section 56-14-30. (A)(1) Before engaging in business as a recreational vehicle dealer in this State, a person first must make application to the Department of Motor Vehicles for a license. Each license issued expires on the last day of the month twelve months from the date of issue, the 'licensing period', and must be displayed prominently at the established place of business. The fee for the license is fifty dollars. The license applies to only one place of business of the applicant and is not transferable to another person or place of business.

(2) Every owner with a stake in the business of ten percent or more will submit to the department a national fingerprint-based criminal background check performed no more than ninety days prior to application or renewal submission to the department."

SECTION __. Section 56-14-40(B) of the 1976 Code is amended to read:

"(B) Each applicant shall furnish a surety bond in the penal amount of ~~thirty~~ fifty thousand dollars on a form prescribed by the department. A new bond or a proper continuation certificate must be delivered to the department annually before a dealer's license may be renewed. A dealer's license expires immediately upon expiration or termination of a dealer's bond. The bond must be given to the department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the statutes applicable to the license and as indemnification for loss or damage suffered by an owner of a recreational vehicle, or his legal representative, by reason of fraud practiced or fraudulent representation made in connection with the sale or transfer of a recreational vehicle by a licensed recreational vehicle dealer or the dealer's agent acting for the dealer, or within the scope of employment of the agent or loss or damage suffered by reason of the violation by the dealer or his agent of any provisions of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer and against the dealer's surety upon the bond and may recover damages as provided in this chapter. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for claims is limited to ~~thirty~~ fifty thousand dollars on each bond and to the amount of the actual loss incurred. The surety may terminate its liability under the bond by giving the department thirty days' written notice of its intent to cancel the bond.

The cancellation does not affect liability incurred or accrued before the cancellation."

SECTION __. Section 56-14-70 of the 1976 Code is amended to read:

"Section 56-14-70. (A) A license may be denied, suspended, or revoked if the applicant or licensee or an agent of the applicant or licensee is determined by the department to have:

~~(a)~~(1) made a material misstatement in the application for the license;

~~(b)~~(2) violated any provision of this chapter;

~~(c)~~(3) been found by a court of competent jurisdiction to have committed any fraud connected with the sale or transfer of a vehicle;

~~(d)~~(4) employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers by the laws of this State;

~~(e)~~(5) been convicted of any violation of law involving the acquisition or transfer of a title to a vehicle or of any violation of law involving tampering with, altering, or removing vehicle identification numbers or markings;

~~(f)~~(6) been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a vehicle odometer, including the provisions of 49 U.S.C. 32701—32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) refused or failed to comply with the department's reasonable requests to inspect or copy the records, books, and files of the dealer or failed to maintain records of each vehicle transaction as required by this chapter or by state and federal law pertaining to odometer records; ~~or~~

~~(h)~~(8) given, loaned, or sold a vehicle dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any vehicle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer to whom the license plate was originally issued; or

(9) been convicted of embezzlement by a state or federal court.

(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall inform the licensee of his right to request a contested case hearing with

the Office of Motor Vehicle Hearings in accordance with the rules of procedure for the Administrative Law Court and pursuant to the Administrative Procedures Act of this State. A licensee desiring a hearing shall file a request in writing with the Office of Motor Vehicle Hearings within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon a denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates."

SECTION __. Section 56-16-140(A) of the 1976 Code is amended by adding a new item to read:

"(3) Every owner with a stake in the business of ten percent or more will submit to the Department of Motor Vehicles a national fingerprint-based criminal background check performed no more than ninety days prior to application or renewal submission to the department."

SECTION __. Section 56-16-150(2) of the 1976 Code is amended to read:

"(2) Each applicant for licensure as a motorcycle dealer or wholesaler must furnish a surety bond in the penal amount of ~~fifteen~~ twenty-five thousand dollars on a form to be prescribed by the director of the department. The bond must be given to the Department and executed by the applicant, as principal, and by a corporate surety company authorized to do business in this State, as surety. The bond must be conditioned upon the applicant or licensee complying with the provisions of the statutes applicable to the license and as indemnification for any loss or damage suffered by an owner of a motorcycle, or his legal representative, by reason of any fraud practiced or fraudulent representation made in connection with the sale or transfer of a motorcycle by a licensed dealer or wholesaler or the dealer's or wholesaler's agent acting for the dealer or wholesaler or within the scope of employment of the agent or any loss or damage suffered by reason of the violation by the dealer or wholesaler or his agent, of any of the provisions of this chapter. An owner or his legal representative who suffers the loss or damage has a right of action against the dealer or wholesaler and against the dealer's or wholesaler's surety upon the bond and may recover damages as provided in this chapter. A new bond or a proper continuation certificate must be delivered to the Department annually before the license is renewed. However, regardless of the number of years a bond remains in effect, the aggregate liability of the surety for any and all claims is limited to ~~fifteen~~ twenty-five thousand dollars on each bond and to the amount of the actual loss incurred. The surety has the right to terminate its liability

under the bond by giving the Department thirty days' written notice of its intent to cancel the bond. The cancellation does not affect any liability incurred or accrued prior to the cancellation."

SECTION __. Section 56-16-180 of the 1976 Code is amended to read:

"Section 56-16-180. (A) Any license issued under this chapter may be denied, suspended, or revoked if the applicant or licensee or an agency of the applicant or licensee acting for the applicant or licensee is determined by the Department of Motor Vehicles to have:

~~(a)~~(1) Made a material misstatement in the application for the license;

~~(b)~~(2) Violated any provision of this chapter;

~~(c)~~(3) Been found by a court or competent jurisdiction to have committed any fraud connected with the sale or transfer of a motorcycle;

~~(d)~~(4) Employed fraudulent devices, methods, or practices in connection with meeting the requirements placed on dealers and wholesalers by the laws of this State;

~~(e)~~(5) Been convicted of any violation of law involving the acquisition or transfer of a title to a motorcycle or of any violation of law involving tampering with, altering, or removing motorcycle identification numbers or markings;

~~(f)~~(6) Been found by a court of competent jurisdiction to have violated any federal or state law regarding the disconnecting, resetting, altering, or other unlawful tampering with a motorcycle odometer, including the provisions of 49 U.S.C. 32701-32711 (Title 49, Subtitle VI, Part C, Chapter 327);

~~(g)~~(7) Refused or failed to comply with the Department's reasonable requests to inspect or copy the records, books, and files of the dealer or wholesaler or failed to maintain records of each motorcycle transaction as required by this chapter or by state and federal law pertaining to odometer records; ~~or~~

~~(h)~~(8) Given, loaned, or sold a dealer license plate to any person or otherwise to have allowed the use of any dealer license plate in any way not authorized by Section 56-3-2320. Any dealer license plate issued to a dealer or wholesaler pursuant to Section 56-3-2320 which is determined by the department to be improperly displayed on any motorcycle or in the possession of any unauthorized person is prima facie evidence of a violation of this section by the dealer or wholesaler to whom the license plate was originally issued; or

(9) Been convicted of embezzlement by a state or federal court.

(B) The department shall notify the licensee or applicant in writing at the mailing address provided in his application of its intention to deny, suspend, or revoke his license at least twenty days in advance and shall provide the licensee an opportunity for a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure and the Administrative Procedures Act of this State. A licensee desiring a hearing shall request it in writing within ten days of receiving notice of the proposed denial, suspension, or revocation of his dealer's or wholesaler's license.

(C) Upon the denial, suspension, or revocation of a license, the licensee shall immediately return to the department the license and all dealer license plates." /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 30; Present 1

AYES

Allen	Campsen	Cash
Fanning	Grooms	Harpootlian
Hembree	Hutto	Massey
Matthews, John	Rankin	Sabb

Total--12

NAYS

Alexander	Bennett	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Matthews, Margie	McElveen	McLeod
Peeler	Reese	Rice
Scott	Setzler	Shealy

Sheheen	Talley	Turner
Verdin	Williams	Young

Total--30

PRESENT

Senn

Total--1

Having failed to receive the necessary votes, third reading failed.

Having voted on the prevailing side, Senator LEATHERMAN moved to reconsider the vote whereby third reading of the Bill failed.

Senator GROOMS spoke in favor of reconsidering third reading of the Bill.

The question then was to reconsider the vote whereby third reading of the Bill failed.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 20

AYES

Allen	Campsen	Cash
Cromer	Fanning	Grooms
Hutto	Johnson	Leatherman
Massey	McElveen	Sabb

Total--12

NAYS

Alexander	Climer	Davis
Gambrell	Gregory	Jackson
Malloy	Martin	*Matthews, Margie*
McLeod	Peeler	Reese
Rice	Setzler	Shealy

Talley	Turner	Verdin
Williams	Young	

Total--20

The motion to reconsider third reading failed.

AMENDED, READ THE THIRD TIME

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and SABB proposed the following amendment (JUD0017.005), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE

SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEW RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND TO AMEND SECTION 23-11-110(B), RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-40 of the 1976 Code is amended to read:

"Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county board of voter registration and elections whichever is responsible under law for preparing the ballot, not later than twelve o'clock noon on April fifth, or if April fifth falls on a Saturday or Sunday, not later than twelve o'clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a

statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and such candidate's name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 2. Section 7-13-350 of the 1976 Code is amended to read:

"Section 7-13-350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for general elections held under Section 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the

qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

(C) For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

(D) For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 3. Section 7-13-351 of the 1976 Code is amended to read:

"Section 7-13-351. Any nominee by petition for one or more of the national, state, circuit, multi-county district, countywide, or less than countywide offices, to be voted on in the general election must be placed upon the appropriate ballot by the officer, commissioners, or other authority charged by law with preparing the ballot if the petition is submitted to the officer, commissioner, or other authority, as the case may be, for general elections held under Section 7-13-10, not later than twelve o'clock noon on July fifteenth or, if July fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday. At the time the petition is submitted, the authority charged with accepting it shall issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained in the petition. The county board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing the ballot for that office and must certify the results to the authority not later than twelve o'clock noon August fifteenth or, if August fifteenth falls on Sunday, not later than twelve o'clock noon on the following Monday.

The petition of any candidate in any special election, including municipal special elections, must be submitted to the authority charged with printing the ballot for those offices not later than twelve o'clock noon on the sixtieth day prior to the date of the holding of the election, or if the sixtieth day falls on Sunday, by not later than twelve o'clock noon on the following Monday. At the time a petition is submitted, the authority charged with accepting it must issue a receipt to the person submitting the petition which must reflect the date the petition was submitted and the total number of signatures contained in the petition. The candidate submitting the petition must certify, on a form designed and provided by the State Election Commission, that he meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing of the ballots for that office and must certify the results thereof to the authority not later than twelve o'clock noon on the forty-fifth day prior to the date of holding the election, or if the forty-fifth day falls on Sunday, by twelve o'clock noon on the following Monday.

Once submitted for verification, a petition for nomination of a candidate for any office may not be returned to the petitioner, but must be retained by the authority to whom the petition was submitted and must become a part of the records of the election for which the petition was submitted.

In the event of an emergency declared by the Governor and the conditions precipitating the emergency declaration prevent a candidate from filing the nominating petition within the time required by this section, the candidate has an additional five days to submit the nominating petition to the appropriate office.

The authority to whom a petition is submitted must verify that qualifications of each potential petition candidate prior to certification of that candidate to be placed on the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which the petition is submitted. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office sought shall not have his name placed on the ballot.

<u>For purposes of this section, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the</u>

candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 4. Section 17-5-130 of the 1976 Code is amended to read:

"Section 17-5-130. (A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;

(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;

(d) have attained the age of twenty-one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;

(e) have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner;

(f) be a medical doctor; or

(g) have a bachelor of science degree in nursing.

(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit on a form designed and provided by the South Carolina Election Commission with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or a holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of coroner and the following information:

(a) the person's date and place of birth;

(b) the person's citizenship;

(c) the county the person is a resident of, and how long the person has been a resident of that county;

(d) whether the person is a registered voter;

(e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;

(f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;

(g) the date the person obtained an associate or baccalaureate degree, if applicable;

(h) the date the person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable; and

(i) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable.

(5)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for coroner may be certified by a political party to the appropriate election

commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(C) Each person serving as coroner in the person's first term is required to complete a ~~basic training session~~ recognized forensic science degree or certification program ~~to be determined~~ recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy. The South Carolina Coroners Association must post information about the recognized forensic science degree or certification program with links to allow for registration on its website. Before any change to the approved recognized forensic science degree or certification program takes place, the new recognized forensic science degree or certification program must be approved by the Criminal Justice Academy and posted on the South Carolina Coroners Association website. This ~~basic training session~~ recognized forensic science degree or certification program must be completed no later than the end of the calendar year following the person's election as coroner. A person appointed to fill the unexpired term in the office of coroner shall complete a ~~basic training session to be determined~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the ~~basic training session~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy if the person has successfully completed the session prior to the person's election or appointment as coroner. A coroner who is unable to attend this ~~training session~~ recognized forensic science degree or certification program when offered because of an emergency or extenuating circumstances, within one year from the date the disability or cause terminates, shall complete the ~~standard basic training session~~ recognized forensic science degree or certification program required of coroners. A coroner who does not fulfill the obligations of this subsection is subject to suspension by the Governor until the coroner completes the training session.

(D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each year, all coroners and deputy coroners shall complete a minimum of sixteen hours training annually as selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

(E)(1) The basis for the minimum annual requirement of in-service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection (C) is excused from the minimum annual training requirements of subsection (D) for the calendar year in which the basic training session is completed.

(2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in-service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

(3) A coroner who fails to complete the minimum annual in-service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until the coroner completes the annual minimum in-service training required in this section. The Governor shall appoint, at the time of the coroner's suspension, a qualified person to perform as acting coroner during the suspension.

(F) A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

(G)(1) The Director of the South Carolina Criminal Justice Academy shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as 'recognized' pursuant to the requirements of this section. Also, the committee shall assist in determining annual training requirements as set forth in this section. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee shall serve without compensation.

(2) The Coroners Training Advisory Committee shall govern the qualifications of all coroners, deputy coroners, and candidates for coroner as set forth in this section. Also, the committee must certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before the committee or failure to follow state law relating to the performance of official duties may result in sanctioning in the form of a private or public reprimand. Also, the committee may recommend suspension to the Governor and loss of funding to the county council. A person may appeal an action of the committee pursuant to the provisions of Chapter 23, Title 1. The committee may hire an administrative assistant if it is determined necessary.

(H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training."

SECTION 5. Section 23-11-110(B) of the 1976 Code is amended to read:

"(B)(1)A person offering his candidacy for the office of sheriff, shall file a fully completed sworn affidavit, on a form designed and provided by the South Carolina Election Commission, no later than the close of filing, with the county executive committee of the person's political party. The county executive committee of any political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on Saturday, Sunday, or a holiday, the affidavits must be filed by noon the following day. A person seeking nomination by petition must file a fully completed sworn affidavit with the county election commission in the county of his residence.

(2) The affidavit must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of sheriff and the following information:

(a) the date and place of the person's birth;

(b) the date the person graduated from high school or the date the person obtained the recognized equivalent of a high school diploma;

(c) the date the person received any associate or baccalaureate degrees when applicable;

(d) the number of years' experience the person has had as a certified law enforcement officer when applicable;

(e) the number of years the person has served as a summary court judge when applicable; and

(f) an affirmation that the person meets all of the qualification requirements of subsection (A).

(3)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection."

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senators HUTTO and SABB proposed the following amendment (JUD0017.004), which was withdrawn:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE

CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEW RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND SECTION 23-11-110(A) AND (B), RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES FOR SHERIFF, TO MAKE CLARIFICATIONS IN ADDITIONAL QUALIFICATIONS, AND TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-40 of the 1976 Code is amended to read:

"Section 7-13-40. In the event that a party nominates candidates by party primary, a party primary must be held by the party and conducted by the State Election Commission and the respective county boards of voter registration and elections on the second Tuesday in June of each general election year, and a second and third primary each two weeks successively thereafter, if necessary. Written certification of the names of all candidates to be placed on primary ballots must be made by the political party chairman, vice chairman, or secretary to the State Election Commission or the county board of voter registration and elections whichever is responsible under law for preparing the ballot, not later than twelve o'clock noon on April fifth, or if April fifth falls on a Saturday or

Sunday, not later than twelve o'clock noon on the following Monday. Political parties nominating candidates by party primary must verify the qualifications of those candidates prior to certification to the appropriate election commission of the names of candidates to be placed on primary ballots. The written verification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for office for which he has filed. A political party must not certify any candidate who does not or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which the candidate has filed, and such candidate's name shall not be placed on a primary ballot. The filing fees for all candidates filing to run in all primaries, except municipal primaries, must be transmitted by the respective political parties to the State Election Commission and placed by the executive director of the commission in a special account designated for use in conducting primary elections and must be used for that purpose. The filing fee for each office is one percent of the total salary for the term of that office or one hundred dollars, whichever amount is greater.

For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 2. Section 7-13-350 of the 1976 Code is amended to read:

"Section 7-13-350. (A) Except as otherwise provided in this section, the nominees in a party primary or party convention held under the provisions of this title by any political party certified by the commission for one or more of the offices, national, state, circuit, multi-county district, countywide, less than countywide, or municipal to be voted on in the general election, held on the first Tuesday following the first Monday in November, must be placed upon the appropriate ballot for the election as candidates nominated by the party by the authority charged by law with preparing the ballot if the names of the nominees are certified, in writing, by the political party chairman, vice-chairman, or secretary to the authority, for general elections held under Section 7-13-10, not later than twelve o'clock noon on August fifteenth or, if August fifteenth falls on Saturday or Sunday, not later than twelve

o'clock noon on the following Monday; and for a special or municipal general election, by at least twelve o'clock noon on the sixtieth day prior to the date of holding the election, or if the sixtieth day falls on Sunday, by twelve o'clock noon on the following Monday. Political parties nominating candidates by primary or convention must verify the qualifications of those candidates prior to certification to the authority charged by law with preparing the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which he has filed. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the qualifications for the office for which he has filed shall not be nominated and certified, and such candidate's name shall not be placed on a general, special, or municipal election ballot.

(B) Candidates for President and Vice President must be certified not later than twelve o'clock noon on the first Tuesday following the first Monday in September to the State Election Commission.

(C) For purposes of this section, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

(D) For purposes of this section, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 3. Section 7-13-351 of the 1976 Code is amended to read:

"Section 7-13-351. Any nominee by petition for one or more of the national, state, circuit, multi-county district, countywide, or less than countywide offices, to be voted on in the general election must be placed upon the appropriate ballot by the officer, commissioners, or other authority charged by law with preparing the ballot if the petition is submitted to the officer, commissioner, or other authority, as the case may be, for general elections held under Section 7-13-10, not later than twelve o'clock noon on July fifteenth or, if July fifteenth falls on Saturday or Sunday, not later than twelve o'clock noon on the following Monday. At the time the petition is submitted, the authority charged with accepting it shall issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained in the petition. The county board of voter registration and elections of each respective county must check the

petition at the request of the authority charged with printing the ballot for that office and must certify the results to the authority not later than twelve o'clock noon August fifteenth or, if August fifteenth falls on Sunday, not later than twelve o'clock noon on the following Monday.

The petition of any candidate in any special election, including municipal special elections, must be submitted to the authority charged with printing the ballot for those offices not later than twelve o'clock noon on the sixtieth day prior to the date of the holding of the election, or if the sixtieth day falls on Sunday, by not later than twelve o'clock noon on the following Monday. At the time a petition is submitted, the authority charged with accepting it must issue a receipt to the person submitting the petition which must reflect the date the petition was submitted and the total number of signatures contained in the petition. The candidate submitting the petition must certify, on a form designed and provided by the State Election Commission, that he meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office sought. The board of voter registration and elections of each respective county must check the petition at the request of the authority charged with printing of the ballots for that office and must certify the results thereof to the authority not later than twelve o'clock noon on the forty-fifth day prior to the date of holding the election, or if the forty-fifth day falls on Sunday, by twelve o'clock noon on the following Monday.

Once submitted for verification, a petition for nomination of a candidate for any office may not be returned to the petitioner, but must be retained by the authority to whom the petition was submitted and must become a part of the records of the election for which the petition was submitted.

In the event of an emergency declared by the Governor and the conditions precipitating the emergency declaration prevent a candidate from filing the nominating petition within the time required by this section, the candidate has an additional five days to submit the nominating petition to the appropriate office.

The authority to whom a petition is submitted must verify that qualifications of each potential petition candidate prior to certification of that candidate to be placed on the ballot. The written certification required by this section must contain a statement that each candidate certified meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office for which the petition is submitted. Any candidate who does not, or will not by the time of the general election, or as otherwise required by law, meet the

qualifications for the office sought shall not have his name placed on the ballot.

For purposes of this section, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 17-5-130.

For purposes of this section, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by Section 23-11-110."

SECTION 4. Section 17-5-130 of the 1976 Code is amended to read:

"Section 17-5-130. (A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;

(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;

(d) have attained the age of twenty-one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;

(e) have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science

degree or certification program to be completed within one year of being elected to the office of coroner;

(f) be a medical doctor; or

(g) have a bachelor of science degree in nursing.

(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit on a form designed and provided by the South Carolina Election Commission with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or a holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a fully completed sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of coroner and the following information:

(a) the person's date and place of birth;

(b) the person's citizenship;

(c) the county the person is a resident of, and how long the person has been a resident of that county;

(d) whether the person is a registered voter;

(e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;

(f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;

(g) the date the person obtained an associate or baccalaureate degree, if applicable;

(h) the date the person completed a recognized forensic science degree or certification program, or information regarding the person's enrollment in a recognized forensic science degree or certification program, if applicable; and

(i) the number of years of experience the person has as a death investigator, certified law enforcement officer, or licensed private investigator, if applicable.

(5)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for coroner may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for coroner may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(C) Each person serving as coroner in the person's first term is required to complete a ~~basic training session~~ recognized forensic science degree or certification program ~~to be determined~~ recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy. The South Carolina Coroners Association must post information about the recognized forensic science degree or certification program with links to allow for registration on its website. Before any change to the approved recognized forensic science degree or certification program takes place, the new recognized forensic science degree or certification program must be approved by the Criminal Justice Academy and posted on the South Carolina Coroners Association website. This ~~basic training session~~ recognized forensic science degree or certification program must be completed no later than the end of the calendar year following the person's election as coroner. A person appointed to fill the unexpired term in the office of coroner shall complete a ~~basic training session to be determined~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy within one calendar year of the date of appointment. This section must not be construed to require an individual to repeat the ~~basic training session~~ recognized forensic science degree or certification program recommended by the Board of Directors of the South Carolina Coroners Association and approved by the South Carolina Criminal Justice Academy if the person has successfully completed the session prior to the person's election or appointment as coroner. A coroner who is unable to attend this ~~training session~~ recognized forensic science degree or certification program when offered because of an emergency or extenuating circumstances, within one year from the date the disability or cause terminates, shall complete the ~~standard basic training session~~

recognized forensic science degree or certification program required of coroners. A coroner who does not fulfill the obligations of this subsection is subject to suspension by the Governor until the coroner completes the training session.

(D) A person holding the office of coroner or deputy coroner who was elected, appointed, or employed prior to January 1, 1994, and who has served continuously since that time shall attend a minimum of sixteen hours training annually as may be selected by the South Carolina Law Enforcement Training Council on or before December 31, 1995. Each year, all coroners and deputy coroners shall complete a minimum of sixteen hours training annually as selected by the council. Certification or records of attendance or training must be maintained as directed by the council.

(E)(1) The basis for the minimum annual requirement of in-service training is the calendar year. A coroner who satisfactorily completes the basic training session in accordance with the provisions of subsection (C) is excused from the minimum annual training requirements of subsection (D) for the calendar year in which the basic training session is completed.

(2) The Board of Directors of the South Carolina Coroners Association, in its discretion, may grant a waiver of the requirements of the annual in-service training upon presentation of evidence by a coroner that he was unable to complete the training due to an emergency or extenuating circumstances.

(3) A coroner who fails to complete the minimum annual in-service training required by this section may be suspended from office, without pay, by the Governor for ninety days. The Governor may continue to suspend a coroner until the coroner completes the annual minimum in-service training required in this section. The Governor shall appoint, at the time of the coroner's suspension, a qualified person to perform as acting coroner during the suspension.

(F) A coroner in office on the effective date of this section is exempt from the provisions of this section except for the provisions of subsection (D).

(G)(1) The Director of the South Carolina Criminal Justice Academy shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as 'recognized' pursuant to the requirements of this section. Also, the committee shall assist in determining annual training requirements as set forth in this section. The committee must

consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee shall serve without compensation.

(2) The Coroners Training Advisory Committee shall govern the qualifications of all coroners, deputy coroners, and candidates for coroner as set forth in this section. Also, the committee must certify all coroners. The committee may require a coroner or a deputy coroner to appear before it for performance review. Failure to appear before the committee or failure to follow state law relating to the performance of official duties may result in sanctioning in the form of a private or public reprimand. Also, the committee may recommend suspension to the Governor and loss of funding to the county council. A person may appeal an action of the committee pursuant to the provisions of Chapter 23, Title 1. The committee may hire an administrative assistant if it is determined necessary.

(H) Expenses of all training authorized or required by this section must be paid by the county the coroner or deputy coroner serves, and the South Carolina Law Enforcement Training Council is authorized to set and collect fees for this training."

SECTION 5. Section 23-11-110(A) and (B) of the 1976 Code is amended to read:

"(A) All sheriffs <u>and candidates for sheriff</u> in this State must have the following qualifications:

(1) be a citizen of the United States;

(2) be a resident of the county in which he seeks the office of sheriff for at least one year immediately preceding the date of the election for sheriff;

(3) be a registered voter;

(4) have attained the age of at least twenty-one years prior to the date of his qualifying for election to the office;

(5) have:

(a) obtained a high school diploma, its recognized equivalent in educational training as established by the State Department of Education, and have at least five years experience as a <u>Class 1</u> certified law enforcement officer; or

(b) obtained a two-year associate degree and three years experience as a <u>Class 1</u> certified law enforcement officer; or

(c) obtained a four-year baccalaureate degree and one year~~s~~ experience as a <u>Class 1</u> certified law enforcement officer; or

(d) served as a summary court judge for at least ten years.

For purposes of this section, a 'Class 1 certified law enforcement officer' is a person who has been issued a certificate as a Class 1 law enforcement officer ~~pursuant to Section 23-23-10~~ by the South Carolina Law Enforcement Training Council. A sheriff holding office on the effective date of this section is not required to have obtained the necessary experience as a certified law enforcement officer in this State;

(6) have not been convicted of, ~~or~~ pled guilty to, or been pardoned for a violation of Section 56-1-460 or 56-5-2930, or both, within the past ten years or a felony in this State or another state; ~~and~~

(7) have not been convicted of, pled guilty to, or been pardoned for a felony or a crime of moral turpitude in this State or another state;

(8) be fingerprinted and have the State Law Enforcement Division make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than one hundred thirty days prior to the general election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the records search with the county election commission in the county of his residence; and

(9) be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. A sheriff holding office on the effective date of this section is exempt from the provisions in this subsection.

(B)(1) A person offering his candidacy for the office of sheriff, shall file a fully completed sworn affidavit, on a form designed and provided by the South Carolina Election Commission, no later than the close of filing, with the county executive committee of the person's political party. The county executive committee of any political party with whom a person has filed his affidavit must file a copy of the fully completed sworn affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on Saturday, Sunday, or a holiday, the affidavits must be filed by noon the following day. A person seeking nomination by petition must file a fully completed sworn affidavit with the county election commission in the county of his residence.

(2) The affidavit must contain a statement that the person meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications for the office of sheriff and the following information:

(a) the date and place of the person's birth;

(b) the date the person graduated from high school or the date the person obtained the recognized equivalent of a high school diploma;

(c) the date the person received any associate or baccalaureate degrees when applicable;

(d) the number of years' experience the person has had as a certified law enforcement officer when applicable;

(e) the number of years the person has served as a summary court judge when applicable; and

(f) an affirmation that the person meets all of the qualification requirements of subsection (A).

(3)(a) Pursuant to Sections 7-13-40 and 7-13-350, a candidate for sheriff may be certified by a political party to the appropriate election commission if the candidate has submitted a fully completed sworn affidavit as required by this subsection.

(b) Pursuant to Section 7-13-351, a petition candidate for sheriff may be certified by the authority to whom the petition is submitted if the candidate has submitted a fully completed sworn affidavit as required by this subsection."

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was withdrawn.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*

McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, READ THE THIRD TIME

S. 276 -- Senator Senn: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (276R001.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 8 through 22 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his bond, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R003.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 16 through 19.

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R004.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 20 through 22 and inserting:

/ (C) A person who violates subsection (A): /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R005.KMM.ASM), which was withdrawn:

Amend the bill, as and if amended, page 2, by striking lines 10 through 24 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his bond, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was withdrawn.

Senator MASSEY proposed the following amendment (276R007.KMM.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 10 through 24 and inserting:

/ (B) A person who is charged with violating subsection (A) may, as a condition of his initial bond hearing and any subsequent bond hearing, be ordered to undergo a mental health evaluation. If the mental health evaluation reveals that the person needs mental health treatment or counseling, then the court shall require him to undergo mental health treatment or counseling by a court-approved mental health professional, mental health facility, or facility operated by the State Department of Mental Health as an additional condition of his bond.

(C) A person who violates subsection (A): /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (276R006.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 22 through 36 and inserting:

/ (C) A person who violates subsection (A):

(1) if the violation does not result in damage to or the destruction of a building or other real or personal property or in the serious bodily injury or death of another person:

(a) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, imprisoned not more than one year, or both; and

(b) for a second or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars, imprisoned not more than two years, or both;

(2) if the violation results in damage to or the destruction of a building or other real or personal property, is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars, imprisoned not more than three years, or both; or

(3) if the violation results in the serious bodily injury or death of another person, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, imprisoned not more than five years, or both. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (276R002.KMM.SRM), which was withdrawn:

Amend the bill, as and if amended, page 2, line 37, by adding:

/ (E) Mental health evaluation, as provided in this section, shall not be a condition of bond for a person charged with a violation of subsection (A) if funding for mental health evaluations related to violations of this section is not specifically appropriated in the annual general appropriations act. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was withdrawn

Senators MASSEY and MARTIN proposed the following amendment (276R008.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, line 39, by adding an appropriately numbered new SECTION to read:

/ SECTION __. The Department of Mental Health shall study the scope of application and financial impact of this act and shall annually make a report to the General Assembly containing its findings by January 1 beginning in 2020. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator MASSEY explained the Bill.

Senator M.B. MATTHEWS proposed the following amendment (JUD0276.006), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 37-38 and inserting therein:

/ (D) Information related to a mental evaluation ordered pursuant to this section shall be strictly protected under the Health Insurance Portability and Accountability Act of 1996 and the results of the evaluation must only be released to relevant parties specified under a protective order signed by the chief administrative judge of general sessions court for the jurisdiction.

(E) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other criminal statute." /

Renumber sections to conform.

Amend title to conform.

Senator M.B. MATTHEWS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 10

AYES

Alexander	Bennett	Campsen
Cash	Climer	Cromer
Davis	Gambrell	Gregory
Grooms	Harpootlian	Hutto
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	McLeod	Peeler
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Young

Total--30

NAYS

Allen	Corbin	Fanning
Malloy	*Matthews, Margie*	Nicholson
Reese	Sabb	Verdin
Williams		

Total--10

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, READ THE THIRD TIME

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, 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, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO, YOUNG and RANKIN proposed the following amendment (JUD0342.007), which was adopted:

Amend the bill, as and if amended, page 9, after line 18 by inserting an appropriately numbered new SECTION to read:

/ SECTION . Section 61-2-145 of the 1976 Code is amended to read:

"Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. ~~Failure~~ The department must automatically suspend the permit or license for any person who fails to maintain this coverage ~~constitutes grounds for suspension or revocation of the permit or license~~.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement. Upon notification of the permit or license holder's lapse or termination of the liquor liability insurance policy or general liability insurance policy, the department must automatically suspend the permit or license theretofore issued.

(D) Notwithstanding any other provision of law, when the department has suspended the permit or license pursuant to subsection (A) or (C), the permittee or licensee may request an expedited contested case hearing with the Administrative Law Court to review the department's decision. The expedited hearing must be held within thirty days from the request, and the judge must issue an order no later than fifteen business days after the hearing is concluded.

~~(D)~~(E) For the purposes of this section, the term 'alcoholic beverages' means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION

IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0480.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-90. (A) Notwithstanding any other provision of law, an agency in this State authorized to conduct a state fingerprint-based background check conducted by SLED may also conduct a nationwide federal fingerprint-based background check conducted by the Federal Bureau of Investigation in a manner prescribed by SLED.

(B) SLED, upon request, may submit the fingerprints collected by agencies authorized to conduct state fingerprint-based background checks by SLED to the Federal Bureau of Investigation's Next Generation Identification (NGI) program.

(C) SLED and the Federal Bureau of Investigation may retain collected fingerprints. Retained fingerprints may be searched by future submissions to SLED and the NGI System, including latent fingerprint searches, and appropriate responses sent to SLED and authorized recipients.

(D) SLED may charge a reasonable fee for the collection and retention of the fingerprints."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE THIRD TIME

S. 281 -- Senators Talley, Campbell and Martin: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator TALLEY proposed the following amendment (281R009.SP.SFT), which was adopted:

Amend the bill, as and if amended, by striking Section 47-3-980(B) and inserting:

/ (B) A person who is adjudicated to be in violation of the provisions of subsection (A) must be fined:

(1) for a first offense, an amount not more than two hundred fifty dollars;

(2) for a second offense, an amount not more than five hundred dollars; and

(3) for a third or subsequent offense, an amount not more than one thousand dollars./

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning

Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

WEDNESDAY, APRIL 10, 2019

OBJECTION

S. 444 -- Senators Hembree, Davis, Shealy, Young, Climer, Gregory, Harpootlian, Bennett, Verdin, Campsen, M.B. Matthews and Turner: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION AND PUBLICATION OF THE DOCKET, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE DEVELOPMENT, DISSEMINATION, AND EXECUTION OF THE GENERAL SESSIONS COURT DOCKET PLAN; TO PROVIDE THAT THE ABILITY OF THE CIRCUIT SOLICITOR TO ADMINISTER THE DOCKET MAY NOT INTERFERE WITH A DEFENDANT'S RIGHT TO A SPEEDY TRIAL; TO ALLOW FOR THE CIRCUIT COURT TO RULE ON CASES AND CONTROVERSIES ARISING FROM THE ADMINISTRATION OF THE DOCKET; AND TO PRESERVE ALL CRIME VICTIMS' CONSTITUTIONAL RIGHTS.

Senator MALLOY objected to the consideration of the Bill.

READ THE SECOND TIME

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

The Senate proceeded to the consideration of the Bill.

Senator RICE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Loftis	Malloy

Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 15 -- Senators Rankin and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH THE 2020-2021 SCHOOL YEAR.

Senator MARTIN objected to the consideration of the Bill.

CARRIED OVER

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

On motion of Senator VERDIN, the Bill was carried over.

COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME

S. 293 -- Senators Cash, Corbin, Rice and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0293.002), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

"Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the premises of an elementary or secondary school if a church leases the school premises for church services or official church activities. The provisions contained in this section apply only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school, however, they do not apply during any time a curricular or extracurricular school sponsored activity is taking place on the property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has use and enjoyment of the property pursuant to this section."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The amendment was tabled.

Senator CASH proposed the following amendment (JUD0293.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

"Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within a school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school,

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has use and enjoyment of the property pursuant to this section."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was carried over.

POINT OF ORDER

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF

APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

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

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742 *VICE* George N. Martin III

On motion of Senator MARTIN, the question was confirmation of Mollie D. Taylor.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 0; Abstain 8

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McLeod
Nicholson	Peeler	Reese
Rice	Scott	Setzler
Shealy	Talley	Verdin
Williams		

Total--31

NAYS

Total--0

ABSTAIN

Allen	Davis	Malloy
McElveen	Sabb	Senn
Turner	Young	

Total--8

The appointment of Mollie D. Taylor was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large:

Ben W. Satcher, Jr., 358 Catawba Court, Lexington, SC 29072-9500 *VICE* Richard A. Jones, Jr.

On motion of Senator HEMBREE, the question was confirmation of Ben W. Satcher, Jr..

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Ben W. Satcher, Jr. was confirmed.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754 *VICE* Tim M. Hofferth

On motion of Senator HEMBREE, the question was confirmation of Robert Wesley Hayes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Robert Wesley Hayes was confirmed.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence June 30, 2018, and to expire June 30, 2020

Independent College:

Mark A. Smith, Columbia International University, 7435 Monticello Rd., Columbia, SC 29203-1599 *VICE* Evans P. Whitaker

On motion of Senator HEMBREE, the question was confirmation of Mark A. Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Mark A. Smith was confirmed.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large :

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409 *VICE* Kenneth W. Kinard

On motion of Senator HEMBREE, the question was confirmation of Charles E. Dalton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory

Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Charles E. Dalton was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2018, and to expire June 30, 2024
At-Large - General Public:
Amy L. McFadden, 164 Mohican Drive, Georgetown, SC 29440-5864
VICE James Bradford Thompson

On motion of Senator CAMPSEN, the question was confirmation of Amy L. McFadden.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey

Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Amy L. McFadden was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2018, and to expire June 30, 2022
1st Congressional District:
Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518 *VICE* William Lee McCullough

On motion of Senator ALEXANDER, the question was confirmation of Coleman Bates.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler

Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Coleman Bates was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023
7th Congressional District:
Alison Y. Evans, 612 West Home Ave., Hartsville, SC 29550

On motion of Senator VERDIN, the question was confirmation of Alison Y. Evans.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Alison Y. Evans was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Alex Albert Singleton, 1903 Clubhouse Road, Ravenel, SC 29470-9601 *VICE* David W. Gillespie

On motion of Senator VERDIN, the question was confirmation of Alex Albert Singleton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 4

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Gregory	Grooms	Harpootlian
Hembree	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Total--0

ABSTAIN

Campsen Davis Senn
Setzler

Total--4

The appointment of Alex Albert Singleton was confirmed.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 11, 2019
(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:

Isaiah 41:10

"So do not fear, for I am with you; do not be dismayed, for I am Your God. I will strengthen you and help you; I will uphold you with my right hand."

Let us pray. Gracious and loving God, we commit this day to You. We know that we can put our complete trust in You and the promises of Your Word in Scripture. Promises that You will never leave or forsake us, and that You will always uphold us with Your right hand. Promises that You will supply us with the strength for every challenge, the wisdom for every decision and the patience and hope we need in times of uncertain health. Promises that You love us and forgive us and that You will show us the way, Lord, to reach beyond our selfish needs and make a better day for someone else. Through the God of all mercies 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 ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gregory	Grooms	Harpootlian
Johnson	Leatherman	Martin
Massey	Peeler	Rice

Senn	Shealy	Sheheen
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator CROMER, at 11:10 A.M., Senator CAMPBELL was granted a leave of absence for the day.

Leave of Absence

On motion of Senator MARTIN, at 11:10 A.M., Senator GOLDFINCH was granted a leave of absence for the day.

Leave of Absence

On motion of Senator McELVEEN, at 11:42 A.M., Senator KIMPSON was granted a leave of absence for the day.

RECALLED AND REFERRED

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Kenneth D. McKellar, 108 Haywain Dr., Chapin, SC 29036-9713 *VICE* Kimberly H. Frederick

On motion of Senator MARTIN, the appointment was recalled from the Committee on Corrections and Penology and referred to the Committee on Judiciary.

RECALLED

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator MASSEY 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. 4236 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF COIT STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH SUMTER STREET TO ITS INTERSECTION WITH DARLINGTON STREET "REVEREND DR. WILLIAM EDWARD CHANEY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate adjourns, it stand adjourned to meet Tuesday, April 16 under the provisions of Rule 1B.

Motion Adopted

On motion of Senator MASSEY, under the provisions of Rule 1A, the Senate will convene on Wednesday, April 17 at 10:00 A.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4106 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH HOPEWELL ROAD TO ITS INTERSECTION WITH ZEIGLER STREET "VIRGIN JOHNSON, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4109 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF TILLMAN AVENUE IN THE TOWN OF VARNVILLE FROM ITS INTERSECTION WITH WEST PINE STREET TO ITS INTERSECTION WITH HAMPTON ROAD "H. J. BROOKS AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4145 -- Reps. Hewitt, Davis, Sottile and Kirby: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES FORESTRY SERVICE AND URGE THEM TO TAKE STEPS TO PROTECT WILD TURKEY NESTS IN SOUTH CAROLINA PRIOR TO CONDUCTING A CONTROLLED BURN IN SOUTH CAROLINA FORESTS.

The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 4326 -- Reps. Lucas and R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD "JAMES 'JIMMY' MCKELVEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 394 -- Senators Talley and Climer: A BILL TO AMEND CHAPTER 17, TITLE 39 OF THE 1976 CODE, RELATING TO CONTAINERS AND GRADES, BY ADDING ARTICLE 7, TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR IMPOSITION OF ANY PROHIBITION, RESTRICTION, FEE IMPOSITION, OR TAXATION OF AUXILIARY CONTAINERS MUST BE DONE BY THE GENERAL

ASSEMBLY, TO PROVIDE FOR EXCEPTIONS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 506 -- Senator Jackson: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 31 OF THE 1976 CODE, RELATING TO CITY HOUSING AUTHORITIES, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A COUNTY LEGISLATIVE DELEGATION MAY DECLARE A STATE OF EMERGENCY, TO PROVIDE THAT A STATE OF EMERGENCY RESULTS IN THE SUSPENSION OF HOUSING AUTHORITY COMMISSIONERS, TO PROVIDE FOR A REVIEW OF THE SUSPENSION BY THE MAYOR OF THE MUNICIPALITY IN WHICH THE HOUSING AUTHORITY EXISTS, TO PROVIDE FOR THE PERMANENT REMOVAL FROM OFFICE OF THE COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR NEW COMMISSIONERS WHEN NECESSARY.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 623 favorable:

S. 623 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 25 THROUGH MARCH 3, 2019, AS "EATING DISORDERS AWARENESS WEEK" IN THE STATE OF SOUTH CAROLINA, TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK, AND TO RECOGNIZE FRIDAY, MARCH 1, 2019, AS "EATING DISORDERS AWARENESS DAY" IN SOUTH CAROLINA.

Poll of the Medical Affairs Committee
Polled 16; Ayes 15; Nays 0

AYES

Verdin	Peeler	Jackson
Martin	Nicholson	Scott
Alexander	Davis	Johnson

Campbell	Corbin	*Margie Matthews*
Gambrell	Senn	Cash

Total--15

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 654 favorable:

S. 654 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER AS "HUNGER ACTION MONTH" IN SOUTH CAROLINA.

Poll of the Medical Affairs Committee
Polled 16; Ayes 15; Nays 0

AYES

Verdin	Peeler	Jackson
Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	*Margie Matthews*
Gambrell	Senn	Cash

Total--15

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 4291 favorable:

H. 4291 -- Reps. Martin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell,

Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE THAT MAMMOGRAPHY PROVIDES IN THE EARLY DETECTION OF BREAST CANCER AND TO DECLARE MONDAY, OCTOBER 7, 2019, "MAMMOGRAM AWARENESS DAY" IN SOUTH CAROLINA.

Poll of the Medical Affairs Committee
Polled 16; Ayes 15; Nays 0

AYES

Verdin	Peeler	Jackson
Martin	Nicholson	Scott
Alexander	Davis	Johnson
Campbell	Corbin	*Margie Matthews*
Gambrell	Senn	Cash

Total--15

NAYS

Total--0

Ordered for consideration tomorrow.

THURSDAY, APRIL 11, 2019

Appointments Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2018, and to expire June 30, 2022

Master Haircare Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118-8300

Received as information.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2017, and to expire June 30, 2021

General Public:

Frederick M. G. Evans, 214 Alderston Way, Columbia, SC 29229

Received as information.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2019, and to expire March 30, 2023

Barber:

Christopher L. Javis, 128 Southlake Court, Columbia, SC 29223-5925 *VICE* Patricia Durkin

Received as information.

HOUSE CONCURRENCE

S. 750 -- Senator Rankin: A CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE THE PENGUINEERS, THE TEAM THAT SERVED AS CAPTAIN OF THE WINNING ALLIANCE AT THE SOUTH CAROLINA *FIRST* TECH CHALLENGE STATE CHAMPIONSHIP FOR THE 2018/19 *FIRST* ROBOTICS SEASON AND ADVANCED TO THE *FIRST* CHAMPIONSHIP IN HOUSTON, TEXAS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THURSDAY, APRIL 11, 2019

SECOND READING BILL

H. 3819 -- Reps. Gagnon and West: A BILL TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator NICHOLSON.

H. 3819--Ordered to a Third Reading

On motion of Senator NICHOLSON, with unanimous consent, H. 3819 was ordered to receive a third reading on Friday, April 12, 2019.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator MASSEY, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 293 -- Senators Cash, Corbin, Rice and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-31-232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY

A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

OBJECTION

S. 15 -- Senators Rankin and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH THE 2020-2021 SCHOOL YEAR.

Senator MARTIN objected to the consideration of the Bill.

CARRIED OVER

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Senator HEMBREE explained the Bill.

On motion of Senator CAMPSEN, the Bill was carried over.

CARRIED OVER

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED

ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

Senator HEMBREE explained the Bill.

On motion of Senator CAMPSEN, the Bill was carried over.

CARRIED OVER

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

Senator HEMBREE explained the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was carried over.

OBJECTION

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN

FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Senator TALLEY objected to the consideration of the Bill.

READ THE SECOND TIME

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

The Senate proceeded to the consideration of the Bill.

Senator RICE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rice	Sabb	Scott

Senn	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO

LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING

CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

Senator CLIMER objected to the consideration of the Bill.

OBJECTION

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Senator LEATHERMAN objected to the consideration of the Resolution.

ADOPTED

H. 3016 -- Reps. Govan, Jefferson, S. Williams and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOFF AVENUE IN THE CITY OF ORANGEBURG FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 "DR. H.N. TISDALE AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4235 -- Rep. Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 1 APPROXIMATELY FOUR MILES OUTSIDE THE TOWN OF MCBEE "SERGEANT DARRYL QUICK MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

THURSDAY, APRIL 11, 2019

MOTION ADOPTED

At 11:44 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211
March 21, 2019

The Honorable Harvey S. Peeler, Jr.
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-15, S. 504, which seeks to abolish the Allendale County Aeronautics and Development Commission ("Commission") and to reconstitute the Commission as the "Allendale County Aeronautics Commission."

Like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. Article VIII, Section 7 of the South Carolina Constitution expressly prohibits the General Assembly from enacting legislation that applies to only a single county. S.C. Const. art VIII, § 7; *see also* S.C. Const. art. III, § 34(IX) (prohibiting local or special laws "where a general law can be made applicable"); S.C. Const. art. VIII, § 10 ("No laws for a specific municipality shall be enacted . . . ."). Yet, S. 504 plainly pertains to only Allendale County and does not satisfy any recognized exception to the constitutional prohibition on local legislation. *See* 1983 WL 181822, at *1 (S.C.A.G. Mar. 31, 1983) ("An act amending prior special legislation regarding a county aeronautics commission would violate the provisions of Article VIII, Section 7 of the South Carolina Constitution."). As noted by Governor Sanford in vetoing the Commission's 2008 enabling legislation, the South Carolina Supreme Court has declared similar acts unconstitutional. Therefore, because S. 504 does not cure the

Commission's original constitutional defect, I am compelled to veto the Bill. Once again, I encourage the General Assembly to begin addressing such matters by passing laws of uniform, statewide application, rather than by repeatedly resorting to piecemeal and inconsistent local legislation.

For the foregoing reasons, I am respectfully vetoing R-15, S. 504 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R15, S504) -- Senators Hutto and M.B. Matthews: AN ACT TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

The veto of the Governor was taken up for immediate consideration.

Senator HUTTO moved that the veto of the Governor be overridden.

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 36; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Martin	Massey
Matthews, John	McElveen	McLeod
Peeler	Reese	Rice
Sabb	Scott	Senn

Shealy	Sheheen	Talley
Turner	Williams	Young

Total--36

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.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman

Loftis	Martin	Massey
Matthews, John	McElveen	McLeod
Peeler	Reese	Rice
Sabb	Scott	Senn
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--36

NAYS

Total--0

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4000, THE GENERAL APPROPRIATIONS BILL.

CARRIED OVER

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator LEATHERMAN spoke on the Bill.

On motion of Senator LEATHERMAN, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Roderick Ian Macpherson of Charleston, S.C. Dr. Macpherson was the father-in-law of our beloved Senator Brad Hutto. Rod graduated from the University of Manitoba Faculty of Medicine, worked as the Chief of Radiology at The Children's Hospital of Winnipeg, was the head of Pediatric Radiology at The University of Texas and later joined the faculty at The Medical University of South Carolina. He was passionate about teaching and sharing knowledge. Rod enjoyed playing and coaching sports, skating and running. Rod was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RICE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William A. Robinson, Jr. of Easley, S.C. William graduated from Clemson University and later from the University of South Carolina Law School. He was an airplane mechanic and ground crew chief for the U.S. Army Air Corps. William served as a trustee for Pickens County School District, Easley Rotary Club, S.C. Chamber of Commerce, and the Poinsett Club to mention a few. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:57 A.M., on motion of Senator MASSEY, 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.

* * *

Friday, April 12, 2019
(Local 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 ACTING PRESIDENT, Senator CROMER.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3819 -- Reps. Gagnon and West: A BILL TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator McLEOD, the Senate adjourned to meet next Tuesday, April 16, 2019, at 11:00 A.M., under the provisions of Rule 1B.

* * *

Tuesday, April 16, 2019
(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 ACTING PRESIDENT, Senator McLEOD. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATION WITHDRAWN

The following was received:
Document No. 4874
Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Licensing Provisions
Received by Lieutenant Governor March 26, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration: Permanently Withdrawn

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:
Document No. 4811
Agency: Department of Consumer Affairs
Chapter: 28
Statutory Authority: 1976 Code Sections 37-2-410, 37-2-710, 37-3-403, 37-6-104, 37-6-402, 37-6-403, and 37-6-506
SUBJECT: Employee's Revocable Authorization of a Deduction of Earnings
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Banking and Insurance
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 11, 2019

TUESDAY, APRIL 16, 2019

Document No. 4850
Agency: Department of Labor, Licensing and Regulation - Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 11, 2019

Document No. 4855
Agency: Department of Labor, Licensing and Regulation - Board of Examiners in Optometry
Chapter: 95
Statutory Authority: 1976 Code Sections 40-1-70 and 40-37-40(A)(7)
SUBJECT: Licensure Requirements; Continuing Education; and Licensure By Endorsement
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 11, 2019

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 110 Sen. Young
S. 112 Sen. Hembree

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 763 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE LINDA GRIFFITH UPON THE OCCASION OF HER RETIREMENT AS ADMINISTRATIVE ASSISTANT FOR THE LEXINGTON COUNTY LEGISLATIVE DELEGATION, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED

SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

ADJOURNMENT

At 11:05 A.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow, April 17, 2019, at 10:00 A.M.

* * *

Wednesday, April 17, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 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:

1 Corinthians 10:31

"Whatever you do, do it all for the glory of God."

Let us pray. Today we pause and remember the life of former U.S. Senator Fritz Hollings who served this State first as Governor and later as our U.S. Senator for 38 years. Remembered as a statesman and a fiscal conservative, his fingerprints are on practically every aspect of life in South Carolina.

From the port in Charleston, to programs for hunger, to environmental legislation, he worked tirelessly for bipartisan support of major legislation. We mourn his passing and celebrate his long and productive life.

Gracious God, as we seek to carry on the work of this Senate, may we remember that the accolades of this world are only temporary but Your word is eternal. May the work we do this week and the budget that is passed be a reflection of Your Spirit working in and through each Senator serving in this Chamber. May the words spoken and the actions taken be a testament to Your grace and Your glory, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, Director of Employment and Workforce, with term coterminous with Governor

George Daniel Ellzey, 4028 Claremont Drive, Columbia, SC 29205

Referred to the Committee on Labor, Commerce and Industry.

WEDNESDAY, APRIL 17, 2019

Local Appointments

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ethel Brewer, 4201 Donavan Drive, Columbia, SC 29210-4305

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Roger Myers, 430 Old Bluff Road, Hopkins, SC 29061-9112

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Phillip F. Newsom, 211 Polo Hill Road, Columbia, SC 29223-2839

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Dierdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229-9551 *VICE* Patrick Barber

Doctor of the Day

Senator MARTIN introduced Dr. Charles Morrow of Spartanburg S.C., Doctor of the Day.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:
Document No. 4829
Agency: South Carolina Human Affairs Commission
Chapter: 65
Statutory Authority: 1976 Code Section 1-13-70
SUBJECT: Guidelines Established
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Judiciary
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 16, 2019

Document No. 4847
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Building Code
Received by Lieutenant Governor January 8, 2019

Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 16, 2019

Document No. 4849
Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board
Chapter: 29
Statutory Authority: 1976 Code Section 40-11-60
SUBJECT: Surety Bond Claims
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 16, 2019

Document No. 4865
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fire Code
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 16, 2019

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 764 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS BOYS CROSS COUNTRY TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2017 CLASS A STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 765 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 CLASS A STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 766 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS BOYS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 CLASS A STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 767 -- Senator Shealy: A CONCURRENT RESOLUTION TO WELCOME THE MARCH OF DIMES TO THE STATE HOUSE AND RECOGNIZE WEDNESDAY, MAY 1, 2019, AS "SOUTH CAROLINA HEALTHY MOTHER'S DAY."
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 768 -- Senator M. B. Matthews: A SENATE RESOLUTION TO CONGRATULATE CAROLINE "MATTIE LOU" SMITH ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 769 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE PHILIP AND LESLEY KELLEY ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILMENT.
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The Senate Resolution was adopted.

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G. R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3403 -- Reps. Collins, Allison, Felder, Govan, Taylor, Bradley, West, Erickson, Stringer, Young and Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, AND PROVIDE RELATED REQUIREMENTS FOR COMPETENCY-BASED SCHOOLS, THE STATE DEPARTMENT OF EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION.

Read the first time and referred to the Committee on Education.

H. 4075 -- Reps. Johnson, Tallon, Hixon, Pope, Hardee, Hyde, Hewitt and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 1-7-730 RELATING TO THE EXAMINATION OF THE OFFICES OF COUNTY OFFICERS.

Read the first time and referred to the Committee on Judiciary.

H. 4357 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4868, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4358 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4867, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4359 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4866, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4360 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4361 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824,

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4362 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO DENIAL OF CERTIFICATION FOR MISCONDUCT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4813, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Judiciary.

H. 4363 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO WITHDRAWAL OF CERTIFICATION OF LAW ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4812, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Judiciary.

H. 4364 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4860, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4841, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4366 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4367 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4368 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Education.

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Transportation.

H. 4370 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING CRISIS STABILIZATION UNIT FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4809, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Medical Affairs.

H. 4413 -- Reps. G. M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Read the first time and referred to the Committee on Finance.

H. 4439 -- Reps. Clemmons, Bryant, Hosey, R. Williams, Blackwell, Clary and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-250 SO AS TO DESIGNATE THE SIXTEENTH DAY OF JULY OF EACH YEAR AS "ATOMIC VETERANS DAY" IN SOUTH CAROLINA.

Read the first time and referred to the Committee on Family and Veterans' Services.

Message from the House

Columbia, S.C., April 11, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE

WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.
and has ordered the Joint Resolution enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4000, THE GENERAL APPROPRIATIONS BILL.

H. 4000 -- GENERAL APPROPRIATIONS BILL

REPORT OF THE SENATE FINANCE COMMITTEE ADOPTED AMENDED, READ THE SECOND TIME DEBATE INTERRUPTED

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator LEATHERMAN spoke on the report.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Motion Adopted
Report of the Committee on Finance Adopted

Senator LEATHERMAN asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all

members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

The report of the Committee on Finance was adopted.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that the staff of the Senate Finance Committee be allowed to prepare the necessary technical correcting and balancing amendment to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4000.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Budget and Control Board were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4000, the General Appropriations Bill.

There was no objection and the motion was adopted.

Senator LEATHERMAN spoke on the report.

Report of the Subcommittee on Higher Education

Senator PEELER, Chairman of the Subcommittee on Higher Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on K-12 Education

Senator SHEHEEN, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Health and Human Services

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

WEDNESDAY, APRIL 17, 2019

PRESIDENT PRESIDES

At 10:42 A.M., the PRESIDENT assumed the Chair.

Report of the Subcommittee on Natural Resources and Economic Development

Senator SETZLER, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Judicial and Criminal Justice

Senator MARTIN, Chairman of the Subcommittee on Judicial and Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Constitutional Officers and Administrative Laws

Senator CROMER, on behalf of the Chairman of the Subcommittee on Constitutional and Administrative Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Transportation and Regulatory Laws

Senator J. MATTHEWS, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator JACKSON, the Privilege of the Chamber, to that area behind the rail, was extended to Daniel Finney and his family in recognition of Daniel earning the James H. Parke Memorial Scholarship and to wish him success in all future endeavors.

RECESS

At 11:45 A.M., on motion of Senator LEATHERMAN, the Senate receded from business until 12:45 P.M.

At 12:45 P.M., the Senate resumed.

WEDNESDAY, APRIL 17, 2019

Point of Quorum

At 12:45 P.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Objection

Senator MASSEY asked unanimous consent to proceed to the Motion Period in order to set S. 678 for Special Order and at the conclusion of the motion period, return to the General Appropriations Bill.

Senator MALLOY objected.

ACTING PRESIDENT PRESIDES

Senator DAVIS assumed the Chair.

Motion Adopted

On motion of the PRESIDENT, having consulted with the Majority Leader and the Minority Leader as required by Rule 33, the Senate proceeded to the Motion Period for the sole purpose of a Special Order motion on S. 678, and upon conclusion of that vote, returned to the debate on H. 4000, the General Appropriations Bill.

Point of Order

Senator MALLOY raised a Point of Order that the motion was out of order in that the motion did not come between orders of business.

The ACTING PRESIDENT overruled the Point of Order.

The question then was the adoption of the motion.

The motion was adopted.

Recorded Vote

Senator SHEHEEN desired to be recorded as voting to abstain on the motion.

Senator GROOMS desired to be recorded as voting "No" on the motion.

PRESIDENT PRESIDES

At 12:52 P.M., the PRESIDENT assumed the Chair.

WEDNESDAY, APRIL 17, 2019

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

Senator MASSEY moved that the Resolution be set for Special Order.

Senator MALLOY spoke on the motion.

The question then was the motion to set the Resolution for Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 5; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	Nicholson	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Grooms	Malloy	*Matthews, Margie*
McElveen	McLeod	

Total--5

ABSTAIN

Sheheen

Total--1

The Resolution was set for Special Order.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator SHEHEEN, the Privilege of the Chamber, to that area behind the rail, was extended to Miss Eliana Pinckney, daughter of former Senator Clemente Pinckney, to recognize her accomplishments and to wish her well in all future endeavors.

H. 4000 -- GENERAL APPROPRIATIONS BILL

Senator MASSEY asked unanimous consent to proceed to Amendment No. 36.

Senator MALLOY objected.

Amendment No. 34

Senator SETZLER proposed the following amendment (ETK $65K WLG), which was adopted(#1):

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 11, line 17, opposite SCHOOL SAFETY PROGRAM, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	2,000,000	2,000,000
and		
INSERTING:	1,935,000	1,935,000/

Amend the bill further, as and if amended, Part IA, Section 5, WIL LOU GRAY OPPORTUNITY SCHOOL, page 16, line 17, opposite OTHER OPERATING EXPENSES, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,904,233	1,057,912
and		
INSERTING:	1,969,233	1,122,912/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

Amendment No. 25

Senator HEMBREE proposed the following amendment (BH HEMBREE TUITION MITIGATION HEPI), which was carried over:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 30, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	15,393,350	3,512,383
and		
INSERTING:	15,435,291	3,554,324/

Amend the bill further, as and if amended, Part IA, Section 14, CLEMSON UNIVERSITY (EDUCATION & GENERAL), page 33, line 13, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	179,587,449	63,382,701
and		
INSERTING:	179,901,017	63,696,269/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 35, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	56,565,100	15,644,979
and		
INSERTING:	56,710,975	15,790,854/

Amend the bill further, as and if amended, Part IA, Section 16, COASTAL CAROLINA UNIVERSITY, page 36, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	47,913,201	9,034,629
and		

INSERTING:	48,030,874	9,152,302/

Amend the bill further, as and if amended, Part IA, Section 17, FRANCIS MARION UNIVERSITY, page 38, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,323,402	8,598,751
and		
INSERTING:	20,403,705	8,679,054/

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 40, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,976,827	4,209,922
and		
INSERTING:	11,042,666	4,275,761/

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 42, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,017,772	7,665,464
and		
INSERTING:	13,068,227	7,715,919/

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 44, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	178,773,974	77,480,187
and		
INSERTING:	177,494,208	76,200,421/

Amend the bill further, as and if amended, Part IA, Section 20B, USC - AIKEN CAMPUS, page 48, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,782,577	7,507,577
and		
INSERTING:	13,851,850	7,576,850/

Amend the bill further, as and if amended, Part IA, Section 20C, USC - UPSTATE, page 50, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,277,607	10,977,607
and		
INSERTING:	20,414,654	11,114,654/

Amend the bill further, as and if amended, Part IA, Section 20D, USC - BEAUFORT CAMPUS, page 52, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,645,001	4,877,972

and

INSERTING:	10,687,813	4,920,784/

Amend the bill further, as and if amended, Part IA, Section 20E, USC - LANCASTER CAMPUS, page 54, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	4,152,455	2,806,930

and

INSERTING:	4,188,108	2,842,583/

Amend the bill further, as and if amended, Part IA, Section 20F, USC - SALKEHATCHIE CAMPUS, page 55, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,788,296	1,788,296

and

INSERTING:	1,809,412	1,809,412/

Amend the bill further, as and if amended, Part IA, Section 20G, USC - SUMTER CAMPUS, page 57, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	2,850,237	2,604,375

and

INSERTING:	2,875,150	2,629,288/

Amend the bill further, as and if amended, Part IA, Section 20H, USC - UNION CAMPUS, page 59, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,634,368	1,484,368

and

INSERTING:	1,660,249	1,510,249/

Amend the bill further, as and if amended, Part IA, Section 21, WINTHROP UNIVERSITY, page 61, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	29,803,424	9,661,924

and

INSERTING:	29,910,841	9,769,341/

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 155, by striking lines 15 - 33 and inserting:

/ *(GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate students:*

(1) The Citadel	*$ 806,593;*
(2) Clemson University	*$ 6,030,374;*

(3) University of Charleston	*$ 2,805,398;*
(4) Coastal Carolina University	*$ 2,263,018;*
(5) Francis Marion University	*$ 1,544,341;*
(6) Lander University	*$ 1,266,174;*
(7) South Carolina State University	*$ 970,330;*
(8) University of South Carolina-Columbia	*$ 7,033,730;*
(9) University of South Carolina-Aiken	*$ 1,332,227;*
(10) University of South Carolina-Upstate	*$ 2,635,614;*
(11) University of South Carolina-Beaufort	*$ 823,339;*
(12) University of South Carolina-Lancaster	*$ 685,650;*
(13) University of South Carolina-Salkehatchie	*$ 406,087;*
(14) University of South Carolina-Sumter	*$ 479,118;*
(15) University of South Carolina-Union	*$ 497,724; and*
(16) Winthrop University	*$ 2,065,789. /*

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, after line 36 by inserting:

/ For FY 2019-20, MUSC is appropriated $4,523,265 in Part 1A to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate and graduate students. In order to retain this appropriation, MUSC must certify to the Commission on Higher Education by August 1, 2019, that, its tuition and mandatory fees for all in-state, full-time undergraduate and graduate students did not exceed the rate of inflation for the 2018 Higher Education Price Index./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator SETZLER, the amendment was carried over.

Amendment No. 4

Senators HUTTO and SCOTT proposed the following amendment (4000 DTC FUNDING.DOCX), which was carried over:

Amend the bill, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 69, by inserting after line 19,

	COLUMN 7	COLUMN 8
/Denmark Technical College	2,000,000	2,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, line 32, by inserting:

/H590 State Board for Technical and Comprehensive Education - Denmark Technical College $...2,000,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, the amendment was carried over.

Senator MASSEY asked unanimous consent to proceed to Amendment No. 36.

Amendment No. 36

Senators GROOMS, HUTTO, WILLIAMS, MATTHEWS, RANKIN, MASSEY, GOLDFINCH, SABB, CAMPSEN and McELVEEN proposed the following amendment (4000R041.SP.LKG.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 520, by deleting Proviso 117.141 in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 2

Senator GOLDFINCH proposed the following amendment (KW DNR SAM WORTH FTE'S WITH $), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 47, DEPT. OF NATURAL RESOURCES, page 140, by inserting after line 5,

	COLUMN 7	COLUMN 8
/New Positions: Natural Resource Technician II		
	59,000	59,000
	(2.00)	(2.00)/

Amend the bill further, as and if amended, Part IA, Section 47, DEPT. OF NATURAL RESOURCES, page 140, by inserting after line 5,

	COLUMN 7	COLUMN 8
/New Position: Trade Specialist V	32,838	32,838
	(1.00)	(1.00)/

Amend the bill further, as and if amended, Part IA, Section 47, DEPT. OF NATURAL RESOURCES, page 144, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	18,686,597	8,055,571
and		
INSERTING:	18,725,169	8,094,143/

Amend the bill further, as and if amended, Part IB, Section 47, DEPARTMENT OF NATURAL RESOURCES, page 396, after line 22, by adding an appropriately numbered new proviso to read:

/(DNR: Samworth Wildlife Management Area) The Department of Natural Resources is directed to dedicate two new Natural Resource Technicians II and one Trade Specialist V, to the Samworth Wildlife Management Area to serve as two Wildlife Technicians and one Trackhoe Operator. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

On motion of Senator GOLDFINCH, the amendment was withdrawn.

On motion of Senator GOLDFINCH, Amendment No. 1 was withdrawn.

Amendment No. 21

Senator J. MATTHEWS proposed the following amendment (EC SIB AUTHORIZATION), which was carried over:

Amend the bill, as and if amended, Part IA, Section 85, INFRASTRUCTURE BANK BOARD, page 216, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	282,100,000	
and		
INSERTING:	130,090,000	/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator J. MATTHEWS explained the amendment.

On motion of Senator LEATHERMAN, the amendment was carried over.

Amendment No. 40

Senator SETZLER proposed the following amendment (ETK PEDIATRIC BURN UNIT), which was adopted(#2):

Amend the bill, as and if amended, Part IA, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA, page 64, lines 29-30, by striking /HOSPITAL AUTHORITY - BURN UNIT/ and inserting /HOSPITAL AUTHORITY - PEDIATRIC BURN UNIT/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 12

Senators HEMBREE, MASSEY, BENNETT, TURNER, RICE, CASH and YOUNG proposed the following amendment (DAD 1.3 FIVE PERCENT), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 272, proviso 1.3 (State Aid to Classrooms), line 20, by striking /*65.59*/ and inserting /*65.33*/.

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 272, proviso 1.3, line 21, by striking /*5.68*/ and inserting /*5.95*/.

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 272, proviso 1.3, line 23, by striking /*$35,000*/ and inserting /*$33,600*/.

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 273, proviso 1.3, lines 1-34 and page 274, lines 1-18, by striking the lines in their entirety and inserting:

/

YRS EXP	*CLASS 8 DR DEGREE*	*CLASS 7 MASTERS DEGREE +30 HRS*	*CLASS 1 MASTERS DEGREE*	*CLASS 2 BACHELORS DEGREE +18 HRS*	*CLASS 3 BACHELORS DEGREE*
0	*45,507*	*41,833*	*38,473*	*35,113*	*33,600*

	5.0%	5.4%	5.0%	5.0%	
5.0%					
1	45,559	41,941	38,651	35,264	33,618
	5.1%	5.7%	5.5%	5.4%	5.1%
2	45,815	41,957	38,742	35,366	33,759
	5.7%	5.7%	5.7%	5.7%	5.5%
3	46,784	42,633	39,440	35,991	34,394
	5.0%	5.0%	5.0%	5.0%	5.0%
4	48,062	43,591	40,397	36,884	35,288
	5.0%	5.0%	5.0%	5.0%	5.0%
5	49,340	44,549	41,355	37,748	36,150
	5.0%	5.0%	5.0%	5.0%	5.0%
6	50,616	45,507	42,314	38,641	37,044
	5.0%	5.0%	5.0%	5.0%	5.0%
7	51,894	46,465	43,272	39,503	37,907
	5.0%	5.0%	5.0%	5.0%	5.0%
8	53,17	47,423	44,229	40,397	38,801
	5.0%	5.0%	5.0%	5.0%	5.0%
9	54,449	48,382	45,188	41,260	39,663
	5.0%	5.0%	5.0%	5.0%	5.0%
10	55,727	49,340	46,146	42,154	40,557
	5.0%	5.0%	5.0%	5.0%	5.0%
11	57,003	50,297	47,104	43,016	41,419
	5.0%	5.0%	5.0%	5.0%	5.0%
12	58,281	51,256	48,062	43,910	42,314
	5.0%	5.0%	5.0%	5.0%	5.0%
13	59,558	52,213	49,020	44,772	43,176
	5.0%	5.0%	5.0%	5.0%	5.0%
14	60,836	53,171	49,978	45,668	44,070
	5.0%	5.0%	5.0%	5.0%	5.0%
15	62,114	54,130	50,936	46,530	44,932
	5.0%	5.0%	5.0%	5.0%	5.0%
16	63,391	55,088	51,894	47,42	45,827
	5.0%	5.0%	5.0%	5.0%	5.0%
17	64,668	56,045	52,852	48,285	46,689
	5.0%	5.0%	5.0%	5.0%	5.0%
18	65,315	56,606	53,381	48,769	47,156
	5.0%	5.0%	5.0%	5.0%	5.0%
19	65,967	57,173	53,914	49,256	47,627
	5.0%	5.0%	5.0%	5.0%	5.0%
20	66,628	57,745	54,453	49,749	48,104

	5.0%	*5.0%*	*5.0%*	*5.0%*	*5.0%*
21	*67,295*	*58,321*	*54,998*	*50,246*	*48,585*
	5.0%	*5.0%*	*5.0%*	*5.0%*	*5.0%*
22	*67,968*	*58,904*	*55,548*	*50,748*	*49,071*
	5.0%	*5.0%*	*5.0%*	*5.0%*	*5.0%*
23	*68,647*	*59,493*	*56,104*	*51,256*	*49,561*
	5.0%	*5.0%*	*5.0%*	*5.0%*	*5.0%* /

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, line 19, by striking /*65.41*/ and inserting /*65.33*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, line 20, by striking /*28.88*/ and inserting /*28.72*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, line 23, by striking /*65.41*/ and inserting /*65.33*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, line 24, by striking /*28.88*/ and inserting /*28.72*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, proviso 1.89, line 6, by striking /f*our*/ and inserting /*five*/

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 316, proviso 1A.36, line 1, by striking /*four*/ and inserting /*five*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator SHEHEEN explained the amendment.

Senator SHEHEEN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 15

AYES

Alexander	Allen	Campbell
Corbin	Davis	Fanning
Gambrell	Gregory	Harpootlian
Hutto	Jackson	Johnson

Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Sabb	Scott	Setzler
Sheheen	Verdin	Williams

Total--30

NAYS

Bennett	Cash	Climer
Cromer	Goldfinch	Grooms
Hembree	Massey	Rankin
Rice	Senn	Shealy
Talley	Turner	Young

Total--15

The amendment was laid on the table.

Amendment No. 6

Senator SHEHEEN proposed the following amendment (DAD 1.3 CORRECTION), which was adopted (#3):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, lines 19 and 23, by striking /*65.41*/ and inserting /*65.59*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, line 20 and 24, by striking /*28.88*/ and inserting /*28.72*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 30

Senators M.B. MATTHEWS and FANNING proposed the following amendment (ETK 1.25 & 1A.14 BM), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 281, proviso 1.25, line 14, by striking:/professional staffing ratios and/

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 309, proviso 1A.14, line 15, by striking:/professional staffing ratios and/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 12

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	McElveen
Peeler	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Fanning	Harpootlian	Kimpson
Malloy	*Matthews, Margie*	McLeod
Nicholson	Reese	Rice
Sabb	Scott	Senn

Total--12

The amendment was laid on the table.

Amendment No. 5

Senator SHEHEEN proposed the following amendment (DAD 1.76 FIRST STEPS 4K VS), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 298, proviso 1.76, line 9, by striking /enrolling less than 80%/ and inserting /*unable to enroll all*/

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 298, proviso 1.76, lines 20-23, by striking the lines in their entirety and inserting:

/ *For Fiscal Year 2019-20, the Office of First Steps may pilot a program to provide CERDEP services in underserved communities serving multi counties and multi-districts. 4K centers served by this pilot may provide CERDEP-funded services to eligible children from non-CERDEP districts but must also offer services to students from at least one school district eligible to participate in the CERDEP program. Utilizing up to $1,000,000 of carry-forward funding, First Steps may provide grants to participants in this pilot if they are public-private partnerships to address building renovations and designs necessary to get the building and classrooms into* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 14

Senator MASSEY proposed the following amendment (4000R034.SP.ASM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, proviso 1.91, lines 14-17 by deleting the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.91 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.91. *(SDE: Cultural Sensitivity) From the funds appropriated to the Department of Education in the current fiscal year as part of the required instruction in black history as required by law, the instruction in grades 3 through 12 must include a cultural sensitivity component educating students about how they should interact with and be respectful of the beliefs and practices of people of a different race or creed.*

The PRESIDENT overruled the Point of Order.

Senator SHEHEEN spoke on the amendment.

Senator MALLOY moved to carry over the amendment.

On motion of Senator MARTIN, the motion to carry over the amendment was laid on the table.

Senator MALLOY spoke on the motion.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 43

Senator FANNING proposed the following amendment (4000C011.RT.SA19.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/(SDE: Additional State Aid to Classrooms) (A) In addition to the funds appropriated in Proviso 1.3 for State Aid to Classrooms, there is appropriated an additional amount sufficient to provide an extra thirty dollars of state funds to each student.

(B) Notwithstanding Proviso 1.3, the percentage increase in the revised state minimum teacher salary schedule must be decreased by one percent for all categories and years of experience. /

Amend the bill further, Part 1B, Section 118, STATEWIDE REVENUE, beginning on page 535, by striking Proviso 118.15 and inserting:

/ *(SR: Teacher Bonus and Taxpayer Rebate) (A) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the*

lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, after the close of Fiscal Year 2018-19, the Comptroller General shall transfer such amounts in excess of the total certified unobligated general fund revenue up to $61,400,000 to the Department of Education sufficient to provide a one percent bonus to each teacher. Any remaining funds must be transferred to a Taxpayer Rebate Fund.

(B) The bonus provided for in subsection (A)is a one-time lump sum payment equal to one percent of the teacher's salary. This payment is not a part of the teacher's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems.

(C) From the Taxpayer Rebate Fund, to the extent sufficient funds are available, the Department of Revenue shall provide a twenty-five dollar refund to each individual income tax return filed for tax year 2018 that has at least a state individual income tax liability of twenty-five dollars, after credits, for returns filed on or before October 15, 2019. The Department of Revenue may prorate this amount based upon actual funds and eligible returns and is directed to issue these checks on December 2, 2019. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Senator DAVIS spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 44

Senator SHEHEEN proposed the following amendment (4000C005.RT.SA19.DOCX), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Standards-Based Assessments Suspended) In Fiscal Year 2019-20, the provisions of Section 59-18-325(C)(3) requiring science standards-based assessments of students in grade eight and social studies standards-based assessments of students in grades five and seven are suspended. Funding for these assessments may be carried forward and used for assessment purposes by the State Department of Education.*/

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 46

Senator BENNETT proposed the following amendment (ETK SCHOOL OF CHOICE-SB), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Schools of Choice) For the current fiscal year, school districts are authorized to create multiple schools of choice within the district. These schools of choice must meet the requirements of Section 59-19-350 of the 1976 Code.* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator SHEHEEN proposed the following amendment (DAD 1A.77 SAVE THE CHILDREN), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 328, proviso 1A.77 (Save the Children), lines 17-18, by striking the proviso in its entirety.

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 17

Senator SHEHEEN proposed the following amendment (ETK 3.5 LOTTERY FUNDING-SHEHEEN WORKFORCE), which was carried over:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 8-9, by striking /*State Board for Technical and Comprehensive Education*/ and inserting /*SBTCE*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 11-15, by striking the lines in their entirety and inserting

/ *(A) Prior to disbursement of funds and no later than July 30, SBTCE must provide the colleges with a Board approved list, compiled based on regional and statewide industry needs of the programs and credentials for which the colleges are allowed to award grants for the current fiscal year.*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 21, by striking/*of the academic year provided*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 22, after /*Senate Finance Committee/* by striking/*, which*/ and inserting */detailing use of funds received in the prior fiscal year. The report*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 58

Senator HUTTO proposed the following amendment (4000C008.NBD.DG19.DOCX), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 356, after line 4, by adding an appropriately numbered new proviso to read:

/ *(TEC: Transportation to Satellite Campus) During the current fiscal year if any member school ceases to be a member, for any reason, the State Board for Technical and Comprehensive Education must develop and implement a plan to assist in the transportation of the former members' students to a technical college in a county adjacent to the former member's service area. To determine the most efficient plan for student transportation assistance, the State Board must include citizen input on the transportation needs of area residents through a public*

forum. The State Board must also coordinate with technical colleges in the adjacent counties to locate a satellite campus within such counties. In determining the satellite campus location the Board must seek input from representatives of area business, industry, and government and area residents as to the best location of the campus. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator GOLDFINCH proposed the following amendment (KW DNR SANCTUARIES), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 47, DEPARTMENT OF NATURAL RESOURCES, page 396, after line 22, by adding an appropriately numbered new proviso to read:

/From the funds appropriated in the current Fiscal Year, the Department of Natural Resources is prohibited from enforcing any provisions of a sanctuary agreement that prohibits hunting or fishing within navigable waters. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 41

Senator MARTIN proposed the following amendment (4000C005.JN.DG19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 402, by striking proviso 50.21 and inserting

/ *50.21. (CMRC: Development - Funding for Rural Infrastructure)*

There is established within the Department of Commerce the Rural School District and Economic Development Fund. The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%. Funds shall be used on, but

not be limited to, school building infrastructure, water and sewer infrastructure, and economic development projects that directly benefit the qualifying school districts. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. The Department of Commerce must develop a plan on fund deployment that gives priority to counties that are classified as Tier IV, pursuant to Section 12-6-3360(B) of the 1976 Code, and that includes steps to ensure that the qualifying school districts within the eligible counties are the priority in economic development projects. This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Funds disbursed through this proviso shall only be used on expenditures that are not eligible for the Department of Commerce's Closing Fund. No funds may be used to fund water and sewer infrastructure or economic development projects that directly assist a taxpayer under a fee in lieu of taxes agreement whereby the applicable school district does not receive its pro rata share of the fee. In addition, the department must provide an annual report on the expenditure of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 26

Senator YOUNG proposed the following amendment (ETK 59.6 SEN YOUNG), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 59, OFFICE OF THE ATTORNEY GENERAL, page 406, proviso 59.6, line 21, by inserting after /Commission/:

/*, the State, or other state agency*/

Amend the bill further, as and if amended, Part IB, Section 59, OFFICE OF THE ATTORNEY GENERAL, page 406, proviso 59.6, line 21, by inserting after /year/:

/*for any proposed or existing federal project on the Savannah River related to construction in navigable waters or water quality*/

Renumber sections to conform.
Amend sections, totals and title to conform.
Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 11A

Senators JOHNSON, HUTTO and HARPOOTLIAN proposed the following amendment (SA\4000C017.RT.SA19.DOCX), which was adopted (#11):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 436, after line 9, by adding an appropriately numbered new proviso to read:

/ *(DOT: I-95 Toll)In the current fiscal year, the Department of Transportation shall impose a toll along Interstate Highway 95 where it crosses Lake Marion in either Orangeburg County or Clarendon County. The revenue collected from the imposition of this toll must be used for the maintenance, upgrade, and expansion of the highways, bridges, and interchanges of Interstate Highway 95.* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 22

Senator CASH proposed the following amendment (4000R001.KMM.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 466, proviso 108.4, by striking the proviso in its entirety, and inserting / 108.4. (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except ~~in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function~~ *in which the life of the mother is at risk and the termination of the pregnancy is incidental to the lifesaving*

intervention, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided contemporaneously with abortion services *or services incidental to abortion except as permitted by this provision*. *Physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child.* The Public Employee Benefit Authority must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 22

AYES

Allen	Fanning	Gregory
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--21

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms

Hembree	Loftis	Martin
Peeler	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--22

Having failed to receive the necessary votes, the Senate refused to table the amendment.

Senator KIMPSON spoke on the amendment.

Senator KIMPSON moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 21

AYES

Allen	Fanning	Gregory
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Williams

Total--24

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Loftis	Martin	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--21

The amendment was laid on the table.

Amendment No. 32

Senator FANNING proposed the following amendment (4000C009.RT.SA19.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 468, after line 4, by adding an appropriately numbered new proviso to read:

/ *(PEBA: Cafeteria Workers SCRS Opt Out)* *In Fiscal Year 2019-20, a new part-time school cafeteria worker may exercise the option, within thirty days after entering upon the discharge of such duties, to not become a member of the South Carolina Retirement System.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Point of Order

Senator ALEXANDER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 33

Senator FANNING proposed the following amendment (SA\ 4000C010.RT.SA19.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 468, after line 4, by adding an appropriately numbered new proviso to read:

/ *(PEBA: Return to Covered Employment)* *For compensation earned during the current fiscal year, the earnings limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the Code of Laws does not apply if the retired member has not been engaged to perform services for a participating employer in the South Carolina Retirement System or South Carolina Police Officers Retirement System for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement.* /

Renumber sections to conform.
Amend sections, totals and title to conform.
Senator FANNING explained the amendment.

Point of Order

Senator ALEXANDER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 50

Senator SETZLER proposed the following amendment (SA\ 4000C016.RT.SA19.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 468, after line 4, by adding an appropriately numbered new proviso to read:

/ *(PEBA: Return to Covered Employment)* *In the current fiscal year, from the funds appropriated, PEBA shall allow a member who retired from the South Carolina Retirement System before July 1, 2019, after being employed by a public school district as an educator to return to employment as an educator in a public school district and not be subject to the earnings limitations as provided by law.* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Point of Order

Senator ALEXANDER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 57

Senator HUTTO proposed the following amendment (ETK SMALL AND MEDIUM EMPLOYERS-BH), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 468, after line 4, by adding an appropriately numbered new proviso to read:

/(PEBA: Small and Medium Employers) In the Plan year beginning in January of the current fiscal year, the following threshold shall apply for county governments: small employers, for voluntary participants in the state insurance program are those employers that have less than 150 covered lives, and medium employers, for voluntary participants in the state insurance benefits program are those employers that have between 150 and 500 covered lives. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 20A

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting */ (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapters 7 and 45 of Title 38, a private, third party entity is prohibited from assessing, collecting or administering collection of business license taxes on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.*

In addition, the Chairman of the Senate Finance Committee shall appoint a study committee which shall include the Municipal Association of South Carolina, the South Carolina Chamber of Commerce, the South Carolina Manufacturers Alliance, the South Carolina Association of Realtors and any other entities as deemed appropriate to study reform and implementation of a third party collection system. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

On motion of Senator CROMER, the amendment was carried over.

Amendment No. 31

Senator FANNING proposed the following amendment (4000C008.RT.SA19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, after line 12, by adding an appropriately numbered new proviso to read:

/ *(DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.47, for purposes of the jobs tax credit, the county is deemed to be a tier four county and such designation applies for all jobs created during the same tax year.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 47A

Senator MARTIN proposed the following amendment (4000C015.RT.SA19.DOCX), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 513, proviso 117.121, line 18, by striking /2018-19/ and inserting /*2019-20*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 36

Senators GROOMS, HUTTO, WILLIAMS, MATTHEWS, RANKIN, MASSEY, GOLDFINCH, SABB, CAMPSEN and McELVEEN proposed the following amendment (4000R041.SP.LKG.DOCX), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 520, by deleting Proviso 117.141 in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Recorded Vote

Senator SHEHEEN desired to be recorded as abstaining on Amendment No. 36.

Amendment No. 15

Senator MASSEY proposed the following amendment (4000R037.SP.ASM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 526, proviso 117.153, by striking line 33 and inserting /*Order 2015-18. Activities carried out*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 42

Senator MARTIN proposed the following amendment (BH MARTIN TUITION MITIGATION ALL STUDENTS), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, line 16, by striking /line 16/ and inserting /*institutions of higher education to mitigate tuition and mandatory fee increases for in-state undergraduate students:*/

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117. 155, line 35, by striking /line 35/ and inserting /*Higher Education by August 1, 2019, that, its tuition and mandatory fees for all in-state undergraduate students did not*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 16

Senator MASSEY proposed the following amendment (4000R038.SP.ASM.DOCX), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, by striking line 36 and inserting /*exceed the rate of inflation for the 2018 Higher Education Price Index and that each institution has instituted and is working to implement a cost mitigation plan.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator CAMPBELL proposed the following amendment (DG\ 4000C007.NBD.DG19.DOCX), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ *(GP: Intrastate Motor Carrier Fee Collections) In the current fiscal year, the Department of Motor Vehicles shall consult with the Department of Revenue and any association representing taxpayers subject to, or entities imposing, the road use fee pursuant to Article 23, Chapter 37, Title 12 of the 1976 Code, to determine the most efficient manner to implement a standardized system whereby the Department of Motor Vehicles collects all fees owed by commercial motor vehicles operating solely intrastate, including fees imposed by local government. The system must allow a payment plan option to allow these commercial motor vehicles to pay the infrastructure maintenance fee in multiple installments. The plan must include a fiscal impact statement, prepared by the Revenue and Fiscal Affairs Office, detailing the costs associated with the plan. The Department of Motor Vehicles shall submit the plan for the standardized system by December 1, 2019, to the Chairman of the Senate Finance Committee, the Chairman of the Senate Transportation Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

Amendment No. 29A

Senators CAMPSEN, SETZLER, MATTHEWS, REESE, JACKSON, RANKIN, ALEXANDER, HUTTO, GROOMS, MALLOY, CROMER, SHEHEEN, DAVIS, NICHOLSON, GREGORY, ALLEN, BENNETT, JOHNSON, HEMBREE, McELVEEN, SHEALY, TURNER, YOUNG, SABB, KIMPSON, BRIGHT MATTHEWS, GAMBRELL, FANNING, McLEOD, SENN, TALLEY, HARPOOTLIAN, GOLDFINCH, SCOTT, and WILLIAMS proposed the following amendment (ETK OFFSHORE OIL V2), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/(GP: Offshore Oil) For the current Fiscal Year, no funds appropriated or authorized to the Department of Health and Environmental Control, or to local governmental entities, including but not limited to counties, municipalities and special purpose districts, may be expended to approve a plan, permit, license application or other authorization for:

(1) the construction or use of infrastructure for which the principal purpose is to facilitate the transportation of unrefined or unprocessed oil or gas into the territorial waters of South Carolina, or onto the lands of South Carolina, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean;

(2) activities for which the principle purpose is the exploration, development, or production of unrefined or unprocessed oil or gas from within the territorial waters of South Carolina; or

(3) activities for which the principle purpose is the exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean.

For purposes of this proviso:

(1) 'Development' means the design, planning, permitting, licensing, authorization or construction of infrastructure for which the principal purpose is the production of oil or gas.

(2) 'Exploration' means any activity for which the principal purpose is to define, characterize, test for or evaluate oil or gas resources for possible commercial development or production.

(3) 'Production' means any activity for which the principal purpose is to engage in, monitor, or conduct operations or maintenance related to the active extraction of unrefined or unprocessed oil or gas.

(4) 'Territorial waters of South Carolina" means waters located within the state of South Carolina and waters of the Atlantic Ocean extending out to three nautical miles from the mean low-water mark of South Carolina's naturally occurring coastline./

Renumber sections to conform.

Amend sections, totals and title to conform.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CAMPSEN spoke on the Point of Order.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator CAMPSEN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--40

NAYS

Climer Corbin Martin
Verdin

Total--4

The amendment was adopted.

Amendment No. 35

Senator TALLEY proposed the following amendment (ETK EARLY CHILDHOOD STUDY COMM-ST), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ *(GP: Early Childhood Education Study Committee) There is established the Early Childhood Education Study Committee to study the implementation of the recommendations included in the report of the Office of First Steps Study Committee established pursuant to Act 287 of 2014, for the establishment of a cabinet-level agency reporting directly to the governor under which certain programs shall be reorganized so that all early childhood services currently operating across multiple systems and funding streams will be coordinated to streamline an otherwise fragmented system of services resulting in more accountability, efficiency, and reduction of duplicative services.*

The committee shall study how specific early childhood programs should more appropriately be housed at a combined agency, as recommended in the report of the First Steps Study Committee established pursuant to Act 287 of 2014, in order to more efficiently and effectively manage those services while ensuring existing funding streams avoid disruption and while ensuring that the operations and individual 501(c)(3) status of local First Steps Partnerships are maintained and not disrupted. Applicable programs shall include, but are not limited to: Head Start Collaboration Office, First Steps to School Readiness State Office, Office of Early Learning, ABC Childcare Program, Childcare Licensing Office, Childcare Resource and Referral Network, Child Early Reading Development & Education Program, BabyNet, Women, Infants and Children Supplemental Food Program (WIC), and the Postpartum Newborn Home Visitation Program.

The study committee shall be comprised of the following:

1) Chairman of the Senate Family & Veterans' Services Committee, or their designee, who shall serve as Co-Chair;

2) Chairman of the House of Representatives Education & Public Works Committee, or their designee, who shall serve as Co-Chair;

3) Two members of the Senate, appointed by the Chairman of the Family & Veterans' Services Committee;

4) Two members of the House of Representatives, appointed by the Education & Public Works Committee;

5) Three members appointed by the Governor;

6) Chairman of the Joint Citizens and Legislative Committee on Children, or their designee; and

7) President of the Institute for Child Success, or their designee.

Staff support shall be provided by the Senate Family & Veterans' Services Committee and the House of Representatives Education & Public Works Committee. Findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor by December 1, 2019./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

On motion of Senator TALLEY, the amendment was carried over.

Amendment No. 56

Senators MASSEY and SETZLER proposed the following amendment (KW SANTEE COOPER NO CONTRACT), which was adopted (#19):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/(GP: PSA Contracts for Contributions) In the current Fiscal Year, The SC Public Service Authority may not enter into any new contracts for contributions to the Executive Defined Benefit Plan or the Executive Retention Defined Contribution Plan. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 53

Senator HEMBREE proposed the following amendment (DAD 118.15 & USCRSL), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ *(SR: Unfunded SCRS Liability) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, revenue resulting from such funds shall be directed toward reducing the unfunded liability of the South Carolina Retirement System.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 54

Senator HEMBREE proposed the following amendment (DAD 118.15 & HECF), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ *(SR: Higher Education Facilities Repair and Renovation Fund) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, from those funds the Higher Education Facilities Repair and Renovation Fund shall be established. The fund shall be*

separate and distinct from the general fund of the State and all other funds. Earnings and interest on the fund must be credited to it and any balance in the fund at the end of the fiscal year shall be carried forward and used for the same purpose. The Department of Administration, Executive Budget Office shall administer the fund.

The funds shall be distributed as follows: twenty-five percent shall be transferred to the State Board for Technical and Comprehensive Education for distribution among the state's public technical colleges in a manner the board promulgates by regulation; and the remaining seventy-five percent shall be transferred by the Executive Budget Office for distribution among the state's public institutions of higher learning based on a formula developed by the Executive Budget Office, in consultation with the Commission on Higher Education and adopted by regulation.

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 23

Senator RICE proposed the following amendment (4000C006.RT.SA19.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 539, proviso 118.16, after line 8, by inserting an appropriately numbered subitem to read:

/ ( ) Lakes and Bridges Charter School-Capital Improvements $200,000; /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RICE explained the amendment.

On motion of Senator RICE, the amendment was withdrawn.

WEDNESDAY, APRIL 17, 2019

Motion Adopted

Senator LEATHERMAN moved that if and when the Senate adjourns, it stand adjourned to meet tomorrow at 9:30 A.M.

Motion Adopted

Senator LEATHERMAN asked unanimous consent to make a motion that H. 4000, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading, with all members reserving the right to raise any Points of Order and waiving the provisions of Rule 26B to allow further amendments on third reading.

There was no objection.

Debate was interrupted by adjournment.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Ethel Brewer, 4201 Donavan Drive, Columbia, SC 29210-4305

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Roger Myers, 430 Old Bluff Road, Hopkins, SC 29061-9112

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Phillip F. Newsom, 211 Polo Hill Road, Columbia, SC 29223-2839

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Dierdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229-9551 *VICE* Patrick Barber

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Ernest Fritz Hollings of Charleston, S.C. Senator Hollings graduated from The Citadel and the University of South Carolina Law School. He served in the United States Army before being elected to the South Carolina General Assembly. Fritz served as both Lieutenant Governor and Governor of South Carolina. He was elected the United States Senate where he served from 1966-2005. Fritz was a loving husband, devoted father, grandfather, and a great representative of South Carolina.

ADJOURNMENT

At 8:05 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 9:30 A.M.

* * *

Thursday, April 18, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 9:30 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:

Psalm 90:17

"Let the favor of the Lord our God be upon us, and prosper for us the work of our hands -- O prosper the work of our hands!"

Let us pray. Almighty God, by Your grace You have brought us to the beginning of another day. There is so much to do: Speeches to give, concessions to make, votes to cast and loose ends to be tied. Help us, O Lord, to not lose You in the rush of the moment. Fill this Chamber with Your sovereign presence and may each decision made this week be in concert with a constant conversation with You; a flow of prayer as natural as breathing out our anxiety and breathing in Your strength. May we set aside the exhausting compulsion to work for You and allow You, O God, to work through us. For it is by the power of Your Holy Spirit that we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 9:34 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:

Allen	Bennett	Campsen
Corbin	Fanning	Harpootlian
Hembree	Hutto	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	Nicholson
Peeler	Rice	Sabb

Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Recorded Presence

Senator GOLDFINCH recorded his presence subsequent to the Call of the Senate.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Gary J. Coleman, 1230 Highway 187 S, Anderson, SC 29626-5630 *VICE* Steven Lieze

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Linda C. Stern, 2134 Bermuda Hills Rd., Columbia, SC 29223-6733 *VICE* Charles R. Pate, Jr.

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2017, and to expire June 30, 2020

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223 *VICE* Barbara Nwokike

Referred to the Committee on Education.

THURSDAY, APRIL 18, 2019

Local Appointments

Initial Appointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2019, and to expire June 30, 2025

Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649 *VICE* Curtis G. Clark

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Carey B. Murphy, 601 Glenwood Ave., Anderson, SC 29625-2856

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James Wesley White, 152 Buckland Drive, Anderson, SC 29621-3686

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Walter Martin, 416 Dogwood Drive, Greenwood, SC 29646-9210

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Bartholomew McGuire, 106 Fair Oaks Lane, Greenwood, SC 29646-9273

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

Jeffrey M. Tzerman, 702 Walnut Street, Camden, SC 29020

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Ron C. Halfacre, 1810 Harper Street, Newberry, SC 29108-2804

REGULATION RESUBMITTED

The following was received:

Document No. 4835
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, 38-13-80, 38-90-150, and 38-90-630
SUBJECT: Annual Audited Financial Reporting Regulation
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Banking and Insurance

Legislative Review Expiration May 8, 2019
Resubmitted April 18, 2019

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:
Document No. 4837
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-29-40
SUBJECT: South Carolina Immunization Registry
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 18, 2019

Doctor of the Day

Senator HARPOOTLIAN introduced Dr. Patricia Whitherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator McELVEEN, at 9:51 A.M., Senator KIMPSON was granted a leave of absence until 5:30 P.M.

Leave of Absence

On motion of Senator MALLOY, at 2:18 P.M., Senator WILLIAMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 7:21 P.M., Senator HUTTO was granted a leave of absence beginning at 5:00 P.M.

RECALLED

H. 3572 -- Reps. Felder, Pope, B. Newton, Ligon, Bryant, King and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 21 AND SOUTH CAROLINA HIGHWAY 160 IN YORK COUNTY "KARSON BAILEY WHITESELL MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

The Joint Resolution was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB

TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 770 -- Senator Campbell: A BILL TO AMEND CHAPTER 27, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA COMMERCIAL FEED ACT, TO PROVIDE THAT CERTAIN SALES ARE UNLAWFUL, TO PROVIDE THAT THE COMMISSIONER OF AGRICULTURE IS AUTHORIZED TO PROMULGATE CERTAIN REGULATIONS, TO PROVIDE THAT THE COMMISSIONER MAY INSPECT, AUDIT, OR CERTIFY COMMERCIAL FEED MANUFACTURER OR DISTRIBUTOR FACILITIES AND ISSUE CERTIFICATES, TO PROVIDE FOR LICENSING AND REGISTRATION, TO PROVIDE FOR THE LABELING OF COMMERCIAL FEEDS, TO PROVIDE THE CONDITIONS FOR A COMMERCIAL FEED TO BE DEEMED MISBRANDED, TO PROVIDE THE CONDITIONS FOR A COMMERCIAL FEED TO BE DEEMED ADULTERATED, TO PROVIDE THAT THE COMMISSIONER MAY INSPECT, TAKE SAMPLES, AND PERFORM ANALYSES, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION, TO PROVIDE THAT THE COMMISSIONER MAY APPOINT ANALYSTS, CHEMISTS, AND INSPECTORS, TO PROVIDE FOR A

CERTIFICATE OF ANALYSIS AS PRIMA FACIE EVIDENCE, TO PROHIBIT CERTAIN ACTS, TO PROVIDE THAT THE COMMISSIONER MAY SUSPEND SALES OF FEED AND SEEK ENFORCEMENT REMEDIES, TO PROVIDE HOW SALES ARE MADE, TO PROVIDE THAT THE COMMISSIONER SHALL NOTIFY DEALERS AND SOLICITORS OF VIOLATIONS, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR FINES PAID TO THE DEPARTMENT OF AGRICULTURE, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 771 -- Senators McLeod, Senn, Shealy and M. B. Matthews: A SENATE RESOLUTION TO DECLARE WEDNESDAY, MAY 1, 2019, "SOUTH CAROLINA TEEN PREGNANCY PREVENTION DAY" AND TO HONOR THE VALUABLE CONTRIBUTIONS OF THE SOUTH CAROLINA CAMPAIGN TO PREVENT TEEN PREGNANCY, ITS PARTNERS WITHIN LOCAL COMMUNITIES AND ORGANIZATIONS, PARENTS, EDUCATORS, AND TRUSTED ADULTS.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 772 -- Senators Senn and Harpootlian: A SENATE RESOLUTION TO ENCOURAGE LOCAL GOVERNMENTS, MUNICIPALITIES, LAW ENFORCEMENT AGENCIES, COLLEGES AND UNIVERSITIES, AND THE OFFICE OF REGULATORY STAFF TO PARTNER WITH TRANSPORTATION NETWORK COMPANIES AND RIDE-HAILING SERVICES TO IMPROVE SAFETY.
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The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 773 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE WORK OF DREAMS WITH OPEN ARMS, INC., TO PREVENT ADOLESCENT PREGNANCY, TO DESIGNATE MAY AS THE "STEP UP & BE SAFE MONTH" IN

SOUTH CAROLINA, AND TO COMMEND ITS OBSERVANCE TO ALL CITIZENS.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 774 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DAVID L. CROUCH AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 775 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BRIGADIER GENERAL FARRIS "CARLOS" HILL, UNITED STATES AIR FORCE, UPON HIS RETIREMENT ON JANUARY 1, 2019, AFTER THIRTY-TWO YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 776 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SUSIE WATSON OF HORRY COUNTY FOR HER DEDICATED SERVICE TO THE YACHTS FOR TOTS INTRACOASTAL CHRISTMAS REGATTA AND TO CONGRATULATE HER AS A FOUNDER OF THIS BELOVED ANNUAL EVENT ON THE OCCASION OF ITS THIRTY-FIFTH ANNIVERSARY.
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The Senate Resolution was adopted.

S. 777 -- Senators Gambrell and Cash: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE SOUTH CAROLINA STATE GUARD, ALL VOLUNTEERS WHO SHARE A PASSION FOR SERVICE AND A STRONG COMMITMENT TO THEIR FELLOW SOUTH CAROLINIANS, AND TO DECLARE

MAY 2019 AS "SOUTH CAROLINA STATE GUARD MONTH" IN THE PALMETTO STATE.
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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education polled out S. 613 favorable report on:

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.

Poll of the Education Committee
Polled 17; Ayes 17; Nays 0

AYES

Hembree	Setzler	*John Matthews*
Rankin	Peeler	Jackson
Grooms	Malloy	Hutto
Sheheen	Nicholson	Young
Turner	Rice	Talley
Massey	Cash	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

1st Congressional District:

Julius Belden Kinney, Jr., 2-B Eugenia Ave., Johns Island, SC 29455-5609 *VICE* Richard K. Toomey

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2019, and to expire June 30, 2025

5th Congressional District:

Heather C. Harris, 137 Setzler Road, Pomaria, SC 29126-8951 *VICE* Marvin A. Hyatt, Sr.

Received as information.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2017, and to expire June 30, 2021

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634 *VICE* Christopher Glenn Neeley

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4000, THE GENERAL APPROPRIATIONS BILL.

H. 4000 -- THE GENERAL APPROPRIATIONS BILL

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 25

Senator HEMBREE proposed the following amendment (BH HEMBREE TUITION MITIGATION HEPI), which was carried over:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 30, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	15,393,350	3,512,383
and		
INSERTING:	15,435,291	3,554,324/

Amend the bill further, as and if amended, Part IA, Section 14, CLEMSON UNIVERSITY (EDUCATION & GENERAL), page 33, line 13, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	179,587,449	63,382,701
and		
INSERTING:	179,901,017	63,696,269/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 35, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	56,565,100	15,644,979
and		
INSERTING:	56,710,975	15,790,854/

Amend the bill further, as and if amended, Part IA, Section 16, COASTAL CAROLINA UNIVERSITY, page 36, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	47,913,201	9,034,629
and		
INSERTING:	48,030,874	9,152,302/

Amend the bill further, as and if amended, Part IA, Section 17, FRANCIS MARION UNIVERSITY, page 38, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,323,402	8,598,751
and		
INSERTING:	20,403,705	8,679,054/

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 40, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,976,827	4,209,922
and		
INSERTING:	11,042,666	4,275,761/

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 42, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,017,772	7,665,464
and		
INSERTING:	13,068,227	7,715,919/

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 44, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	178,773,974	77,480,187
and		
INSERTING:	177,494,208	76,200,421/

Amend the bill further, as and if amended, Part IA, Section 20B, USC - AIKEN CAMPUS, page 48, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,782,577	7,507,577
and		

INSERTING:	13,851,850	7,576,850/

Amend the bill further, as and if amended, Part IA, Section 20C, USC - UPSTATE, page 50, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,277,607	10,977,607
and		
INSERTING:	20,414,654	11,114,654/

Amend the bill further, as and if amended, Part IA, Section 20D, USC - BEAUFORT CAMPUS, page 52, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,645,001	4,877,972
and		
INSERTING:	10,687,813	4,920,784/

Amend the bill further, as and if amended, Part IA, Section 20E, USC - LANCASTER CAMPUS, page 54, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	4,152,455	2,806,930
and		
INSERTING:	4,188,108	2,842,583/

Amend the bill further, as and if amended, Part IA, Section 20F, USC - SALKEHATCHIE CAMPUS, page 55, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,788,296	1,788,296
and		
INSERTING:	1,809,412	1,809,412/

Amend the bill further, as and if amended, Part IA, Section 20G, USC - SUMTER CAMPUS, page 57, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	2,850,237	2,604,375
and		
INSERTING:	2,875,150	2,629,288/

Amend the bill further, as and if amended, Part IA, Section 20H, USC - UNION CAMPUS, page 59, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,634,368	1,484,368
and		
INSERTING:	1,660,249	1,510,249/

Amend the bill further, as and if amended, Part IA, Section 21, WINTHROP UNIVERSITY, page 61, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	29,803,424	9,661,924

and

INSERTING: 29,910,841 9,769,341/

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 155, by striking lines 15 - 33 and inserting:

/ *(GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate students:*

(1) The Citadel	*$ 806,593;*
(2) Clemson University	*$ 6,030,374;*
(3) University of Charleston	*$ 2,805,398;*
(4) Coastal Carolina University	*$ 2,263,018;*
(5) Francis Marion University	*$ 1,544,341;*
(6) Lander University	*$ 1,266,174;*
(7) South Carolina State University	*$ 970,330;*
(8) University of South Carolina-Columbia	*$ 7,033,730;*
(9) University of South Carolina-Aiken	*$ 1,332,227;*
(10) University of South Carolina-Upstate	*$ 2,635,614;*
(11) University of South Carolina-Beaufort	*$ 823,339;*
(12) University of South Carolina-Lancaster	*$ 685,650;*
(13) University of South Carolina-Salkehatchie	*$ 406,087;*
(14) University of South Carolina-Sumter	*$ 479,118;*
(15) University of South Carolina-Union	*$ 497,724; and*
(16) Winthrop University	*$ 2,065,789.* /

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, after line 36 by inserting:

/ *For FY 2019-20, MUSC is appropriated $4,523,265 in Part 1A to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate and graduate students. In order to retain this appropriation, MUSC must certify to the Commission on Higher Education by August 1, 2019, that, its tuition and mandatory fees for all in-state, full-time undergraduate and graduate students did not exceed the rate of inflation for the 2018 Higher Education Price Index.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 4

Senators HUTTO and SCOTT proposed the following amendment (4000 DTC FUNDING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 69, by inserting after line 19,

	COLUMN 7	COLUMN 8
/Denmark Technical College	2,000,000	2,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, line 32, by inserting:

/H590 State Board for Technical and Comprehensive Education - Denmark Technical College $2,000,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

Senator MARTIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 14

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Goldfinch	Grooms	Hembree
Leatherman	Loftis	Martin
Massey	Peeler	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Fanning	Harpootlian
Hutto	Johnson	Malloy
Matthews, Margie	McElveen	Nicholson

Sabb	Scott	Setzler
Sheheen	Williams	

Total--14

The amendment was laid on the table.

Amendment No. 27

Senator SCOTT proposed the following amendment (4000C007.RT.SA19.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 69, by inserting after line 19,

	COLUMN 7	COLUMN 8
/Denmark Technical College	1,000,000	1,000,000/

Amend the bill further, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 71, by inserting after line 2,

	COLUMN 7	COLUMN 8
/Nonrecurring Appropriation		
Denmark Technical College	1,000,000	1,000,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

Senator MALLOY spoke on the amendment.

On motion of Senator SCOTT, the amendment was withdrawn.

Amendment No. 61

Senator SHEHEEN proposed the following amendment (ETK 1.57 FULL-DAY 4K VS), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 290, proviso 1.57, line 3, by inserting at the end:

/For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care

Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 69

Senator DAVIS proposed the following amendment (DAD 1.86 & 1A.84 SCH SAFETY PGM), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 301, proviso 1.86 (School Safety Program), after line 11, by inserting:

/ *For the current fiscal year, the Department of Education shall utilize up to $2,000,000 in prior year carry forward funds from Section VIII.H - Charter Schools to provide charter schools sponsored by the South Carolina Charter School District and any registered institutions of higher education with School Resource Officers. Individual charter schools shall work with the local law enforcement agencies with jurisdiction where the school is physically located. Priority shall be given to the charter schools with the highest poverty index. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer.* /

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 331, proviso 1A.84 (School Safety Program, after line 28, by inserting:

/ *For the current fiscal year, the Department of Education shall utilize up to $2,000,000 in prior year carry forward funds from Section VIII.H - Charter Schools to provide charter schools sponsored by the South Carolina Charter School District and any registered institutions of higher education with School Resource Officers. Individual charter schools shall work with the local law enforcement agencies with jurisdiction where the school is physically located. Priority shall be given to the charter schools with the highest poverty index. In making awards the department shall provide funding directly to the local law*

enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 14

Senator MASSEY proposed the following amendment (4000R034.SP.ASM.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, proviso 1.91, lines 14-17 by deleting the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 67

Senator M.B. MATTHEWS proposed the following amendment (\4000C004.RT.SA19.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Psychiatrist or Psychologist on staff)In the current fiscal year, from the funds appropriated to the Department of Education, each school district shall hire at least one psychiatrist or psychologist to be available to students. The school district shall create a schedule for the psychiatrist or psychologist based on the needs of the district.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M.B. MATTHEWS explained the amendment.

On motion of Senator M.B. MATTHEWS, the amendment was carried over and subsequently withdrawn.

Amendment No. 60

Senator SHEHEEN proposed the following amendment (ETK MASTER'S PLUS THIRTY VS), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Master's Plus Thirty) For school year 2019-20, the department shall continue to process the master's plus thirty certificate classification in the same manner as the prior school year. Educators earning a master's degree with sixty or more semester hours of graduate coursework will remain eligible for the master's plus thirty credential classification.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 59

Senator SHEHEEN proposed the following amendment (ETK 1A.53 CDEPP VS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 319, proviso 1A.53, line 24 after /November/, by striking /first/ and inserting /*thirtieth*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 19

Senator SHEHEEN proposed the following amendment (KW 45.2 WITNESS FEE), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 45, CLEMSON UNIVERSITY - PSA, page 393, proviso 45.2, line 36 and page 394, line 1, by striking:/ *regarding matters related to his or her professional expertise, or the exercise of his or her employment duties,* /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator SHEHEEN, with unanimous consent, the amendment was withdrawn.

Amendment No. 28

Senator HUTTO proposed the following amendment (4000R040.KMM.VAS.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 60, PROSECUTION COORDINATION COMMISSION, page 410, after line 3, by adding an appropriately numbered new proviso to read:

/ *60.__. (PCC: Circuit Court Docket Management) (A) The circuit solicitor has the authority to call cases in such order and in such manner as will facilitate the efficient administration of his official duties, subject to the overall broad supervision of the trial judge. The circuit solicitor will determine the order in which the docketed cases are called subject to rulings of the court as outlined in subsection (B). A defendant may move for a speedy trial or he may make a motion for a continuance beyond the term or for postponement to a date later within the term. In the calling of cases for trial, the circuit solicitor has broad discretion in the first instance, and the trial judge has broad discretion in the final analysis.*

(B) The trial court has the ultimate authority to determine whether a case on the published docket and called by the circuit solicitor will be tried by ruling on motions properly before it for continuances, dates certain, and speedy trials.

(C)(1) For purposes of this subsection and subsection (D), 'consult' means an interaction between two persons in which the initiating person:

(a) provides information to another person;

(b) provides the other person an opportunity to respond; and

(c) takes the other person's response, if any, into consideration.

(2) Criminal cases in circuit court must be calendared by the circuit solicitor according to a written criminal case docketing plan developed by the circuit solicitor for each circuit. Before developing the plan, the circuit solicitor must consult with the chief administrative judge, the circuit public defender, and one member of the Circuit Public Defender Selection Panel within that circuit appointed by the panel. In developing the docketing plan, the circuit solicitor must consider processes that promote justice by maximizing efficient but thorough case preparation and resolution by and between circuit solicitors and the defense, and by maximizing the effective use of judges' time.

(D)(1) A criminal docketing plan for each circuit must be developed by the circuit solicitor and made effective no later than January 1, 2020.

If the circuit solicitor does not develop a criminal docketing plan before January 1, 2020, or fails to continue or amend the docketing plan before expiration, then the chief administrative judge for general sessions court must either issue a new written criminal case docketing plan or continue or amend the plan last in effect, and such plan will be effective for one year or until the circuit solicitor takes action as required. In that event, all organizational and administrative tasks associated with the management of the trial docket in general sessions court shall become the duty and responsibility of the chief administrative judge until the circuit solicitor takes action and publishes a criminal docketing plan as authorized. Nothing in this section prohibits the circuit solicitor from amending the most recent criminal docketing plan at other such times additional to those required by this subsection, provided that the solicitor complies with any and all consultation requirements in subsection (C) prior to issuing any amendment.

(2) Each criminal docketing plan must be published on the circuit solicitor's website, if available, or at each courthouse in the circuit solicitor's circuit if a website is unavailable. Each criminal docketing plan, at a minimum, must include the provisions required pursuant to this section but may contain additional provisions not inconsistent with this section. The circuit solicitor may, in his sole discretion, develop an individual docketing plan for each county within the circuit.

(E)(1) At least one administrative appearance must be established by the docketing plan, and any appearances must be scheduled and conducted by the chief administrative judge for general sessions court or his judicial designee. Venue for administrative appearances may be in any county in the circuit; however, the presence of the defendant must only be required for administrative appearances where the defendant is unrepresented by counsel or where the administrative appearance is held in the county where the case originated. A defendant that is represented by counsel must not be required to attend more than three administrative appearances. Administrative appearances must be scheduled at least twenty-eight calendar days apart.

(2) Procedures for administrative appearances as to cases with unrepresented defendants must be included in the docketing plan and provide for:

(a) the circuit solicitor to notify the court of unrepresented defendants;

(b) the chief administrative judge or his judicial designee to schedule administrative appearances for the purpose of informing

unrepresented defendants of their rights and the risks and disadvantages of self-representation; and

(c) the court to establish, as to a defendant who voluntarily waives the right to counsel, a satisfactory court record demonstrating the decision to represent himself was made with a knowing and intelligent understanding of his rights and the risks of self-representation.

(3) At an administrative appearance:

(a) the court shall, as the first order of business, determine the status of the defendant's representation by counsel and appoint counsel if necessary; and

(b) the court may inquire as to the existence of any mental health issues that would require an order of the court.

(4) Nothing in this subsection precludes the disposition of a criminal case by plea, deferred prosecution, or dismissal prior to any administrative appearance.

(F) A status conference may be requested by any party at any time with the chief administrative judge to address issues including, but not limited to, plea negotiations, the scheduling of motions, compliance with discovery requests, or issues related to the defendant's bond.

(G) Pretrial conferences for cases on the published trial docket must be established by the docketing plan and must be conducted by the chief administrative judge for general sessions court or his judicial designee. The chief administrative judge or his judicial designee will address administrative matters and issues affecting the published trial docket, which may include a review or discussion of the status of available discovery in compliance with Rule 5 of the Rules of Criminal Procedure.

(H) The chief administrative judge for general sessions court is responsible for the scheduling of motions throughout the terms of general sessions whether or not the case has been scheduled for trial in accordance with Rule 4 of the Rules of Criminal Procedure and the common law.

(I)(1) Not less than thirty-five days before the term of court, the circuit solicitor shall submit a proposed list of cases to the appropriate chief administrative judge and provide notice to defense counsel representing defendants on the proposed trial docket. The proposed trial docket should not contain cases that the circuit solicitor does not reasonably expect to be disposed of during the term of court. At any time prior to the publishing of the proposed trial docket, a defendant may submit his case to the circuit solicitor for consideration, if the case has exhausted plea negotiations and is ready to be set for trial. In any county

in which multiple sessions of court are being held, the circuit solicitor, in his discretion, may publish a proposed list of cases for each session of court.

(2) The circuit solicitor must either post the proposed trial docket on his website or send the proposed trial docket to defense attorneys by regular mail, electronic mail or delivery, or hand delivery to the last known address. The circuit solicitor must also send the proposed trial docket to the clerk of court for each county within the circuit by electronic mail or delivery, or by such other method agreed to by the circuit solicitor and the clerk of court. The clerk of court must provide notice to defendants, including pro se defendants, pursuant to court requirements and by a delivery method approved by the court. Except by consent of the chief administrative judge, circuit solicitor, and defense counsel or pro se defendant, a case must not be added to the trial docket after it is published. Defense counsel or pro se defendants must file any motions for continuance with the court within seven business days of notice of the proposed trial docket. After the court rules on any continuance requests, or if there are no continuance motions, the proposed list of cases becomes the published trial docket. The filing of or the failure to file a motion for continuance within the seven business days does not affect a defendant's right to file a motion for continuance at a later time. If more than one session of court is scheduled for a court week, then the circuit solicitor shall determine the number of plea sessions and trial sessions. The chief administrative judge shall determine which judge will preside over the solicitor-designated sessions.

(3) The circuit solicitor, defense counsel, or a pro se defendant may file a motion with the court for protection or relief from a trial docket. A motion by defense counsel pursuant to this subsection shall contain an affirmation that the counsel, prior to filing the motion, has communicated or attempted to communicate with the circuit solicitor in good faith to request accommodation for protection or relief and an explanation of whether the request was unanswered or denied, or how the request was inadequately resolved. The chief administrative judge, or a circuit judge designated by the chief administrative judge, may schedule and hold a hearing for the purpose of determining whether a motion for protection or relief should be granted and must, in any such determination, consider the age and complexity of the involved cases, experience of counsel, prejudice to any party or victim, and other relevant factors as determined by the court, provided, however, that such

a hearing must not be scheduled in a manner that conflicts with hearings or trials scheduled or taking place on other docketed cases.

(4) The circuit solicitor, after consultation with the parties, shall schedule new court dates for cases not reached during that term. The notice requirements of subsection (I)(1) are satisfied for any case that is called for trial within four weeks of the end of the term of court for which the case was initially scheduled unless the court grants a motion pursuant to subsection (B).

(5) Cases, if called by the circuit solicitor, should be called in the order of the published docket unless circumstances arise affecting the fair administration of justice and the responsible allocation of resources. The circuit solicitor must provide written notice to the court, circuit public defender, and appropriate defense counsel of his intent to call a case out of the published docket order. If the defendant whose case is called out of order objects to the calling of his case, then the court shall rule on the defendant's objection to the change upon the defendant's motion pursuant to subsection (B).

(J)(1) When a case has not otherwise been scheduled for trial within one year of indictment, the chief administrative judge, circuit solicitor, or defendant may call for a status conference to identify and discuss each party's preparation level and any issues or obstacles slowing or preventing case preparation. The chief administrative judge shall schedule the status conference no later than sixty days following request.

(2) For any case that is still pending two years from the date of its indictment, the chief administrative judge, or his judicial designee, may require and hold a hearing sua sponte for the purpose of determining whether a trial date should be set. Factors to be considered by the judge include the age of the case, pretrial detention, other cases pending before the court, other charges pending against the defendant, and the status of witnesses and evidence for both the defendant and the circuit solicitor. The court may order the placement of a case on a trial docket pursuant to this subsection within a reasonable, specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on a hearing held pursuant to subsection (J)(2).

(K) A defendant may make a request to be placed on a trial or plea docket with the circuit solicitor and, if both parties agree on a date, the circuit solicitor shall calendar the case. If the parties cannot agree, then the defendant may file a motion to be placed on the trial or plea docket. All filed motions to be placed on a trial or plea docket must establish the basis of the request and contain an affirmation that the defendant, prior to filing the motion, has communicated with the circuit solicitor and has

attempted in good faith but failed to have the circuit solicitor docket the case in a manner that accommodated his request. The chief administrative judge, or his judicial designee, may hold a hearing for the purpose of determining whether a trial or plea date should be set. The court may grant a motion to have a case placed on the trial docket within a reasonable specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on the motion.

(L) Nothing in this section may be construed to deprive any victim or any defendant of any constitutional or statutory rights./

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

Amendment No. 70

Senator GOLDFINCH proposed the following amendment (ETK 64 SCHOOL RESOURCE OFFICER -SG), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 64, LAW ENFORCEMENT TRAINING COUNCIL, page 418, after line 21, by adding an appropriately numbered new proviso to read:

/ *(LETC: School Resource Officers) Of the funds appropriated to the Law Enforcement Training Council for Fiscal Year 2019-20, the Law Enforcement Training Council, in coordination with state and local law enforcement agencies, shall develop a training program for School Resource Officers (SROs) that focuses on how to provide "frontline" defense of school children. The training plan shall also focus on the threats SROs face from student vs. student, student vs. teacher conflicts and the evolving active killer risk. The training program must also focus on the SROs meta-cognitive skills and their physical capacity to take action immediately. Their defensive tactics platform must be instructional, instinctual, and intuitive and be focused on de-escalation as the primary strategy as they are dealing with juveniles and adults. The Law Enforcement Training Council must present this training plan along with the estimated costs to fully implement this training program to the Governor, the Chairman of the Senate Finance Committee and the Chairman of House Ways and Means by June 1.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 20A

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V2), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting */ (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapters 7 and 45 of Title 38, a private, third party entity is prohibited from assessing, collecting or administering collection of business license taxes on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.*

In addition, the Chairman of the Senate Finance Committee shall appoint a study committee which shall include the Municipal Association of South Carolina, the South Carolina Chamber of Commerce, the South Carolina Manufacturers Alliance, the South Carolina Association of Realtors and any other entities as deemed appropriate to study reform and implementation of a third party collection system. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CROMER, with unanimous consent, the amendment was withdrawn.

Amendment No. 31

Senator FANNING proposed the following amendment (4000C008.RT.SA19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, after line 12, by adding an appropriately numbered new proviso to read:

/ (DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.47, for purposes of the jobs tax credit, the county is deemed to be a tier four

county and such designation applies for all jobs created during the same tax year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

On motion of Senator RICE, the amendment was carried over.

Amendment No. 10

Senator CORBIN proposed the following amendment (4000R012.KMM.TDC.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, 'nonprofit organization' means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of total funds expended by the organization, as well as a detailed statement explaining the use that was made of the contribution. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CORBIN, with unanimous consent, the amendment was withdrawn.

Amendment No. 62

Senator CORBIN proposed the following amendment (4000R045.SP.TDC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the contributed funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was carried over.

Amendment No. 15

Senator MASSEY proposed the following amendment (4000R037.SP.ASM.DOCX), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 526, proviso 117.153, by striking line 33 and inserting /*Order 2015-18. Activities carried out*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 52

Senator HEMBREE proposed the following amendment (DAD 118 TEACHER BONUS MM), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6 by striking the proviso in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ (SR: Teacher Bonus) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, the Comptroller General shall transfer such amounts in excess of the total certified unobligated general fund revenue up to $61,400,000 to the Department of Education to be used for teacher bonuses. To the extent sufficient funds are available, the Department of Education shall provide a 1% bonus to teachers on or before August 31 and a second 1% bonus on or before June 30. If sufficient funds are not available the amount of the bonus shall be reduced on a pro-rata basis. Teachers eligible for the pay raises given pursuant to Proviso 1.89 and 1A.36 are eligible for this bonus. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 53

Senator HEMBREE proposed the following amendment (DAD 118.15 & USCRSL), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ *(SR: Unfunded SCRS Liability) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, revenue resulting from such funds shall be directed toward reducing the unfunded liability of the South Carolina Retirement System.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator DAVIS spoke on the amendment.

Senator DAVIS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Alexander	Allen	Campbell
Climer	Corbin	Cromer
Davis	Gambrell	Grooms
Harpootlian	Hutto	Johnson
Leatherman	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Setzler
Shealy	Sheheen	Talley
Verdin	Young	

Total--29

NAYS

Bennett	Campsen	Cash
Fanning	Goldfinch	Gregory
Hembree	Jackson	Loftis
Massey	Rice	Sabb
Scott	Senn	Turner

Total--15

The amendment was laid on the table.

Amendment No. 54

Senator HEMBREE proposed the following amendment (DAD 118.15 & HECF), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ *(SR: Higher Education Facilities Repair and Renovation Fund) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, from those funds the Higher Education Facilities Repair and Renovation Fund shall be established. The fund shall be separate and distinct from the general fund of the State and all other funds. Earnings and interest on the fund must be credited to it and any balance in the fund at the end of the fiscal year shall be carried forward and used for the same purpose. The Department of Administration, Executive Budget Office shall administer the fund.*

The funds shall be distributed as follows: twenty-five percent shall be transferred to the State Board for Technical and Comprehensive Education for distribution among the state's public technical colleges in a manner the board promulgates by regulation; and the remaining seventy-five percent shall be transferred by the Executive Budget Office for distribution among the state's public institutions of higher learning based on a formula developed by the Executive Budget Office, in consultation with the Commission on Higher Education and adopted by regulation.

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 45

Senator HEMBREE proposed the following amendment (ETK 118.16 NR FOR GH), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 537, proviso 118.16, line 35, by striking */$11,000,000/* and inserting: */$10,100,000/*

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 538, proviso 118.16, after line 25, by inserting an appropriately numbered item to read:

/( ) SC Workforce Development Artificial Intelligence Pilot Program $ 900,000;

(.1) Of the funds appropriated to the Department of Commerce for the SC Workforce Development Artificial Intelligence Pilot Program, for school year 2019-2020, with in-kind or financial contributions by industry partners, the Department of Commerce shall allocate funds to develop a model for attracting recognized industry experts to high schools. Unused or excess funds may be carried forward to be used in the following school year.

Industry partner experts shall facilitate a teaching model platform of smart technology to include artificial intelligence integrated into augmented reality, virtual reality and animation to enhance student preparation for a specified career pathways beginning in the tenth grade.

The Department of Commerce shall monitor implementation of the pilot programs and report on its impact to the State Board of Education. The Department of Commerce shall pilot the program in public high schools or career centers in Anderson, Florence and Charleston

counties as long as the pilot sites have the technology and leadership capacity to initiate a successful program./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was withdrawn.

Amendment No. 9

Senators SETZLER and YOUNG proposed the following amendment (KW STATE WATER PLANNING), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, line 24, by inserting:

/( ) Of the funds appropriated to the Department of Natural Resources in Item (42)(e) for State Water Planning, the department shall designate $400,000 to complete the Edisto River Basin Study./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 38A

Senator HUTTO proposed the following amendment (DAD 118.16 ADDL REV BASE 2), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, after line 34, by inserting a subsection to read:

/ *(C) The source of revenue appropriated in this subsection is unobligated Fiscal Year 2018-19 General Fund surplus revenues collected above the amounts certified by the Board of Economic Advisors. The appropriations are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.*

The State Treasurer shall disburse the following appropriations by September 30, 2019, for the purposes stated:

(1) P280 - Department of Parks, Recreation, and Tourism
South Edisto River Recreational Improvements $200,000
/ Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 39A

Senator KIMPSON proposed the following amendment (DAD AFRICAN AMERICAN TOURISM MKTG 2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) P280 - Department of Parks, Recreation, and Tourism
African American Tourism Marketing $ 100,000 /
Renumber sections to conform.
Amend sections, totals and title to conform.

Senator FANNING explained the amendment.
Senator MASSEY explained the amendment.

On motion of Senator FANNING, the amendment was carried over.

Amendment No. 55A

Senators SCOTT and HUTTO proposed the following amendment (SA\4000C021.RT.SA19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) H590- State Board for Technical and Comprehensive Education
Denmark Technical College- Administrative Services and Equipment 500,000 /
Renumber sections to conform.
Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 13

Senator CASH proposed the following amendment (4000R051.KMM.RJC.DOCX), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, line 16, by adding an appropriately numbered new proviso to read:

/ *117.__. (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the State's public colleges or universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The State's public colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part 1A of this act.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

RECESS

At 11:51 A.M., on motion of Senator LEATHERMAN, the Senate receded from business until 12:30 P.M.

At 12:50 P.M., the Senate resumed.

Amendment No. 24

Senator HEMBREE proposed the following amendment (BH FACULTY REPORT), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/GP: CHE Faculty Report) The public institutions of higher education shall report to the Commission on Higher Education by November 1, 2019 the faculty credit hour production for regular undergraduate faculty and the number of adjunct professors and graduate students teaching in undergraduate programs for school year 2018-19. The Commission on Higher Education shall compile this information and provide a report to the Chairman of the Senate Education Committee,

the Chairman of the Senate Finance Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the House Ways and Means Committee by January 1, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 25

Senator HEMBREE proposed the following amendment (BH HEMBREE TUITION MITIGATION HEPI), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 30, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	15,393,350	3,512,383
and		
INSERTING:	15,435,291	3,554,324/

Amend the bill further, as and if amended, Part IA, Section 14, CLEMSON UNIVERSITY (EDUCATION & GENERAL), page 33, line 13, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	179,587,449	63,382,701
and		
INSERTING:	179,901,017	63,696,269/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 35, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	56,565,100	15,644,979
and		
INSERTING:	56,710,975	15,790,854/

Amend the bill further, as and if amended, Part IA, Section 16, COASTAL CAROLINA UNIVERSITY, page 36, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	47,913,201	9,034,629
and		
INSERTING:	48,030,874	9,152,302/

Amend the bill further, as and if amended, Part IA, Section 17, FRANCIS MARION UNIVERSITY, page 38, line 9, by:

	COLUMN 7	COLUMN 8

/ STRIKING:	20,323,402	8,598,751
and		
INSERTING:	20,403,705	8,679,054/

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 40, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,976,827	4,209,922
and		
INSERTING:	11,042,666	4,275,761/

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 42, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,017,772	7,665,464
and		
INSERTING:	13,068,227	7,715,919/

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 44, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	178,773,974	77,480,187
and		
INSERTING:	177,494,208	76,200,421/

Amend the bill further, as and if amended, Part IA, Section 20B, USC - AIKEN CAMPUS, page 48, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,782,577	7,507,577
and		
INSERTING:	13,851,850	7,576,850/

Amend the bill further, as and if amended, Part IA, Section 20C, USC - UPSTATE, page 50, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,277,607	10,977,607
and		
INSERTING:	20,414,654	11,114,654/

Amend the bill further, as and if amended, Part IA, Section 20D, USC - BEAUFORT CAMPUS, page 52, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,645,001	4,877,972
and		
INSERTING:	10,687,813	4,920,784/

Amend the bill further, as and if amended, Part IA, Section 20E, USC - LANCASTER CAMPUS, page 54, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	4,152,455	2,806,930
and		
INSERTING:	4,188,108	2,842,583/

Amend the bill further, as and if amended, Part IA, Section 20F, USC - SALKEHATCHIE CAMPUS, page 55, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,788,296	1,788,296
and		
INSERTING:	1,809,412	1,809,412/

Amend the bill further, as and if amended, Part IA, Section 20G, USC - SUMTER CAMPUS, page 57, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	2,850,237	2,604,375
and		
INSERTING:	2,875,150	2,629,288/

Amend the bill further, as and if amended, Part IA, Section 20H, USC - UNION CAMPUS, page 59, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,634,368	1,484,368
and		
INSERTING:	1,660,249	1,510,249/

Amend the bill further, as and if amended, Part IA, Section 21, WINTHROP UNIVERSITY, page 61, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	29,803,424	9,661,924
and		
INSERTING:	29,910,841	9,769,341/

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 155, by striking lines 15 - 33 and inserting:

/ *(GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate students:*

(1) The Citadel	*$ 806,593;*
(2) Clemson University	*$ 6,030,374;*
(3) University of Charleston	*$ 2,805,398;*
(4) Coastal Carolina University	*$ 2,263,018;*

(5) Francis Marion University	*$ 1,544,341;*
(6) Lander University	*$ 1,266,174;*
(7) South Carolina State University	*$ 970,330;*
(8) University of South Carolina-Columbia	*$ 7,033,730;*
(9) University of South Carolina-Aiken	*$ 1,332,227;*
(10) University of South Carolina-Upstate	*$ 2,635,614;*
(11) University of South Carolina-Beaufort	*$ 823,339;*
(12) University of South Carolina-Lancaster	*$ 685,650;*
(13) University of South Carolina-Salkehatchie	*$ 406,087;*
(14) University of South Carolina-Sumter	*$ 479,118;*
(15) University of South Carolina-Union	*$ 497,724; and*
(16) Winthrop University	*$ 2,065,789.* /

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, after line 36 by inserting:

/ *For FY 2019-20, MUSC is appropriated $4,523,265 in Part 1A to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate and graduate students. In order to retain this appropriation, MUSC must certify to the Commission on Higher Education by August 1, 2019, that, its tuition and mandatory fees for all in-state, full-time undergraduate and graduate students did not exceed the rate of inflation for the 2018 Higher Education Price Index.*//

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 21

Senator J. MATTHEWS proposed the following amendment (EC SIB AUTHORIZATION), which was adopted (#31):

Amend the bill, as and if amended, Part IA, Section 85, INFRASTRUCTURE BANK BOARD, page 216, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	282,100,000	
and		
INSERTING:	130,090,000	/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator J. MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 83

Senator M.B. MATTHEWS proposed the following amendment (ETK SRO-PSYCH MBM), which was adopted (#32):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 331, proviso 1A.84, after line 28, by inserting:

/ *Of the funds appropriated for the School Safety Program, the department is authorized to allocate up to $2,000,000 to school districts utilizing the same index of taxpaying ability criteria established in this proviso to hire school psychologists, psychiatrists or mental health counselors.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M.B. MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 17

Senator SHEHEEN proposed the following amendment (ETK 3.5 LOTTERY FUNDING-SHEHEEN WORKFORCE), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 8-9, by striking /*State Board for Technical and Comprehensive Education*/ and inserting /*SBTCE*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 11-15, by striking the lines in their entirety and inserting

/ *(A) Prior to disbursement of funds and no later than July 30, SBTCE must provide the colleges with a Board approved list, compiled based on regional and statewide industry needs of the programs and credentials for which the colleges are allowed to award grants for the current fiscal year.*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 21, by striking:/*of the academic year provided*/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 22, after /*Senate Finance Committee/* by striking:/*, which*/ and inserting */detailing use of funds received in the prior fiscal year. The report*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 71A

Senator MASSEY proposed the following amendment (4000R049.SP.ASM.DOCX), which was tabled:

Amend the bill , as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 343, proviso 3.5 by striking lines 35 through 36 and page 344 by striking lines 1 through 31 and inserting

/ *From the funds appropriated to the State Board for Technical and Comprehensive Education (SBTCE) for the South Carolina Workforce Promise Scholarship in the current fiscal year, a student who is attending a two-year public technical college, who is majoring in a critical workforce program, and who is receiving a Lottery Tuition Assistance Program (LTAP) Scholarship for the current fiscal year shall also receive a South Carolina Workforce Promise (SCWP) Scholarship. Subject to the funds appropriated, the SCWP scholarship is equal to the cost of tuition and mandatory fees after applying all other scholarships or grants, not to exceed two thousand five hundred dollars.*

If the student is a freshman, then the student must be enrolled in at least six credit hours of instruction each semester in the current fiscal year, including at least three credit hours of instruction in one of the critical workforce areas defined by the SBTCE. To receive the additional SCWP scholarship, the student must receive the underlying LTAP scholarship and must be making acceptable progress toward receiving a degree pursuant to this section. Dual enrollment courses taken in high school in these critical workforce area programs count toward the fulfillment of the minimum requirement.

The South Carolina Coordinating Council for Workforce Development shall recommend critical workforce area programs to the SBTCE, and the SBTCE shall adopt guidelines to define what constitutes a critical workforce area program based upon those recommendations. Nothing herein prevents a student from changing majors within the

acceptable disciplines. Additionally, in the current fiscal year, the SBTCE shall communicate with high school guidance counselors regarding the list of qualifying majors. Critical workforce program additions or deletions must be ratified by the South Carolina Coordinating Council for Workforce Development.

In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.

A dual-enrollment student in high school who is majoring in one of the critical workforce areas at a technical college qualifies for the SCWP scholarship.

Additionally, a three-hundred-dollar book allowance for the current fiscal year is applied to a SCWP recipient's account for expenses toward the costs of attendance, including the cost of textbooks.

If a critical workforce area program is placed on suspension during the SBTCE's program evaluation process, then that program no longer qualifies for SCWP funds at that specific college. Students must be advised on how to complete their program by transferring to another technical college or serving as a transient student at another technical college to complete specified courses./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

Senator SETZLER spoke on the amendment.

Senator JACKSON spoke on the amendment.

Senator SABB spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator SETLZER spoke on the amendment.

Senator SETZLER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 11

AYES

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin

Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--33

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Davis
Goldfinch	Gregory	Grooms
Massey	Rice	

Total--11

The amendment was laid on the table.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that no further amendments would be placed on the desk after 3:00 P.M., with the exception of any necessary technical correcting and balancing amendments to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4000.

Amendment No. 79

Senator CASH proposed the following amendment (4000R047.SP.RJC.DOCX), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 366, proviso 25, by striking lines 15-23 and inserting / *33.25. (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds, directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An otherwise qualified organization may not be disqualified*

from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services where the life of the mother is at risk and the termination of the pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that the physician shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 68A

Senators JOHNSON, HUTTO and HARPOOTLIAN proposed the following amendment (EK I-95 TOLL STUDY V3), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 436, after line 9, by adding an appropriately numbered new proviso to read:

/ *(DOT: I-95 Toll Implementation) In the current fiscal year, the Department of Transportation shall proceed with the implementation of a toll on I-95. The department shall proceed with the design of a plan for the maintenance, upgrade, and expansion of the highways, bridges, and interchanges of Interstate Highway 95.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

Amendment No. 74B

Senators JOHNSON, HUTTO, HARPOOTLIAN and SENN proposed the following amendment (EK I-95 TOLL V6), which was adopted (#35):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 436, after line 9, by adding an appropriately numbered new proviso to read:

/ *(DOT: I-95 Toll Implementation) In the current fiscal year, the Department of Transportation shall proceed with the implementation of the recommendations contained in the DOT I-95 Toll Feasibility Study. The department shall proceed with the design of a plan for the maintenance, upgrade, and expansion of the highways, bridges, and interchanges of Interstate Highway 95 and report its progress and other feasible funding options for a comprehensive plan to the General Assembly by March 1, 2020.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 87

Senator CASH proposed the following amendment (4000R053.SP.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 344, proviso 3.5 by striking / *In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale./* on lines 21-22 and inserting:

/ *In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 3.0 or better on a 4.0 grading scale.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator SHEHEEN explained the amendment.

Senator SHEHEEN moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 88

Senator CASH proposed the following amendment (4000R052.SP.RJC.DOCX), which was tabled:

Amend the bill , as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 344, proviso 3.5 by striking / *In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.*/ on lines 21-22 and inserting:

/ *In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.5 or better on a 4.0 grading scale.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator JOHNSON spoke on the amendment.

Senator JOHNSON moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 82

Senator MASSEY proposed the following amendment (4000R036.SP.LKG.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 361, proviso 33.15, lines 35-36, and page 362, lines 1-7, by striking the proviso in its entirety and inserting / 33.15. (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children to the Children's Health Insurance Program (CHIP) and must use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, to include the Department of Social Services' Supplemental Nutritional Assistance Program (SNAP) and the department may use the poverty-related information from the Department of Education. Use of this data and cooperative efforts

between state agencies reduces the cost of outreach and maintenance of eligibility for CHIP *activities*./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Senator ALEXANDER spoke on the amendment.

Senator ALEXANDER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 19

AYES

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Harpootlian	Hutto	Jackson
Johnson	Leatherman	Malloy
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen

Total--24

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Davis
Goldfinch	Gregory	Grooms
Hembree	Loftis	Martin
Massey	Peeler	Rice
Senn	Talley	Turner
Young		

Total--19

The amendment was laid on the table.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 38.29 of Part 1B was out of order inasmuch as it was not germane to the Bill.

38.29. *(DSS: Faith-Based Private Child Placing Agencies) From the funds appropriated to the Department of Social Services, the department shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of Title 63, Chapter 11, Article 1 of the 1976 Code as applied to faith-based private Child Placing Agencies. For purposes of these regulations, any person or entity who holds legal or physical custody of a child for the purpose of placement for foster care or adoption or a private placement and, which for the purposes of these regulations, retain their own system of foster homes, is a child placing agency as defined in S.C. Code of Regulations 114-550. Such regulation must not discriminate or suggest the taking of any adverse action against a faith-based child-placing agency or an agency seeking to become a child-placing agency on the basis, wholly or partly, that a faith-based child placing agency has declined or will decline to provide any service that conflicts with, or provide any service under circumstances that conflict with, a sincerely-held religious belief or moral conviction of the faith-based child placing agency.*

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 38.29 was ruled out of order.

Amendment No. 8A

Senators TALLEY and YOUNG proposed the following amendment (DAD RURAL BROADBAND ACCESS ST-V2), which was adopted (#36):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 402, after line 17, by adding an appropriately numbered new proviso to read:

/ *(CMRC: Rural Broadband Access) From the funds appropriated to the Department of Commerce, the department must conduct a report on the accessibility of broadband and Internet service taking into consideration the geographic area of the state. The report may be developed in conjunction with the Federal Communications Commission, other states, agencies of the State, and private entities with*

relevant information to determine areas of the State that have (1) either no access to broadband or access to broadband that is less than 10 Megabits per second download and 1 Megabit per second upload speeds ("10/1 Mbps"); (2) access to broadband of at least 10/1 Mbps but less than 25 Megabits per second download and 3 Megabits per second upload speeds ("25/3 Mbps"); and (3) access to broadband with at least 25/3 Mbps. The report shall also include expected costs directly related to the construction of broadband infrastructure offered by a wired or wireless provider. The department shall also report all available federal grants for improved broadband access to unserved or underserved areas. The department may consult with other States' offices of technology or other related agencies to related action and impacts of expanded broadband access. The department may provide additional information not specified herein including, but not limited to, involvement of public-private partnership, infrastructure needs, and other available connectivity options. The Department of Commerce must submit the report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee prior to December 1, 2019. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Amendment No. 41

Senator MARTIN proposed the following amendment (4000C005.JN.DG19.DOCX), which was adopted (#37):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 402, by striking proviso 50.21 and inserting

/ *50.21. (CMRC: Development - Funding for Rural Infrastructure)*

There is established within the Department of Commerce the Rural School District and Economic Development Fund. The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%. Funds shall be used on, but not be limited to, school building infrastructure, water and sewer

infrastructure, and economic development projects that directly benefit the qualifying school districts. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. The Department of Commerce must develop a plan on fund deployment that gives priority to counties that are classified as Tier IV, pursuant to Section 12-6-3360(B) of the 1976 Code, and that includes steps to ensure that the qualifying school districts within the eligible counties are the priority in economic development projects. This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Funds disbursed through this proviso shall only be used on expenditures that are not eligible for the Department of Commerce's Closing Fund. No funds may be used to fund water and sewer infrastructure or economic development projects that directly assist a taxpayer under a fee in lieu of taxes agreement whereby the applicable school district does not receive its pro rata share of the fee. In addition, the department must provide an annual report on the expenditure of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Amendment No. 73

Senator GROOMS proposed the following amendment (4000R029.SP.LKG.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 88, STATE PORTS AUTHORITY, page 438, proviso 88.5, by striking lines 11-36 and page 439 by striking lines 1-16 and inserting / 88.5. (SPA: ~~Jasper Ocean Terminal Permitting~~ *Sale of Jasper Ocean Terminal*) ~~The funds appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal shall be utilized by the SPA to pay for activities approved and directed by the joint venture governing board and associated with~~

~~advancing the Project during FY 2018-19. In connection with activities that are approved and directed by the joint venture, SPA shall comply with the directive of Section 54-3-115 of the South Carolina Code in regard to taking "all action necessary to expeditiously develop a port in Jasper County." Activities undertaken during FY 2018-19 may include, but are not limited to, the following:~~

~~1. working on a corporate governance model for the joint venture as an operating port;~~

~~2. working on terminal simulation for design and operation;~~

~~3. working on plans, studies, and modeling in conjunction with the respective South Carolina and Georgia Departments of Transportation and the metropolitan planning organization to identify and assess supporting road and rail infrastructure for the terminal footprint including, but not limited to, supporting infrastructure that may have independent utility;~~

~~4. working on sedimentation modeling for impacts on construction and dredging;~~

~~5. taking actions in furtherance of obtaining: (a) a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act; (b) a permit pursuant to Section 404 of the Clean Water Act, to prepare a Channel Modification Feasibility Study; and (c) studies necessary in connection with developing an Environmental Impact Statement for the Project; and~~

~~6. discharging its obligations pursuant to its Joint Venture Agreement with the Georgia Ports Authority.~~

~~The funds appropriated to SPA for the Jasper Ocean Terminal Permitting may not be used for reimbursement of SPA expenditures made in a prior fiscal year and must be used only for one or more of the purposes set forth above.~~

~~SPA shall provide a detailed report in writing to the members of the South Carolina General Assembly on or before the first day of the 2019 legislative session and another such report on or before June 30, 2019, describing the progress made as of the dates of those reports in regard to the Jasper Ocean Terminal, such to include a description of the ongoing and planned work.~~

(A) From the funds appropriated to the Department of Administration, the Department of Administration is directed to conduct a competitive bidding process for the sale of the State's interest in the development of the Jasper Ocean Terminal. The Department of Administration shall procure such professional services as are necessary to conduct the sale, the evaluation of bids received, and related

activities. Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring any necessary professional services.

(B) The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State and its taxpayers.

(C) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Senate Finance Committee and the House of Representatives Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

(D) The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the General Fund to reimburse the State for costs incurred for the development of the terminal as of the date of the sale.

(E) The State Ports Authority is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received./

Renumber sections to conform.

Amend sections, totals and title to conform.

PRESIDENT PRESIDES

At 3:08 P.M., the PRESIDENT assumed the Chair.

Senator GROOMS explained the amendment.

On motion of Senator GROOMS, the amendment was withdrawn.

Amendment No. 63

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V3), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting */ (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapters 7 and 45 of Title 38, a private, third party entity is prohibited from assessing, collecting or administering collection of business license taxes on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.*

A study committee shall be established to study reform and implementation of a third party collection system. The study committee shall be composed of the following:

(1) One member appointed by the Chairman of the Senate Finance Committee;

(2) One member appointed by the Chairman of the House Ways and Means Committee;

(3) One member appointed by the Chairman of the Senate Labor, Commerce and Industry Committee;

(4) One member appointed by the Chairman of the House Labor, Commerce and Industry Committee;

(5) One member of the Municipal Association of South Carolina;

(6) One member of the South Carolina Chamber of Commerce;

(7) One member of the South Carolina Manufacturers Alliance;

(8) One member of the South Carolina Association of Realtors; and

(9) One member of the South Carolina Association of Counties. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CROMER, the amendment was carried over.

Amendment No. 89

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V4), which was adopted (#38):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting

/ *(Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9, of Title 58, and Chapters 7 and 45 of Title 38, of the 1976 Code, a private, third party entity is prohibited from assessing or collecting business license taxes or requiring a business entity to remit confidential business license tax data to that private third party on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity in assisting in the collection of business license taxes. For purposes of this proviso, assisting in the collection of business license taxes is defined as identification of businesses that do not have a business license, providing that identification to a county or municipality and/or providing by United States mail official municipality or county business license forms, along with a self-addressed envelope containing the county or municipality address, to identified businesses on behalf of the county or municipality; but does not include collecting personal or proprietary information from the identified business. A third party assisting in the collection of business license taxes as defined is this proviso is prohibited from any further contact with the business. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.*

A study committee shall be established to study reform and implementation of a third party collection system. The study committee shall be composed of the following:

(1) One member appointed by the Chairman of the Senate Finance Committee;

(2) One member appointed by the Chairman of the House Ways and Means Committee;

(3) One member appointed by the Chairman of the Senate Labor, Commerce and Industry Committee;

(4) One member appointed by the Chairman of the House Labor, Commerce and Industry Committee;

(5) One member of the Municipal Association of South Carolina;

(6) One member of the South Carolina Chamber of Commerce;

(7) One member of the South Carolina Manufacturers Alliance;

(8) One member of the South Carolina Association of Realtors; and

(9) One member of the South Carolina Association of Counties.

Staff support for the study committee shall be provided by the relevant standing committees of the Senate and the House of Representatives, as appropriate. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Recorded Vote

Senator SHEHEEN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 31

Senator FANNING proposed the following amendment (4000C008.RT.SA19.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, after line 12, by adding an appropriately numbered new proviso to read:

/ *(DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.47, for purposes of the jobs tax credit, the county is deemed to be a tier four county and such designation applies for all jobs created during the same tax year.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 84

Senators MASSEY and MARTIN proposed the following amendment (4000R042.SP.ASM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 473, after line 34, by adding an appropriately numbered new proviso to read:

/ *113.__. (AS-TREAS: Preemption) (A) For the purposes of this proviso, "consumer goods" means goods that are used or bought for use primarily for personal, family, or household purposes.*

(B) Except as otherwise provided herein, a political subdivision receiving aid from the Local Government Fund may not enforce a regulation regarding the use, purchase, sale, or transfer of consumer goods enacted on or after April 1, 2019.

(C) Except as otherwise provided herein, a political subdivision receiving aid from the Local Government Fund may not enact a new regulation regarding the use, purchase, sale, or transfer of consumer goods.

(D) A political subdivision that enacts or enforces a regulation in violation of this proviso shall not receive its next scheduled quarterly distribution from the Treasurer following the date of the enforcement of the regulation.

(E) Nothing in this proviso may be construed to prohibit or limit any political subdivision's ordinance regulating the disposal of consumer goods./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator SENN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator DAVIS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator JOHNSON raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator DAVIS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

Senator MARTIN raised a Point of Order that the Point of Order raised by Senator DAVIS came too late.

The PRESIDENT sustained the Point of Order.

Senator DAVIS spoke on the amendment.

Remarks by Senator DAVIS

Thank you, Mr. PRESIDENT. Members, if this amendment passes, the headline in tomorrow's paper, and it will be accurate, will be that the South Carolina State Senate suspends Home Rule. The gentleman from Edgefield may not intend that, but that will be its effect. If you look at the language, consumer goods are defined very broadly as: goods that are used or bought for use, personal, family and household. And Senator CAMPSEN, it does relate to zoning. It says any regulation. It doesn't say ban. It says any regulation, so certainly it encompasses zoning. We have never been accused in this State of being overly deferential to counties or localities -- we are a legislative state. This legislature has reposed in it and exercises power all the time that in other areas of the country are reserved and delegated down to localities. So we are a legislative state. I get that, but we had a debate on this. The General

Assembly did, back in 1974. And there was a statute passed, and Senator MASSEY, to his credit, says that these actions that are being taken by localities fall within the purview of that particular statutory authority. So the argument isn't that we have localities passing laws to ban blue shirts, for instance. That clearly would violate this, because it doesn't affect the health, peace, order, or good governance. I mean clearly that wouldn't fall within that. But I want to speak to this because I know that other people want to talk. There is a profound sense right now in our country of a disconnect between what's important to people and what their elected officials do. And that varies directly in proportion to how far away they are. Whether it's those in Congress, that seemingly can't solve anything, at the state level, and down at the local level. What I have seen over the last few years, and it's really an encouraging thing to see, are people in local communities showing up at meetings, showing up at council hearings, having petitions, having drives, doing things to affect their communities. I have seen that in Beaufort. We have groups -- every municipality in the county in Beaufort has adopted the plastic bag ordinance. There is a sense of empowerment and community engagement that's hard to express. But this feeling that they have the ability, if they put their mind to it and make a good argument, that they can affect the lives around them and the things that directly affect them, that's truly empowering. And it would send a horrible, horrible message, if we said to those localities and said to those individuals in those counties, despite you guys being concerned about this, despite you organizing, despite you making cases before your council members, despite you taking time out of your day to try to affect the life around you, the State is going to come in and say, we are going to ban that. Not because they are acting beyond Home Rule. Senator MASSEY concedes they are acting within the scope of power we gave them under Home Rule. It is just that some of us in Columbia don't like what they are doing with the power we gave them in 1974. If you want to take it back, that's fine. Let's have a debate. Let's modify Home Rule. Let's carve out exceptions to it. Let's have that debate. But the very debate Senator MASSEY says he wants is not being achieved here on this floor. If we want to amend the 1974 Home Rule Act, if we want to go ahead and circumscribe the powers of localities, we have the power to do that, but this is not the place to do that. This is not the place -- in the budget, on third reading -- to put in a proviso that says: localities, for the next year forget doing anything whatsoever if it can be related to a consumer good, which is very broadly defined in this. And then it says, well what can't they do -- well, any new regulation. I'm just telling you, this would be

an absolute, not only political, but public policy disaster if we pass this. Moreover, it would be sending a horrible message to people at the local level, who to their credit have taken time out of their lives and tried to make a difference in what's going on around them. This would send a horrible message, and I hope that we move to table this at the appropriate time. Thank you.

On motion of Senator CASH, with unanimous consent, the remarks of Senator DAVIS, were ordered printed in the Journal.

Senator CAMPSEN spoke on the amendment.
Senator SENN spoke on the amendment.

Senator SENN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 15

AYES

Allen	Bennett	Campsen
Cash	Cromer	Davis
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Malloy	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Young

Total--27

NAYS

Alexander	Climer	Corbin
Gambrell	Goldfinch	Leatherman
Loftis	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin

Total--15

The amendment was laid on the table.

Amendment No. 62

Senator CORBIN proposed the following amendment (4000R045.SP.TDC.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the contributed funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was withdrawn.

Amendment No. 76

Senator CORBIN proposed the following amendment (4000R046.SP.TDC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the contributed state funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds The provisions of this proviso shall not be construed as requiring the disclosure of confidential or proprietary information./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was carried over.

Amendment No. 81

Senator TALLEY proposed the following amendment (ETK EARLY CHILDHOOD STUDY COMM-ST), which was adopted (#39):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ *(GP: Early Childhood Education Study Committee) There is established the Early Childhood Education Study Committee to study the implementation of the recommendations included in the report of the Office of First Steps Study Committee established pursuant to Act 287 of 2014, for the establishment of a cabinet-level agency reporting directly to the governor under which certain programs shall be reorganized so that all early childhood services currently operating across multiple systems and funding streams will be coordinated to streamline an otherwise fragmented system of services resulting in more accountability, efficiency, and reduction of duplicative services.*

The committee shall study how specific early childhood programs should more appropriately be housed at a combined agency, as recommended in the report of the First Steps Study Committee established pursuant to Act 287 of 2014, in order to more efficiently and effectively manage those services while ensuring existing funding streams avoid disruption and while ensuring that the operations and individual 501(c)(3) status of local First Steps Partnerships are maintained and not disrupted. Applicable programs shall include, but are not limited to: Head Start Collaboration Office, First Steps to School Readiness State Office, Office of Early Learning, ABC Childcare Program, Childcare Licensing Office, Childcare Resource and Referral Network, Child Early Reading Development & Education Program, BabyNet, Women, Infants and Children Supplemental Food Program (WIC), and the Postpartum Newborn Home Visitation Program.

The study committee shall be comprised of the following:

1) Chairman of the Senate Family & Veterans' Services Committee, or their designee, who shall serve as Co-Chair;

2) Chairman of the House of Representatives Education & Public Works Committee, or their designee, who shall serve as Co-Chair;

3) Two members of the Senate, appointed by the Chairman of the Family & Veterans' Services Committee;

4) Two members of the House of Representatives, appointed by the Education & Public Works Committee;

5) Three members appointed by the Governor;

6) Chairman of the Joint Citizens and Legislative Committee on Children, or their designee; and

7) President of the Institute for Child Success, or their designee.

Staff support shall be provided by the Senate Family & Veterans' Services Committee and the House of Representatives Education & Public Works Committee. Findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor by December 1, 2019./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Amendment No. 92

Senators CLIMER and FANNING proposed the following amendment(\4000C023.RT.SA19.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ *(GP: State Aid to Classrooms Additional Funding)*

(A)Notwithstanding any amounts appropriated in Part 1A, the general funds appropriated to the following agencies are reduced by the following amounts:

H870-State Library	*$448,739*
H910-Arts Commission	*$316,884*
B040-Judicial Department	*$1,775,765*
N200-Law Enforcement Training Council	*$445,086*
N080-Department of Probation, Parole, and Pardon Services	*$1,013,676*
H170-Coastal Carolina University	*$481,687*
H210-Lander University	*$186,493*
J040-Depart of Health and Environmental Control	*$2,000,000*
J160-Department of Disabilities and Special Needs	*$2,068,690*
L240-Commission for the Blind	*$73,742*
P120-Forestry Commission	*$649,454*
P200-Clemson University PSA	*$533,260*
240-Department of Natural Resources	*$296,199*
P280-Department of Parks, Recreation, and Tourism	*$645,586*

P400-Conservation Bank	*$366,612*
E200-Attorney General	*$536,026*
D050-Governor's Office Executive Control of State	*$245,839*
D500-Department of Administration	*$2,000,000*
E240-Adjutant General	*$804,658*
L460-Commission on Minority Affairs	*$74,504*

(B)From the reductions above, in addition to the funds appropriated in Proviso 1.3 for State Aid to Classrooms, there is appropriated an additional amount sufficient to provide an extra fifteen dollars of state funds to each student./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

Senator M.B. MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Gambrell
Grooms	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--36

NAYS

Cash	Climer	Fanning
Goldfinch	Gregory	Reese
Rice	Senn	

Total--8

The amendment was laid on the table.

Amendment No. 80

Senators SENN and JACKSON proposed the following amendment (DAD 118.15 LITTER SS), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, line 2, by striking /*$61,400,000*/ and inserting /*$48,200,000*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, lines 3 and 4, by striking /*fifty*/ and inserting /*forty*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, line 6, by inserting:

/ In addition, from the funds realized, the Comptroller General shall transfer $11,000,000 to the Department of Transportation for litter pickup and $2,200,000 to the Department of Natural Resources for waterway cleanup. The Department of Natural Resources shall distribute the $2,200,000 to the state's Riverkeepers to ensure the funds are utilized to clean-up the rivers located within the State. Riverkeepers shall make application to the department demonstrating the need for these funds and the department shall distribute the funds as requested. If more funds are requested than are available, each award shall be reduced proportionately. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 93

Senator SENN proposed the following amendment (DG 118.16 LITTER), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, line 35, by striking /$8,000,000/ and inserting /*$4,000,000*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, after line 36, by inserting:

/(c) Litter Pickup $2,500,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, after line 24, by inserting:

/(f) Waterway Cleanup $1,500,000

(42.1) Of the funds appropriated to the Department of Natural Resources, in Item (42)(f) for Waterway Cleanup, the department shall distribute to the state's Riverkeepers to ensure the funds are utilized to clean-up the rivers located within the State. Riverkeepers shall make application to the department demonstrating the need for these funds and the department shall distribute the funds as requested. If more funds are requested than are available, each award shall be reduced proportionately. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

On motion of Senator SENN, the amendment was withdrawn.

Reconsidered and Tabled

Amendment No. 48

Senators SCOTT and HUTTO proposed the following amendment (DG DG JS DEN), which was adopted, reconsidered and tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an item to read:

/ (1) H590 - State Board for Technical and Comprehensive Education

Denmark Technical College $2,000,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

On motion of Senator ALEXANDER, the adoption of Amendment No. 48 was reconsidered.

Senator ALEXANDER moved to lay the amendment on the table.

The amendment was laid on the table.

Reconsidered and Adopted
Amendment No. 49

Senator M.B. MATTHEWS proposed the following amendment (ETK 118.16 COLLETON COUNTY), which was not adopted, reconsidered and adopted (#42):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/*( ) P320 - Department of Commerce*
Colleton County Economic Development $ 150,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M.B. MATTHEWS explained the amendment.

The question then was the adoption of the amendment.

The amendment was not adopted.

On motion of Senator DAVIS, having voted on the prevailing side, the vote whereby the amendment failed was reconsidered.

Senator CASH moved to lay the amendment on the table.

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 55A

Senators SCOTT and HUTTO proposed the following amendment (SA\4000C021.RT.SA19.DOCX), which was adopted (#40):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) H590- State Board for Technical and Comprehensive Education

Denmark Technical College- Administrative Services and Equipment

$ 500,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 64B

Senators J. MATTHEWS and HUTTO proposed the following amendment (4000 Crisis Stability Matthews.DOCX), which was adopted (#42):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) J020- Department of Health and Human Services

Mental Health Crisis Stability Unit Serving Orangeburg, Calhoun, Bamberg and Barnwell Counties at Orangeburg County Hospital

$500,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator J. MATTHEWS explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 65

Senator JACKSON proposed the following amendment (4000 Jackson Veterans 2. .DOCX), which was adopted (#43):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) J120- Department of Mental Health
Fisher House $200.000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 66

Senator WILLIAMS proposed the following amendment (4000 Williams Long Term Disaster.DOCX), which was adopted (#44):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) D500 - Department of Administration
Marion County Long Term Disaster Recovery $100.000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 72A

Senator SABB proposed the following amendment (4000 SABB TOWNOF SCRANTON 2.DOCX), which was adopted (#45):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ *( ) D500 - Department of Administration*
Town of Scranton -Disaster Relief $100,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 85A

Senator SABB proposed the following amendment (4000 Williamsburg Senior Center .DOCX), which was adopted (#46):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ *( ) J040 Department of Health and Environmental Control*
Williamsburg Senior Center $500,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SABB explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 90

Senator HEMBREE proposed the following amendment (ETK 118.16 ART INTELL GH), which was adopted (#47):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/( ) SC Workforce Development Artificial Intelligence Pilot Program $900,000;

(.1) Of the funds appropriated to the Department of Commerce for the SC Workforce Development Artificial Intelligence Pilot Program, for school year 2019-2020, with in-kind or financial contributions by industry partners, the Department of Commerce shall allocate funds to develop a model for attracting recognized industry experts to high schools. Unused or excess funds may be carried forward to be used in the following school year.

Industry partner experts shall facilitate a teaching model platform of smart technology to include artificial intelligence integrated into augmented reality, virtual reality and animation to enhance student preparation for a specified career pathways beginning in the tenth grade.

The Department of Commerce shall monitor implementation of the pilot programs and report on its impact to the State Board of Education. The Department of Commerce shall pilot the program in public high schools or career centers in Anderson, Florence and Charleston counties as long as the pilot sites have the technology and leadership capacity to initiate a successful program./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 37A

Senators SABB and SCOTT proposed the following amendment (ETK 118.17 FARM AID V2), which was adopted (#48):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 541, proviso 118.17, after line 13, by inserting:

/ *In addition, a seasonal processing facility with an NAICS code of 115111 that is located in a Tier IV county and has experienced a verifiable decrease in yield of greater than 85% due to the flooding from Hurricanes Michael and Florence, is eligible to apply for a grant. Eligible entities must present:*

(1) a signed affidavit, under penalty of perjury, certifying that each fact of the loss presented by the facility is accurate; and

(2) a signed affidavit, under penalty of perjury, certifying that no federal funds have been received for these specific disasters, and in the event that federal funds are received, the facility will return all state monies received under this program.

(3) an owner or person who has a financial interest in the processing facility may not receive both a grant award for the facility and for individual crop losses.

Each grant awarded by the department may not exceed twenty percent of the facility's verifiable loss of yield. However, a facility, may not receive grants aggregating more than fifty thousand dollars. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SABB explained the amendment.

The amendment was adopted.

Amendment No. 51

Senators CLIMER and FANNING proposed the following amendment (4000C011.NBD.DG19.DOCX), which was adopted (#49):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Capital Improvement Payments) In the current fiscal year, any school district that is allocated state funds pursuant to this act may utilize any fees derived from developmental impact fees to pay debt service on projects included in the capital improvements plan for which the fees were imposed.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 91

Senators RANKIN and JACKSON proposed the following amendment (DG\4000C013.NL.DG19.DOCX), which was adopted (#50):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Personal Finance)From the funds appropriated to the State Department of Education in the current fiscal year, the Department of Education shall develop a one-half credit virtual course in personal finance. The course must be fully developed by June 30, 2020.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Amendment No. 94

Senators LEATHERMAN and SHEHEEN proposed the following amendment (ETK 3.5 LOTTERY VS), which was adopted (#51):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 341, proviso 3.5, after line 9, by inserting:

/*( ) Department of Education - Innovation Grants $3,800,000*

( )Education Oversight Committee - After School Pilot Program and Clemson Forest Initiative $1,500,000

( )Commission on Higher Education - Higher Education Facilities Repair and Renovation Fund $All Remaining./ Amend the bill

further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 345, proviso 3.5, after line 2, by inserting:

/ *Of the funds appropriated to the Higher Education Facilities Repair and Renovation Fund, on or before October 31st of current fiscal year, the Commission shall transfer twenty percent to the State Board for Technical and Comprehensive Education for distribution among the State's public technical colleges in a manner the board adopts and the remaining eighty percent must be distributed by the Commission to each of the state's remaining public research, comprehensive and two-year branch campuses of the University of South Carolina based on a formula developed by the Commission's Finance and Facilities Committee in cooperation with the Council of Presidents. At minimum, the Committee and Council's formula shall take into consideration an institution's total number of buildings by type, size (as measured by square footage) and age compared to the total number of buildings by type, size (as measured by square footage) and age among all public research, comprehensive and two-year branch campuses of the University of South Carolina.*

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 96A

Senators CLIMER and RANKIN proposed the following amendment (4000R055.SP.WC.DOCX), which was adopted (#52):

Amend the bill, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 428, after line 13, by adding an appropriately numbered new proviso to read:

/ *73.___. (ORS: RTO Study Committee) (A) There is created the Regional Transmission Organization Study Committee to make regional transmission entities (RTEs), including regional transmission organizations, that satisfy the minimum criteria established by the Federal Energy Regulatory Commission under 18 C.F.R. 35.34. The*

study committee shall address how the State's retail electric consumers would benefit from investor-owned utilities in South Carolina joining or establishing an RTE.

(B) The study committee shall be comprised of:

(1) the Director of the Office of Regulatory Staff or his designee;

(2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee, one of whom must be from the minority party;

(3) three members of the House of Representatives appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee, one of whom must be from the minority party;

(4) two representatives of the renewable energy community who primarily engage in the development of utility scale solar projects in South Carolina and who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(5) one designee from Duke Energy;

(6) one designee from Dominion Power;

(7) two representatives of commercial consumers of electricity in investor-owned utility service territory in South Carolina who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(8) two representatives of residential consumers of electricity in investor-owned utility service territory in South Carolina or the AARP who are appointed by the Chairman of the Senate Judiciary Committee;

(9) two representatives of industrial consumers of electricity in investor-owned utility service territory in South Carolina who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(10) two representatives of the environmental community appointed by the Chairman of the House of Representatives Judiciary Committee;

(11) one designee of the South Carolina Electric Cooperatives;

(12) two representatives of South Carolina's renewable energy industry primarily engaged in the sale, lease, or installation of rooftop solar systems; and

(13) one designee of the Solar Energy Industries Association.

(C) The study committee shall be staffed by the House of Representatives and Senate staff.

(D) The study committee shall provide a report to the General

Assembly by December 31, 2019, at which time the study committee shall dissolve, unless the committee is extended by the General Assembly./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Amendment No. 95

Senator BENNETT proposed the following amendment (ETK 75.2 MILITARY DISABILITY), which was adopted (#53):

Amend the bill, as and if amended, Part IB, Section 75, STATE ACCIDENT FUND, pages 428-429, proviso 75.2, lines 29-36 and lines 1-11, by striking the proviso in its entirety, and inserting

/ *75.2. (SAF: Military Disability) (A) From the funds credited to the State Accident Fund in the current fiscal year, there is established within the State Accident Fund a military disability program that provides a settlement for any such member of the National Guard that became permanently disabled while serving during the catastrophic weather event in October 2015. The settlement must be based upon that which persons under similar circumstances in the military service of the United States receive from the United States. The director may seek assistance in establishing the program from the Adjutant General or any other agency or entity with such expertise.*

(B) A National Guard member may only participate in this program if the member permanently waives any right to claim benefits pursuant to Section 25-1-100 and releases the State from any potential liability pursuant to Section 25-1-100, and further agrees that any amounts due under this proviso are subject to appropriate offsets to avoid compensation in excess of what the member would have received from the federal government if permanently disabled while performing federally paid duty. Offsets include benefits received, or to be received, under Title 42 of the 1976 Code as a result of these injuries (State Workers' Compensation), benefits received, or to be received, pursuant to Chapter 10 of Title 9 of the 1976 Code (SC National Guard Retirement System), as well as any benefits received, or to be received, from the federal government such as severance pay, military retirement pay, or

VA benefits relating to the same disabilities at issue in the State military disability claim.

(C) From the funds credited and authorized to the State Accident Fund in the current fiscal year, the director of the State Accident Fund is authorized to offer a onetime lump sum settlement to members of the military disability program, subject to eligibility and the other requirements set forth in the proviso./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

PRESIDENT PRESIDES

At 6:26 P.M., the PRESIDENT assumed the Chair.

On motion of Senator CROMER, with unanimous consent, Amendment No. 63 was withdrawn.

Amendment No. 76A

Senator CORBIN proposed the following amendment (4000R056.SP.SLG.DOCX), which was adopted (#54):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization and detailing the use of the contributed state funds received and expended by the organization for the purpose of staffing, including full and part time positions and the number of positions available versus positions filled; salaries for each position; and any supporting documentation. The

statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds The provisions of this proviso shall not be construed as requiring the disclosure of confidential or proprietary information./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Amendment No. 39A

Senator KIMPSON proposed the following amendment (DAD AFRICAN AMERICAN TOURISM MKTG 2), which was adopted (#55):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ ( ) P280 - Department of Parks, Recreation, and Tourism
African American Tourism Marketing $ 100,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMPSON explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 86 was withdrawn.

On motion of Senator BENNETT, with unanimous consent, Amendment No. 78 was withdrawn.

Amendment No. 97

Senator LEATHERMAN proposed the following amendment (ETK BAL AM), which was adopted (#56):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 539, proviso 118.16, after line 8, by inserting an appropriately numbered subitem to read:

/ *( ) Lakes and Bridges Charter School-Capital Improvements $200,000;*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, line 15 item (40) opposite /*State Owned Building Deferred Maintenance*/, by striking */$1,000,000*/ and inserting /*$800,000*/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Dept. of Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4; Abstain 1

AYES

Alexander	Allen	Campbell
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--39

NAYS

Bennett	Grooms	Hembree
Massey		

Total--4

ABSTAIN

Campsen

Total--1

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1A and Part 1B, Dept. of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Hembree	Massey

Total--3

ABSTAIN

Corbin

Total--1

Section 1A, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--39

NAYS

Grooms	Martin	Massey

Total--3

ABSTAIN

Corbin	Hembree

Total--2

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 6 , Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8 Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 11, Part 1A and Part 1B, Commission on Higher Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Campsen

Total--1

Section 11, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 12, Part 1A, Higher Education Tuition Grants

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13 Part 1A, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 13, Part 1A, was adopted.

The Senate proceeded to Sect. 14, Part 1A and Part 1B, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod

Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 14 , Part 1A, was adopted.

The Senate proceeded to Sect. 15 Part 1A, College of Charleston.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 15, Part 1A, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 17, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 18, Part 1A, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 18, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 19, Part 1A, S. C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy

Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 19, Part 1A, was adopted.

The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B, University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn	Sheheen

Total--2

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey	*Matthews, Margie*

Total--3

ABSTAIN

Senn

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Hembree

Total--1

Section 25, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 26, Part 1A and Part 1B, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*

Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 26, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 29, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 30, Part 1A and Part 1B, Confederate Relic Room and Military Museum.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey	*Matthews, Margie*

Total--3

Section 30, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 32, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 33, Part 1A and Part 1B, Health and Human Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 19

AYES

Alexander	Allen	Campbell
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Malloy	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Senn	Setzler
Sheheen		

Total--25

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Grooms	Hembree
Loftis	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--19

Section 33, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 34, Part 1A and Part 1B, Health and Environmental Control (DHEC).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 4; Abstain 5

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Shealy	Sheheen	Turner
Verdin	Young	

Total--35

NAYS

Grooms	Massey	Rice
Talley		

Total--4

ABSTAIN

Campsen	Davis	Goldfinch
Senn	Setzler	

Total--5

Section 34, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 35, Part 1A and Part 1B, Mental Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 35, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 36, Part 1A and Part 1B, Disabilities and Special Needs (DDSN).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson

Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 37, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 38, Part 1A and Part 1B, Social Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch	Malloy	Senn
Talley		

Total--4

Section 38, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 39, Part 1A and Part 1B, Commission for the Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 39, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 40, Part 1A and Part 1B, Dept. on Aging.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett

Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 40, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 41, Part 1A and Part 1B, Dept. of Children's Advocacy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb

Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Sheheen

Total--1

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing, Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Campsen

Total--1

Section 43, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 44, Part 1A and Part 1B, Dept. of Agriculture.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Gambrell

Total--1

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 45, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 46, Part 1A, S. C. State University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 46, Part 1A, was adopted.

The Senate proceeded to Sect. 47, Part 1A and Part 1B, Dept. of Natural Resources.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*

Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 48, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 49, Part 1A and Part 1B, Parks, Recreation and Tourism.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 49, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 50, Part 1A and Part 1B, Department of Commerce.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Campsen	Setzler

Total--2

Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Climer

Total--1

Section 51, Part 1A, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey	Sheheen

Total--3

ABSTAIN

Campsen

Total--1

Section 52, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 53, Part 1A, S. C. Conservation Bank.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch

Total--1

Section 53, Part 1A, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy

Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Davis

Total--1

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Setzler	Shealy	Sheheen
Turner	Verdin	Young

Total--36

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Campsen	Davis
Hembree	Senn	Talley

Total--6

Section 57, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 58, Part 1A and Part 1B, Administrative Law Court.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 2; Abstain 14

AYES

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Gregory	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
McLeod	Nicholson	Peeler
Reese	Rice	Scott
Senn	Shealy	Turner
Verdin		

Total--28

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Campsen	Goldfinch
Harpootlian	Hembree	Kimpson
Matthews, Margie	McElveen	Rankin
Sabb	Setzler	Sheheen
Talley	Young	

Total--14

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Harpootlian	Kimpson
Sabb	Senn	

Total--5

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Harpootlian	Hembree
McElveen	Sabb	

Total--5

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Turner	Verdin	Young

Total--36

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Hembree	*Matthews, Margie*
McElveen	Sheheen	Talley

Total--6

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Harpootlian	Senn
Setzler		

Total--4

Section 62, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 63, Part 1A and Part 1B, Department of Public Safety.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--36

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Harpootlian
Sabb	Senn	Setzler

Total--6

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 64, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 65, Part 1A and Part 1B, Department of Corrections.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory

Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Malloy
Sabb	Senn	

Total--5

Section 65, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 66, Part 1A and Part 1B, Probation, Parole and Pardon Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 2; Abstain 13

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	*Matthews, John*
McLeod	Nicholson	Peeler
Reese	Rice	Scott

Setzler	Shealy	Talley
Turner	Verdin	

Total--29

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Harpootlian	Hembree	Malloy
Matthews, Margie	McElveen	Rankin
Sabb	Senn	Sheheen
Young		

Total--13

Section 66, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 67, Part 1A and Part 1B, Department of Juvenile Justice.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	*Matthews, John*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy

Sheheen	Talley	Turner
Verdin	Young	

Total--35

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Hembree
Malloy	*Matthews, Margie*	McElveen
Senn		

Total--7

Section 67, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy

Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch	Sheheen

Total--2

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--39

NAYS

Grooms	Massey

Total--2

ABSTAIN

Kimpson	Rankin	Sheheen

Total--3

Section 72, Part 1A, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Kimpson	Rankin

Total--2

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 2; Abstain 15

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Jackson	Johnson	Leatherman
Loftis	Martin	*Matthews, John*
McLeod	Nicholson	Peeler
Reese	Rice	Scott
Shealy	Turner	Verdin

Total--27

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Hembree	Kimpson	Malloy
Matthews, Margie	McElveen	Rankin
Sabb	Senn	Setzler
Sheheen	Talley	Young

Total--15

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 2; Abstain 12

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer

Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Scott	Shealy
Talley	Turner	Verdin

Total--30

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Hembree	*Matthews, John*	*Matthews, Margie*
Rankin	Sabb	Senn
Setzler	Sheheen	Young

Total--12

Section 75, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 76, Part 1A, Patients' Compensation Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod

Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey

Total--2

ABSTAIN

Davis	Goldfinch	Hembree
Sabb	Setzler	

Total--5

Section 76, Part 1A, was adopted.

The Senate proceeded to Sect. 78, Part 1A and Part 1B, Department of Insurance.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice

Sabb	Scott	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey

Total--2

ABSTAIN

Campsen	Climer	Senn
Setzler		

Total--4

Section 78, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 80, Part 1A and Part 1B, Department of Consumer Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch	Rankin

Total--2

Section 80, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor, Licensing and Regulation (LLR).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 10

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Shealy
Turner	Verdin	

Total--32

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Malloy	Sabb	Senn

Setzler	Sheheen	Talley
Young		

Total--10

Section 81, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 82, Part 1A and Part 1B, Department of Motor Vehicles.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 10

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	*Matthews, John*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Shealy	Sheheen	Talley
Turner	Verdin	

Total--32

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Malloy	*Matthews, Margie*	McElveen
Sabb	Senn	Setzler
Young		

Total--10

Section 82, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 83, Part 1A and Part 1B, Department of Employment and Workforce (DEW).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 2; Abstain 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	*Matthews, John*
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin		

Total--34

NAYS

Grooms	Massey

Total--2

ABSTAIN

Davis	Goldfinch	Malloy
Matthews, Margie	McElveen	Rankin
Sheheen	Young	

Total--8

Section 83, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 84, Part 1A and Part 1B, Department of Transportation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin

Total--36

NAYS

Grooms	Massey

Total--2

ABSTAIN

Davis	Goldfinch	Malloy
Sabb	Senn	Young

Total--6

Section 84, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 85, Part 1A, Infrastructure Bank Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 85, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 86, Part 1A, County Transportation Funds.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 86, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 88, Part 1B, was adopted.

The Senate proceeded to Sect. 91A-E, Part 1A and Part 1B, Legislative Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 91A-E, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92A-C, Part 1A and Part 1B, Governor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Malloy	Senn

Total--2

Section 92A-C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 93 Part 1A and Part 1B, Dept. of Administration.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*

Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94 Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 95 Part 1A and Part 1B, Lieutenant Governor.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 95, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96 Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 96, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 97 Part 1A and Part 1B, Comptroller General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 97, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 98 Part 1A and Part 1B, State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese

Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Kimpson	Senn

Total--2

Section 98, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 99 Part 1A, Retirement System Investment Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Kimpson	Malloy

Total--2

Section 99, Part 1A, was adopted.

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Malloy
Sabb		

Total--4

Section 101, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch

Total--1

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accounting Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod

Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 6; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb

Scott	Setzler	Shealy
Sheheen	Talley	Turner
Young		

Total--37

NAYS

Cash	Climer	Grooms
Massey	Rice	Verdin

Total--6

ABSTAIN

Senn

Total--1

Section 108, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 109, Part 1A and Part 1B, Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Hembree	Jackson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Shealy	Sheheen	Talley
Turner	Verdin	

Total--35

NAYS

Grooms	Massey

Total--2

ABSTAIN

Davis	Goldfinch	Harpootlian
Johnson	Sabb	Setzler
Young		

Total--7

Section 109, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	

Total--35

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Hembree
Malloy	Rankin	Sabb
Young		

Total--7

Section 110, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 111, Part 1A and Part 1B, Procurement Review Panel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Allen	Sabb

Total--2

Section 111, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey

Total--2

ABSTAIN

Kimpson	Senn

Total--2

Section 113, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 114, Part 1A, Aid to Subdivisions - Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 114, Part 1A, was adopted.

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian

Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey

Total--2

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey

Total--2

ABSTAIN

Goldfinch

Total--1

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Cash	Climer	Grooms
Hembree	Massey	Rice

Total--6

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Statement by Senator CASH

I voted against the budget because it allows state money to be used by the State Health Insurance Plan to pay for the killing of unborn babies who are conceived as a result of rape or insest.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THURSDAY, APRIL 18, 2019

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (NBD\4001C001.NBD.DG19.DOCX), which was adopted:

Amend the Joint Resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts for Higher Education Facilities Repairs and Renovations:

(1) H150 - University of Charleston
Stern Center Renovation $7,000,000

(2) H240 - South Carolina State University
Student Center Renovation $3,361,000

(3) H290 - USC - Aiken Campus
Business and Education Building Renovation $3,500,000

(4) H340 - USC - Upstate Smith Science Building Renovation
$3,000,000

(5) H370 - USC - Lancaster Campus Critical Maintenance and Repair
$3,500,000

(6) H380 - USC - Salkehatchie Campus Critical Maintenance and Repair $1,391,500
(7) H390 - USC - Sumter Campus Critical Maintenance and Repair $1,345,000
(8) H390 - USC - Sumter Campus Science Building Renovation $2,250,000
(9) H400 - USC - Union Campus Critical Maintenance and Repair $1,360,000

SECTION 2. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts:

(1) D500 - Department of Administration State Owned Building Deferred Maintenance $22,224,138
(2) P280 - Department of Parks, Recreation and Tourism StateParks Deferred Maintenance $8,475,000
(3) H090 - The Citadel Capers Hall $7,500,000
(4) H120 - Clemson University Clemson University Health Innovation-Extension Programming $1,000,000
(5) H120 - Clemson University Center for Advanced Manufacturing $4,000,000
(6) H120 - Clemson University Safety and Security Infrastructure/Enhancements $5,900,000
(7) H170 - Coastal Carolina UniversityAcademic Enrichment Center $5,000,000
(8) H180 - Francis Marion University Freshwater Ecology Center $5,000,000
(9) H210 - Lander University Roof Replacements $3,313,400
(10) H210 - Lander University Campus Safety and Security Upgrades $1,361,800
(11) H240 - South Carolina State University Information Technology Upgrades $1,690,000
(12) H240 - South Carolina State University Speech Pathology Program Updates $310,000
(13) H270 - University of South Carolina Columbia School of Medicine Relocation $15,000,000
(14) H340 - USC - Upstate Laboratory and Technology for Exercise Science $517,555

(15) H360 - USC - Beaufort Campus Instructional Technology Upgrades $500,000

(16) H360 - USC - Beaufort Campus Library/Classroom Building Expansion $4,500,000

(17) H470 - Winthrop University Strategic Risk Management $7,500,000

(18) H510 - Medical University of South Carolina Renovation /Innovation Projects $12,000,000

(19) H590 - Board for Technical and Comprehensive Education ReadySC Direct Training $9,200,000

(20) P200 - Clemson University-PSA Facility Renovation for Water Research $2,000,000

(21) H170 - Coastal Carolina University Belle W. Baruch Institute for South Carolina Studies - Renovations $2,000,000

(22) H240 - South Carolina State University Demolition of Mayes Hall and Queen Village $750,000

(23) H590 - State Board for Technical and Comprehensive Education Central Carolina Tech - Capital Needs - Sumter $1,000,000

(24) H590 - State Board for Technical and Comprehensive Education Spartanburg Community College STEM Training Facility $1,000,000

(25) H590 - State Board for Technical and Comprehensive Education Piedmont Technical College - O'Dell Upstate Center for Manufacturing Excellence $3,200,000

SECTION 3. Prior to expending the $15,000,000 appropriated in Section 2, item (12) H270 - University of South Carolina Columbia School of Medicine Relocation, the funds must be matched 1:1 by a private entity or irrevocable escrow by the university.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2018-2019 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LEATHERMAN explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

H. 4001--Ordered to a Third Reading

On motion of Senator LEATHERMAN, with unanimous consent, H. 4001 was ordered to receive a third reading on Friday, April 19, 2019.

THURSDAY, APRIL 18, 2019

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2018, and to expire July 1, 2021

SC Chamber of Commerce:

Kippy Derrick Miller, 15 Calumet Court, Greenville, SC 29615-6005 *VICE* Laban D. Chappell

On motion of Senator HEMBREE, the question was confirmation of Kippy Derrick Miller.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy

Sheheen	Talley	Turner
Verdin	Young	

Total--44

NAYS

Total--0

The appointment of Kippy Derrick Miller was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawk Nest Dr., Hermitage, TN 37076-5621
VICE Susan V. Alford

On motion of Senator SHEALY, the question was confirmation of Michael H. Leach.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

Talley Turner Verdin
Young

Total--43

NAYS

Total--0

ABSTAIN

Malloy

Total--1

The appointment of Michael H. Leach was confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2019, and to expire June 30, 2025
Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649 *VICE* Curtis G. Clark

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Carey B. Murphy, 601 Glenwood Ave., Anderson, SC 29625-2856

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
James Wesley White, 152 Buckland Drive, Anderson, SC 29621-3686

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Walter Martin, 416 Dogwood Drive, Greenwood, SC 29646-9210

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Bartholomew McGuire, 106 Fair Oaks Lane, Greenwood, SC 29646-9273

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

Jeffrey M. Tzerman, 702 Walnut Street, Camden, SC 29020

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Ron C. Halfacre, 1810 Harper Street, Newberry, SC 29108-2804

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:24 P.M., on motion of Senator MASSEY, the Senate adjourned to meet Monday 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.

* * *

College and University Trustee Screening Commission

Senator Harvey S. Peeler, Jr., Chairman
Senator Thomas C. Alexander
Senator John. L. Scott, Jr.
Senator Daniel B. "Danny" Verdin, III

Staff:
Martha Casto
Julie Price

Representative William R. Whitmire, Vice-Chairman
Representative John King
Representative Sylleste Davis
Representative Gary E. Clary

213 Gressette Building
P.O. Box 142
Columbia, South Carolina
29202
Phone: (803) 212-6430
Email:
President@scsenate.gov

College and University Trustee Screening Commission
Report to the General Assembly
April 18, 2019

<u>Wil Lou Gray Opportunity School</u>
At-Large - expires 2023 (three seats)
CANDIDATES FOUND QUALIFIED AND NOMINATED
Deborah S. Blalock -- *Charleston*
Robert N. Collar -- *Bluffton*
Dan A. Dobson -- *Myrtle Beach*

THURSDAY, APRIL 18, 2019

The Citadel

At-Large - expires 2025 (one seat)
CANDIDATE FOUND QUALIFIED AND NOMINATED
L. Eugene Pinson -- *Greenwood*

Coastal Carolina University

1st Congressional district- seat 1 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
George E. Mullen -- *Hilton Head Island*

3rd Congressional district- seat 3 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
William S. Biggs -- *Salem*

5th Congressional district- seat 5 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
Charles E. Lewis -- *Gaffney*

7th Congressional district- seat 7 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
Natasha M. Hanna -- *Conway*

At-Large - seat 9 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
Eugene C. Spivey -- *Myrtle Beach*

At-Large - seat 11 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
William E. Turner, III -- *Simpsonville*

At-Large - seat 13 - expires 2023
CANDIDATE FOUND QUALIFIED AND NOMINATED
Lee A. Belcher -- *Lexington*

Medical University of South Carolina

4th Congressional District - medical seat - expires 2020
CANDIDATE FOUND QUALIFIED AND NOMINATED
H. Frederick Butehorn, III -- *Spartanburg*

THURSDAY, APRIL 18, 2019

STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION

SCREENINGS

Date:	March 25, 2019
Time:	1:01 p.m.
Time ended:	2:18 p.m.
Location:	Gressette Building 1101 Pendleton Street, Room 209 Columbia, South Carolina

Committee Members Present:
Chairman Senator HARVEY S. PEELER, JR.
Senator THOMAS C. ALEXANDER
Senator JOHN L. SCOTT, JR.
Senator DANIEL B. "DANNY" VERDIN, III, Vice-Chairman
Representative William R. Whitmire
Representative Phyllis J. Henderson
Representative Sylleste Davis
Also present: Martha Casto, Julie Price, Staff

CHAIRMAN SENATOR PEELER: I'd like to call the meeting to order. This is the meeting of the College and University Trustee Screening Commission. I pray that God continues to bless us all.
SENATOR SCOTT: Amen.
CHAIRMAN SENATOR PEELER: First of all, we have the Coastal Carolina University, At-Large, Seat Number 13, Mr. Lee Belcher from Lexington. Mr. Belcher, if you would, please come forward.
MR. BELCHER: Thank you.
CHAIRMAN SENATOR PEELER: Make sure your green light is on so that we know the intercom is working.
MR. BELCHER: Thank you.
CHAIRMAN SENATOR PEELER: I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. BELCHER: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you would like to serve on --
MR. BELCHER: Absolutely.
CHAIRMAN SENATOR PEELER: -- the Coastal Carolina board?
MR. BELCHER: Yes, sir. And thank you so much.

Mr. Chairman and members of the Commission, I would like to thank you in advance for this opportunity to appear before you today. My name is Lee Belcher, as you know, and I am originally born and raised here in Columbia, South Carolina. Upon graduating from Airport High School I visited multiple colleges and then decided that Coastal Carolina was the best fit for me. I graduated from the university in 2008 with a bachelor's degree in business. I currently reside here in Lexington County with my wife who also graduated from Coastal and played basketball for the university. We have three beautiful children, London, Madison and Tyler. I currently serve at the school on the school improvement council where over the last two years I spent a lot of time helping Lexington School District One continue to grow. My career in banking started during my senior year at Coastal. That initial experience afforded me the opportunity to find my strengths, weaknesses, but also the ability to learn how to grow. My personality and people skills allow me to work very well in groups to make decisions, and I feel like that is a key component to working on a board.

In 2013 I decided that 16 years of education wasn't enough, so I decided to go back and get my master's degree in business at Webster University. I currently work with Synovus Bank where I analyze financial statements for large corporations, as well as universities and colleges across this state.

The reason that I want to serve here at Coastal Carolina is Coastal has done so much for my family and I over the years. I feel like that has turned me into an asset that can add value to the school, to the students and to the community. So I am looking -- I want to come in and I want to help not only our students connect for future opportunities, but I want to help connect them with those opportunities. I want to be a part of Coastal Carolina going forward and I want to help them continue to grow, and that's why I want to serve. Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

Questions from members of the Committee? Desire of the Committee.

SENATOR SCOTT: Favorable.

CHAIRMAN SENATOR PEELER: Favorable.

Second? REPRESENTATIVE DAVIS: (Indicating.)

CHAIRMAN PEELER: Seconded. All in favor raise your right hand. Unanimous. Thank you, sir

MR. BELCHER: Thank you.

CHAIRMAN SENATOR PEELER: Thank you for your willingness to serve, sir.

MR. BELCHER: Thank you so much.

CHAIRMAN SENATOR PEELER: Hope the rest of them are that easy. Next we have At-Large, Seat 9, Coastal Carolina University. That would be Eugene Spivey, Myrtle Beach.
MR. SPIVEY: How do you do, sir.
CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. SPIVEY: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MR. SPIVEY: Very brief. My name is Gene Spivey. I've served on the board of trustees at Coastal since 2002. I'm a Coastal grad. I live in Myrtle Beach with my -- sharing time with a six-year-old daughter. I work in the real estate development business, and I just would like to continue serving on the Coastal board to keep doing what we've been doing.
CHAIRMAN SENATOR PEELER: You got the memo. Brevity is a plus. Does the Committee have any questions?
SENATOR SCOTT: I have a question.
CHAIRMAN SENATOR PEELER: Senator Scott.
SENATOR SCOTT: Mr. Spivey, let me as a seated member of Coastal, let me say you guys have been doing a very good job with Coastal, especially with the help coming from additional funds that you received from local government there. What would you like to see different occur at Coastal that's not already ongoing? I know you've got some capital needs and some other requests that y'all have (The court reporter interjected.)
SENATOR SCOTT: I'm sorry. What would you like to see different occur at Coastal that's not ongoing since you're already on the board and have been on the board for a while? Can you hear me now? Is that better? A little bit better?
MR. SPIVEY: I would like to I mean, for instance, the bill that's currently working its way through, you know --
SENATOR SCOTT: The Higher Ed Bill?
MR. SPIVEY: Yes, sir, where -- where more of the money follows the student. I think that's something that would be beneficial to Coastal, get more of that type of fund -- funding. We're also going to need to be here in a couple of years working with the local school board and -- to protect the school to get -- that one percent money that we just talked about, they extended that. That comes to an end here in a few years, but those would be two of the big issues I would say right now.
SENATOR SCOTT: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments?
SENATOR SCOTT: Favorable.
CHAIRMAN SENATOR PEELER: Favorable. Seconded. Any other discussion? Hearing none, bring it to a vote. All in favor raise your right hand. Thank you, sir.
MR. SPIVEY: Thank you.
CHAIRMAN SENATOR PEELER: Next, 7th Congressional District, Seat 7, Coastal Carolina University, Natasha Hanna, Conway.
MS. HANNA: Good afternoon.
CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MS. HANNA: Yes, sir, I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MS. HANNA: Yes, sir, I would. My name is Natasha Hanna and I'm from Conway. I'm actually one of those out-of-state students that came to Coastal Carolina University in 1990 and never left. I got my feet in the sand, discovered Coastal, and I've been involved with the school since 1990. I've served as a trustee for almost ten years now, and while I paused and thought for a second that maybe I should give someone else a turn, I don't feel that my service and my work there is done. We are getting ready to go through a transition, and with the new education opportunity act hopefully getting approved, there's still going to be a lot going on and I feel like my service is -- is still needed and I'm hopeful that I can continue. Thank you.
CHAIRMAN SENATOR PEELER: Questions? Senator Scott.
SENATOR SCOTT: Thank you for your service. Anything in the new Higher Ed Bill that you see that you would like to -- would help to improve Coastal? Have you been keeping up with it? And if you have not, it's okay.
MS. HANNA: I have. I know that there's been a couple of different forms of the bill, but one of the things that I really like is that the money follows the student. I think that is tremendously important and I think it kind of works both ways because I know the legislature is very concerned that we not displace an in-state student for an out-of-state student, and I think by doing that I think you would solve that problem.
SENATOR SCOTT: Keep in mind you used to be an out-of-state student.
MS. HANNA: Yes, I did, and I'm still in support of it.
SENATOR SCOTT: Thank you.

MS. HANNA: Yes.
SENATOR VERDIN: Mr. Chairman.
CHAIRMAN SENATOR PEELER: Senator Verdin.
SENATOR VERDIN: So I -- I could -- I'm trying to flip back and see which one of the previous two screened candidates was favoring an enrollment higher than ten. I see that you are not.
MS. HANNA: That's right.
SENATOR VERDIN: That's an interesting discussion I guess you all were already having. It's just like everything else, whether it's higher ed or more business or more industry or whatever else you're trying to pack in down there. They'll start double stacking. I'm try -- I'm -- I'm anticipating your answer, and I -- I should be quiet.
MS. HANNA: Yeah, well, you know, I do -- I have an opinion about that. When I was at Coastal, it was very small, and that was one of the things that appealed most to me is the -- the student-professor ratio. So I'm worried that if we get too big we're going to be too big for our britches, so to speak. And I'm concerned that we're growing too fast. I think to cap it out at about ten-five is where we need to be. I think the overall general plan is about 12-five, but for me personally I think ten-five is where we need to be.
SENATOR VERDIN: You're the break in the room. I gotcha. All right.
MS. HANNA: Yes, sir.
CHAIRMAN SENATOR PEELER: Representative Whitmire.
REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. What's the enrollment now at Coastal?
MS. HANNA: We are actually right about ten-four, and that includes our graduates as well as our undergraduates.
REPRESENTATIVE WHITMIRE: And the ratio is 50/50 now pretty much or --
MS. HANNA: For out-of-state/in-state, it's close to 50/50. I think at one point within the last year it was 49/51, but I think we're pretty close to 50/50, yes, sir.
REPRESENTATIVE WHITMIRE: And that's your desire to keep it about 50/50 or would you like less?
MS. HANNA: I actually like 50/50. And I may be the minority in the room, but I think that out-of-state students are super important to Coastal and some of our other institutions. I mean, I think what I brought - brought to school -- and I'm just one of many who came to South Carolina and never left. And I own three, four businesses and I'm a lawyer. I went to the University of South Carolina, and, you know, I -- I see other students who come here, and guess what they bring? They

bring their parents who bring their pocketbooks who buy houses, who buy second homes. So I like having a 50/50 ratio, yes, sir.

REPRESENTATIVE WHITMIRE: Thank you.

CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Just keep in mind as we tweak 50/50, if your numbers stay 50/50, and as we look at the amount of money that you're going to receive for in-state coming from the state, it will probably be a lot smaller. I know the 50/50 gives you that extra money for those kids coming from out of state. The tuition is -- what's the difference between tuition in-state and out-of-state students?

MS. HANNA: Tuition for in-state is about 11-five. Tuition for out-of-state is around 27,000 I believe.

SENATOR SCOTT: I mean, because the goal is for us -- the state supported schools is to remind y'all these schools are not -- they're not designed to educate all these out of state students but, again, to educate South Carolina students, so --

MS. HANNA: Yes, sir. And it's something important to note that at Coastal we never reject an in-state student for an out-of-state student. We pride ourselves on absolutely accepting every qualified in state student that knocks on our door.

SENATOR SCOTT: So in essence you're saying enrollment -- the enrollment process is not broken. It's working. You just have the extra space?

MS. HANNA: Yes, sir.

SENATOR SCOTT: Okay.

CHAIRMAN SENATOR PEELER: Anyone else? Desire of the Committee.

REPRESENTATIVE CLARY: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable. Second?

SENATOR SCOTT: (Indicating.)

CHAIRMAN SENATOR PEELER: Any other discussion? Hearing none, we'll take it to a vote. All in favor raise your right hand. It's unanimous. Thank you. Thank you so much for your willingness to serve.

MS. HANNA: Thank you.

CHAIRMAN SENATOR PEELER: Thank you for staying in South Carolina.

MS. HANNA: Thank you.

CHAIRMAN SENATOR PEELER: Next, 5th Congressional District. That would be Charles "Chuck" Lewis from Gaffney. Good afternoon,

sir.

MR. LEWIS: First of all, good afternoon to everybody. Thank you, Senator Peeler, and for the Commission on higher education. I appreciate you meeting with us today and ready to answer any questions that you have, hopefully.

CHAIRMAN SENATOR PEELER: Let me swear you in first, Chuck.

MR. LEWIS: Excuse me?

CHAIRMAN SENATOR PEELER: Let me swear you --

MR. LEWIS: Yes.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. LEWIS: I do.

CHAIRMAN SENATOR PEELER: Now, would you like to make further comments?

MR. LEWIS: Well, I -- I've been interested in Coastal Carolina since about 1990 when my daughter went to Coastal Carolina on a basketball scholarship. She graduated in 1994. It only took her four years to get out, which was wonderful, and she had grades enough to get into law school which she is now an attorney and a prosecutor in Gaffney, South Carolina. I feel like she got a great education, number one, at Coastal Carolina being able to go to law school. She graduated number three in her class. So we were very proud of that. And we have been supporting Coastal Carolina ever since she went there, and when the opportunity came for me to represent the board of trustees in 2013, I jumped at the idea, and I have enjoyed the board of trustees in learning how higher education works and the abilities of people working together that you can create and do great things.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments from members of the Committee?

Senator Verdin.

SENATOR VERDIN: 23 years in South Carolina, is that all in Cherokee County?

MR. LEWIS: Yes, sir, all in Cherokee County.

SENATOR VERDIN: But probably not long are you multilingual?

REPRESENTATIVE CLARY: He speaks Gaffney-ian.

MR. LEWIS: I do speak Virginian also.

SENATOR VERDIN: Well, that's a good one to have. I will leave it hanging.

CHAIRMAN SENATOR PEELER: A hanging chad. What's the desire of the Committee?

SENATOR SCOTT: Favorable.

SENATOR VERDIN: Seconded.
CHAIRMAN SENATOR PEELER: Favorable and seconded. Any discussion? Hearing none, we'll take it to a vote. All in favor raise your right hand. Unanimous. Thank you, sir.
MR. LEWIS: Thank you all very much. Appreciate being here today.
CHAIRMAN SENATOR PEELER: Thank you. Next, 3rd Congressional District, Seat 3, William Biggs, Salem.
MR. BIGGS: Afternoon, Chairman and Committee members.
CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. BIGGS: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MR. BIGGS: Yes, sir. Thank you. I've served on the Coastal Carolina board since 2006. I've had the -- the pleasure and the opportunity to serve as its vice chair in the last two years as its chairman. I'm the father of a Coastal grad myself. My daughter Brittany got her business degree, studied and got her MBA, and now is finishing up her second year of law school. She chose to go to Coastal and not play softball in college from a few of the schools that offered her and went and ended up managing the men's basketball team. Currently loves Coastal and just went on the Coastal athletic foundation. During that time I've come to love Coastal, to see what we're doing. Been able to hire a few of the graduates. I currently operate the state veterans' nursing homes here in South Carolina. I've done that for 25 years. I also manage the ones in Maryland, Alabama and some of Texas. That company is headquartered in Anderson, South Carolina. And education is so important for all businesses. Having qualified candidates that come out of our universities is so important to all of us that operate businesses in this state, and I'm seeing that with the caliber of students that we're having graduate from Coastal Carolina. Very proud of them. Proud of the board members I serve with and the hard work that is put into that university from their perspective. And I would just love to have the opportunity to continue serving at Coastal Carolina. Thank you, sir.
CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.
SENATOR SCOTT: Thank you. And thank you for your willingness to continue to serve. At one meeting we had asked the president -- you may have been there -- who's your diversity officer now at Coastal?
MR. BIGGS: Our diversity officer? I'm sorry, I can't answer that. I know we have a chief of staff that works very closely with all of those

issues, Travis Overton and --

SENATOR SCOTT: He's -- he's a chief of staff -- it's a little different than the chief of staff, but I tried to explain that to your president before. There's a big difference between having a diversity officer and a chief of staff.

MR. BIGGS: Yes, sir.

SENATOR SCOTT: And so maybe the next time we have this conversation --

MR. BIGGS: I know when we have issues, Travis is the one who takes the lead on investigation.

SENATOR SCOTT: That's legal counsel.

MR. BIGGS: No. No, sir, he's not our counsel.

SENATOR SCOTT: Well, if you don't have a diversity officer, y'all need to get a diversity officer --

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- and take a look at what some of the other schools are doing as a result of diversity officer -- although your school is very diverse

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- still do need a diversity officer. Okay?

MR. BIGGS: Yes, sir.

SENATOR SCOTT: Thank you, sir.

CHAIRMAN SENATOR PEELER: Any other questions or comments? Representative Davis.

REPRESENTATIVE DAVIS: Thank you. Knowing that you are involved in veterans' services -- and it looks like specifically nursing home services; is that correct?

MR. BIGGS: State veterans nursing homes, yes, ma'am.

REPRESENTATIVE DAVIS: Okay. I'm wondering does Coastal have any specific programs for educating veterans after they retire from the service?

MR. BIGGS: We -- of course we have an ROTC program, but we -- we encourage our veterans in the community that come back -- last graduating class we had 12 veterans graduate. And one of the things I've done as the chairman, at graduation I try to recognize some of our graduates, and I was able to take one of our female veterans, talk to her beforehand and talk about her service during graduation and what that means, not only to her to have served our country but then to come back to Coastal to get her degree, and her goal was to continue serving her country after she graduated. So we do look -- I wish we had opportunities -- more opportunities for veterans, more scholarship

programs for them. I'm a veteran myself. My dad was a World War II veteran, and last year for five months I was a spouse of a deployed veteran. My wife is a flight nurse in the air guard and spent five months in the Middle East going in and out of Afghanistan. So what we do for veterans and the more programs we can offer them I think the better we are because they've served us.

REPRESENTATIVE DAVIS: I agree, and thank you for your service and the service of your family as well. Is there anything that we need to be doing on a state level to address veterans' opportunities --university opportunities as opposed to the options that you may have as a board member at Coastal?

MR. BIGGS: I would love to see statewide -- I know the university -- Mississippi State University offers, you know, in-state tuition or no tuition to many of their veterans who come back. I would love to see a program for our veterans -- if -- if you're an out-of-state veteran and you've served at Fort Jackson, you've served at Shaw Air Force Base, Charleston Air Force Base, and you come out of the military there, that we would -- even if you kept your driver's license in your home state and you've lived here, that we would offer in-state tuition to you. I would love to see us offer programs like other states do through their Veterans Affairs program where children of our active duty members are offered reduced rates. Any program like that that help -- because as most of us know, our military, they do not make the money that the private industry pays. They are honestly serving. So anything we can do to help their children while they're serving or help them when they come out of the military, especially our South Carolina veterans that want to further their education that we could do would be awesome.

REPRESENTATIVE DAVIS: I -- I agree. I know that we've had some discussions along those lines, but I'm not sure -- have we actually passed the legislation?

SENATOR SCOTT: Yeah, we passed that two years ago.

REPRESENTATIVE DAVIS: Okay.

UNIDENTIFIED SPEAKER: In-state tuition now.

REPRESENTATIVE DAVIS: Okay. All right. Thank you. I appreciate that.

MR. BIGGS: I think that --

SENATOR SCOTT: I think that coupled with what they receive, the other side for the GI bill, should be adequate. The children of those veterans have been the real -- have been the concern. I want to go back to a question that's been kind of puzzling to me. Tell me a little bit about the staff, administration and student breakdown and ratio. You've been

chair -- vice chairman and not chairman. Tell me what those numbers look like.

MR. BIGGS: Our student to instructor ratio is still what I think very low. That's one of the things that encouraged my daughter to go. She -- she was scared to death of the classes that she heard at South Carolina where there would be three or 400 students in a class. We average right now 17 to one. Very few classes do we have over 30 students.

SENATOR SCOTT: What's -- what is your ratio -- your ratio --

MR. BIGGS: 17 to one.

SENATOR SCOTT: Yeah, I understand that's the class size ratio. What is your ratio -- race ratio with students along with staff and faculty at the school? What percentage of African American students attend your school? What percentage of staff --

MR. BIGGS: The actual -- the actual percentage I -- I don't know. I could find that out very quickly. I would guess that it's somewhere in the 20 percent range.

SENATOR SCOTT: What about staff and faculty?

MR. BIGGS: I don't know that ratio.

SENATOR SCOTT: So that's where your diversity officer would help you with those numbers --

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- and also help to maintain some balance and also helps in some of your recruiting. When we began talking about this five or six years ago, a lot of folks thought this was off the chain and now some of our major institutions are winning national awards because we are now understanding how to balance the schools, and as a result --

MR. BIGGS: Yes.

SENATOR SCOTT: -- we are keeping more of our students as students here at home. And so you --you know, you may want to -- you're going to be the chairman. You may want to ask those kind of questions and kind of -- kind of catch up to where -- where we are.

MR. BIGGS: And -- and I agree, Senator. I think we should. I know Clemson is doing that. They're having a program with diversity next month --

SENATOR SCOTT: Right.

MR. BIGGS: -- and our company is actually one of the sponsors of that.

SENATOR SCOTT: Right, but I'd like to see Coastal --

MR. BIGGS: And Coastal should do the same thing.

SENATOR SCOTT: That's correct. Thank you now.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Mr. Biggs, you say the biggest weakness

at -- at Coastal is your administration is stretched. Tell me about that.

MR. BIGGS: When you -- when you have a university -- we've been growing very quickly. When I first started on -- on this board, we were probably a little over 6,000 students. Now we're over 10,000 students. I think growth does stretch your -- your leadership. We're also going through a time when our president has informed us that he will be retiring in two years. So we're -- I have put together a search committee to look for our new president. At that same time our provost will be retiring. Our chief of the police department there will be retiring. We're going to have a lot of leadership changes, and I think that also stretches our -- our leadership as we move forward.

REPRESENTATIVE CLARY: And -- and when we talk about abatements, what kind of a percentage of abatements do y'all have at Coastal?

MR. BIGGS: I don't know that right offhand, sir.

REPRESENTATIVE CLARY: Thank you, sir.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Mr. Biggs, thank you, like Representative Davis said for your military service.

MR. BIGGS: Thank you, sir.

REPRESENTATIVE WHITMIRE: Very fortunate to have people like you willing to serve. How many veterans do you serve in your nursing homes?

MR. BIGGS: In South Carolina the two veterans homes we have are 220 beds each. They're --they're both full. They -- we have over 600 people on the waiting list to get in. The Maryland facility has -- we serve over 400 veterans a day. The Alabama homes, three of them are 150 beds. One of them is 256 beds, and then in Texas we serve about 400 beds total.

REPRESENTATIVE WHITMIRE: Is this mostly Vietnam era veterans?

MR. BIGGS: The majority of our veterans we're caring for now are Vietnam era. When I first started when Governor Campbell was in office and I went out to tour the home, not sure if I was even interested in the position, it was mostly World War II veterans. And when I toured that home, I saw a little bit of my dad in every one of them, and I knew that's where I needed to be and it was the greatest move I've ever made in my career.

REPRESENTATIVE WHITMIRE: Thank you so much for that. And how long have you lived in Salem?

MR. BIGGS: I just moved to Salem two years ago. I lived in Anderson for 20-something years before that. I lived in Aiken County for a little while. I lived in Union for a few years running a private nursing home there.

REPRESENTATIVE WHITMIRE: Well, welcome to God's country. You picked the right place.

MR. BIGGS: We love it there.

CHAIRMAN SENATOR PEELER: Any other questions or comments? Desire of Committee? Motion is favorable.

SENATOR VERDIN: Second.

CHAIRMAN SENATOR PEELER: Second's heard. Any other discussion? Then we'll take it to a vote. All in favor raise your right hand. It's unanimous. Thank you, sir.

MR. BIGGS: Thank you, sir.

CHAIRMAN SENATOR PEELER: Thank you for your willingness to serve. Next, 1st Congressional District of Carolina University, Seat 1, George Mullen, Hilton Head Island. Afternoon, sir.

MR. MULLEN: Good afternoon.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. MULLEN: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. MULLEN: Thank you. I'm George Mullen from Hilton Head. I've had the pleasure of being on this board for the last six years. I became interested in Coastal because I had a son there in a special program that they had for special needs kids. He's now graduated that program, but we -- we make a point of going back a number of times a year to football games, basketball games and of course the baseball games, including going out to Omaha which was probably one of the more exciting things I've had happen during my six years on the board. Coastal is a dynamic place. It is growing both in programs that we offer, academic programs, as far as facilities that are growing, and -- and a slight growth in the -- the number of students, but it's -- it's an exciting time. We have a dynamic administration there that unfortunately is getting ready to turn over in 2021. That brings new challenges. I'd like to have the opportunity to be on the board to help see the school through that transition.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you so much. Thank you, Mr. Mullen, for

your willingness to serve. Tell me a little bit about what you know about Coastal and its diversity program. It appears that your --

MR. MULLEN: Well --

SENATOR SCOTT: -- chairman/vice chair didn't know very much.

MR. MULLEN: Well, we started the program at the beginning of the academic year last August.

SENATOR SCOTT: Okay.

MR. MULLEN: Dr. Stokes-Brown retired as the director of that program. I'll be honest with you, when you asked that question, I did not know her name, so we quickly Googled it while I was back there. I didn't know when we started the program, but I knew that we -- we had that. As far as you asked about the racial diversity of the school --

SENATOR SCOTT: So that means that the board has not asked your diversity officer to come and update you to what's going on in the school?

MR. MULLEN: Our diversity officer I believe has appeared before the board twice --

SENATOR SCOTT: Okay.

MR. MULLEN: -- once when she was first hired and then shortly thereafter.

SENATOR SCOTT: Okay.

MR. MULLEN: But no, other than that during this academic year, that's the only two times that she has appeared before the board. Various members of administration come and make presentations. I would say the presentations on the diversity issues are usually presented by Travis Overton who is the chief of staff at the school. He has I guess sort of held that role without that title prior to beginning the diversity program that we started. So prior to all this, we didn't have a formal diversity officer.

SENATOR SCOTT: Do you think that diversity officer now can do their job and so they can give you some input so you look at some of both your -- some of both of your programs with how you look faculty-wise, the direction that the school is going in? Sometimes as a school grow, we lose track of some of the mission, especially when a school that has 50 percent of its out-of-state students. Looking at those young students and I heard earlier that those who wanted to come come, and eventually that won't be the case as the school continue to grow and especially being able to attract both faculty and staff to balance your school off. So I don't know what you walked away with from the second meeting from that first. It sounds like not very much.

MR. MULLEN: Let's talk first look at the positive of this. Our school is extremely diverse. Almost 30 percent of our students are from a

diverse background. 20 percent are African American. Five percent are of multicultural. Less than four percent are Hispanic. And I can remember this as a very specific question that I talked with the officer when she was at our board meeting. For a state that now has a rapidly growing Hispanic population, less than four percent is an area that you have an opportunity to target South Carolinians in. Hilton Head High School, where my son went, today has a Hispanic population of 38 percent, and yet -- and I'm assuming that for Hilton Head's population that is probably not that unusual across the state of South Carolina.

SENATOR SCOTT: That's correct. That's correct.

MR. MULLEN: And yet less than four percent of our student body being Hispanic, it -- it makes me wonder if we are missing targeting not only for the growth of our school but for the opportunity of these very students to give them the opportunity come there.

SENATOR SCOTT: Multicultural is correct.

MR. MULLEN: So that is an area that I think that we can certainly do better at.

SENATOR SCOTT: Tell me about

MR. MULLEN: And I think that clearly having a diverse -- a diversity officer, the program focus -- needs to focus on that.

SENATOR SCOTT: I really appreciate you knowing numbers for your student body. Tell me about faculty and staff. Are you up to date on that as well?

MR. MULLEN: I can tell you that the discussions that we've had is that we have issues on our faculty like many universities do --

SENATOR SCOTT: Okay.

MR. MULLEN: -- attempting to attract quality faculty of minorities with quite frankly the level of pay that we pay our faculty in South Carolina. We are competing with schools across the country for that, and probably we do not have the progress that you would like for me to be sitting here telling you we have. As far as numbers, I cannot tell you that. I can tell you that in our administration there is a lack of diversity there.

SENATOR SCOTT: Okay.

MR. MULLEN: Our chief of staff is a minority member. We have an opening for our general counsel which I have strongly recommended a member of our board currently who I think would make a great addition. And certainly one of the issues is that we need to increase our -- our minority presence in that --the administration area.

SENATOR SCOTT: Mr. Mullen, I really appreciate -- really appreciate your openness to be there -- to be there and sit there and talk about it. Thank you so much.

MR. MULLEN: Yes, sir.
CHAIRMAN SENATOR PEELER: Representative Clary.
REPRESENTATIVE CLARY: Good afternoon, Mr. Mullen. In your information you pointed out that your biggest weakness that you view at Coastal is the endowment. What kind of steps are being taken to -- to grow that endowment, Mr. Mullen?
MR. MULLEN: Well, we currently have a program that is called the I'M IN endowment program. The -- the goals of that program are 20 million dollar increments which I thought was not as aggressive as I would like to see, but they point out that when we -- when I first got on the board six years ago our endowment was about 25 million. Today it's about 45 million. It's still woefully inadequate, but it is going in the right direction. You know, I look back and see that Carolina can have a billion dollar program and Clemson can have a billion dollar program. I suggested that our goal should be a hundred million, and in talking with our development officers, they simply said part of the problem is that we do not have an alumni base that will support that type of giving at this time. So, you know, we -- we've started -- we're making incremental steps. Hopefully it will get more aggressive as the university staff begins to grow.
REPRESENTATIVE CLARY: When you mentioned that hundred million to your development officers, you probably had to revive them.
MR. MULLEN: They were not pleased with what my aspirations were in that area.
REPRESENTATIVE CLARY: Thank you, sir.
CHAIRMAN SENATOR PEELER: Anyone else? Desire of the Committee?
REPRESENTATIVE CLARY: Favorable.
CHAIRMAN SENATOR PEELER: Favorable. Second?
REPRESENTATIVE DAVIS: (Indicating.)
CHAIRMAN SENATOR PEELER: Any discussion? Hearing none, take it to a vote. All in favor raise your right-hand. Unanimous. Thank you.
MR. MULLEN: Thank you very much.
CHAIRMAN SENATOR PEELER: Finished Coastal Carolina. Now we will move to The Citadel, At-Large. Eugene Pinson from Greenwood.
MR. PINSON: Thank you, Mr. Chairman. Glad to be here with you.
CHAIRMAN SENATOR PEELER: Yes, sir. Good to see you, sir. Swear you in.
MR. PINSON: Wonderful looking committee you have here.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. PINSON: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MR. PINSON: Yes, Mr. Chairman and fellow board members. I appreciate the opportunity to be here with you. The last six years at The Citadel have been dynamic, flexible, successful. A lot of positive things taking place. Since I've been on the board for the last six years we were voted the number one college in the south, offering the master's with -- with -- compared with schools offering master's degrees. And there's a lot of talk about veterans just a few minutes ago. We're the number one school in the south as far as service to our veteran population also. So a lot of good things. New building programs going on. Mechanical engineering as a response to industrial growth in the state of South Carolina. We started our first full year last year, our new bachelor's degree in nursing also, as well as cyber security. So we're into those three programs very heavily. We maintain an atmosphere of being flexible and ready to meet the needs of the state, as well as the nation. My dad's a graduate in 1931. My uncle graduated in '55. My brother graduated in '65. I graduated in '72. My two sons graduated from there in '01 and '04. My first cousin graduated in 1970 and his son graduated in 2003. So there -- there have been a number of Pinsons through those walls at The Citadel. And the state is very proud of The Citadel. We're very proud of our heritage and the state of South Carolina. And we're also an international institution. We've got people from countries all over the world as well as 38 rep -- 38 states being represented. It's fun. It's the greatest group of guys and -- and ladies that you ever deal with, believe me. Thank you.
CHAIRMAN SENATOR PEELER: Thank you. Questions or comments?
REPRESENTATIVE WHITMIRE: Got one.
CHAIRMAN SENATOR PEELER: Representative Whitmire.
MR. PINSON: I've heard of you.
REPRESENTATIVE WHITMIRE: Thank you for your service, Gene. You've done an outstanding job. Gene and I came in together way back when. In just a few minutes I'm going to ask for a favorable report because a lot of the House members have asked me to please keep him on The Citadel board. They don't want him back in the House.
CHAIRMAN SENATOR PEELER: There's a method to this madness.
SENATOR VERDIN: Mr. Chairman.

REPRESENTATIVE WHITMIRE: There you go.
CHAIRMAN SENATOR PEELER: Senator Verdin.
SENATOR VERDIN: I would be remiss in not also noting a personal interest that Mr. Pinson takes in not just the family as it exists but the future of the family. He's very active in student recruitment and developing the interest among prospective students there in the -- I was going to say Eighth Circuit, lower Piedmont County, I'll put it that way So -- and I'm the beneficiary of some of that nurturing. He was counseling with one of my children that's a 2016 graduate. So appreciate that.
CHAIRMAN SENATOR PEELER: Representative Davis.
REPRESENTATIVE DAVIS: Thank you. Good afternoon.
MR. PINSON: Good to see you.
REPRESENTATIVE DAVIS: Good to see you again. My son, as you know, graduated in May of 2018, and so I'm very familiar with the need the capital needs at The Citadel and I -- I see that you've noted that as well on -- on your questionnaire. What ideas do you have for raising capital for primarily what I see, building needs?
MR. PINSON: Well, we're in process now --we just got through with our annual Corps date. Over 52 percent -- I don't have the figures for this Corps date, but last Corps date 52 percent of the alumni contributed to that one fund. So we're constantly raising money. You can't raise enough. Citadel alumni are prone to give back to the school. I think the only competition within the Southern Conference is actually VMI. They give it a little bit higher percentage per -- per alumni than we do. We're constantly raising money. Luckily the building we're breaking ground for this week, the Bastin -- excuse me -- yeah, excuse me, Rick Bastin business administration school is a 60 million dollar project we're breaking ground for today. Capers Hall, as you're familiar with, the liberal arts building, is right when you come on campus to the left. We're trying to raise money for it. 6 million dollar project. When we were looking at this thing five years ago, it was 56 million dollars. So we're trying to stay ahead of the curve. It costs a lot of money in Charleston to live and to build. But we're -- we're on -- right now we have the business school. We've got the liberal arts building, Stevens Barracks. We've got turf replacement at the football stadium. That's already paid for. We'll have all the money available to do the east side stands in the next two years. So we're constantly doing it. Just finished the boat -- Swain boat center. All these are privately funded. So we don't come to the state asking for a whole lot of money. We think The Citadel alumni community will respond to the needs.

REPRESENTATIVE DAVIS: Is Fifth Battalion on that list anywhere?
MR. PINSON: That is an interesting question. It is. We've looked at plans to relocate it. But I think that somewhere along the line the board is going to have to make a determination what we want to see the size of the Corps of Cadets, whether we want to be at 2000 or whether we want to be at 2400. We've got to make that decision, and once that decision's made, that will determine what we're going to do with Stevens Barracks. I lived in Stevens Barracks. A lot of fond memories in those walls.
REPRESENTATIVE DAVIS: I bet. All right. Thank you.
CHAIRMAN SENATOR PEELER: You're under oath, you do know that. That's what you're claiming.
MR. PINSON: My upper class years were pretty fun.
CHAIRMAN SENATOR PEELER: Okay. Representative Clary.
REPRESENTATIVE CLARY: Thank you, Mr. Chairman. The great thing about it, Mr. Pinson, is that as we grow older those -- those bad experiences kind of fade away and you only remember the good things. But when we talk about limited space in the Corps of Cadets -- and I hear you talking about 2000, 2400. I know that -- that you have a shortage of living quarters of -- of residence halls, tell me -- and you mentioned a new residence hall building. What --what will that do to alleviate some of those issues?
MR. PINSON: Well, I -- when I was in school, it was called the Fourth Battalion. Now it's actually the Fifth Battalion. It houses approximately 625 kids. So it's -- it's an old -- it's an old building, built -- built in 1947, Stevens Barracks. It's in very bad shape and we put over a million dollars a year into it to keep it up. When I say we can make the decision -- we've got limited space granted now, but we're going -- and we're going do this based on forecast. And we just got to make the determination what we want the size of the Corps to be. If we want it to stay at 2400 -- well, actually 2345 today, we're going to have to build a new facility. Now, when you build a new facility in Charleston, especially where The Citadel is located, it takes planning because one thing offsets another thing, offsets another thing, offsets another thing. And we've got limited space to grow. We're being indulged by concrete, asphalt and steel all around the campus now. I hope the place doesn't sink. But that's what we're looking at. So once we make the determination what in 20 years we want the Corps to look like, I think then we'll make the decision on what to do with Stevens Barracks.
REPRESENTATIVE CLARY: I guess my -- my next question then, you're spending a million dollars a year on it.
MR. PINSON: Yes, sir.

REPRESENTATIVE CLARY: What are your short-term plans to try to alleviate the issues if it's in the shape that you say it is --

MR. PINSON: Well, it -- it -- it's a different generation we're dealing with. I was reading an article about Presbyterian College the other day, and the president of student body when they're breaking ground on the new dorm was talking about the kids today want a real formal, extremely nice atmosphere. That's not quite the game at The Citadel. Maybe at Clemson too. But it was fine, believe me. I -- I can live in it. Today's crowd we -- they look at things a little bit different. They want a little bit nicer facility.

REPRESENTATIVE CLARY: Oh, I --

MR. PINSON: But it's very livable now.

REPRESENTATIVE CLARY: I get it.

MR. PINSON: You go to VMI, you'll see real bad barracks.

REPRESENTATIVE CLARY: You know, if -- if I could move into Douthit Hills, I believe I would at Clemson.

MR. PINSON: Yes, sir.

REPRESENTATIVE CLARY: Thank you very much. Appreciate your service.

MR. PINSON: Thank you.

CHAIRMAN SENATOR PEELER: Anyone else?

REPRESENTATIVE CLARY: Favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Before we take a vote, I was teasing you about under oath. I always feel funny swearing in a preacher or a Citadel graduate. It just seems so unnecessary.

REPRESENTATIVE DAVIS: Redundant.

CHAIRMAN SENATOR PEELER: No other discussion, we'll take it to a vote. Raise your right hand.

MR. PINSON: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Unanimous.

MR. PINSON: -- if I can say one thing. On behalf of Senator Scott, Bill Pickering is our diversity officer and does a great job. Citadel alumni himself.

SENATOR SCOTT: And also your former commander was -- I -- I -- I mentioned him last year when he talked about how well y'all were doing with diversity especially your cadets who were in charge of barracks, some of the lead personnel that y'all had. And so y'all have been really, really working to improve diversity there. And I keep telling folk you win a lot of national awards across the country. Really take a look at those and you would get extra points when you're competing -- when

you're competing with that. Thank you.
MR. PINSON: Thank you. The eyes of the world are always on The Citadel and I hope it's on a positive note.
CHAIRMAN SENATOR PEELER: Thank you, sir.
MR. PINSON: Thank y'all.
CHAIRMAN SENATOR PEELER: Next we'll move to Wil Lou Gray Opportunity School. Deborah Blalock, Charleston. We're running a little ahead of schedule which is unusual for us. Dan Dobson from Myrtle Beach.
MR. DOBSON: Yes, sir.
CHAIRMAN SENATOR PEELER: Let me swear you in, Mr. Dobson.
MR. DOBSON: Okay.
CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. DOBSON: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to serve on the Wil Lou Gray Opportunity School board?
MR. DOBSON: Yes, sir. My name is Dan Dobson -- Dan Austin Dobson, and I'm from Myrtle Beach, South Carolina, originally from the upstate, Greenville/Spartanburg area, grew up in -- in Spartanburg County. I am very interested in serving Wil Lou Gray Opportunity School as a member of the board of trustees. I have had a great interest in youth and education throughout the years. Of note, I have volunteered on numerous occasions as a chaperone for James F. Byrnes Rebel Regiment marching band, Spartanburg County in District Five of which my son was a member. I volunteered with Troop 24, Boy Scout troop in Lyman, South Carolina, and which both of my sons achieved the Eagle rank award. I'm very proud of them for doing that. I served as a chaperone for numerous class field trips at schools -- three different schools that my wife worked at in the computer labs. I was a member of the Kiwanis Club of Greer for 16 years serving in various officer capacities, including two times as president. I was honored with the distinguished club president's award that I was able to achieve by my -- with the help of my fellow members. We were able to -- we had to complete a required number of projects to be able to do this, and they were really beneficial in helping me do this. One of the key initiatives of the Kiwanis Club is the Terrific Kids Program that we are -- that they were so highly involved in, and it's really a terrific program to help these kids that achieve good things, character and academic recognition. My passion is for helping children most likely derived from my wife Virginia

who is behind me supporting me who worked in Spartanburg County District School Five. She drove a school bus and worked in the computer lab, and she was really happy with her work. She had a lot of -- a lot of issues with children to deal with, but she was very good at it, I might say. Like myself, she has a passion for working with children. After retiring, we both drove buses for the athletic department at USC upstate where we transported kids back and forth to different sporting events, and some of those trips were driving them to Charlotte when they went out of town to various destinations. While retired I continued to give -- to strive to find ways to serve my state and my community in the Myrtle Beach area. My hope is that all children in our state will have the opportunity to succeed in life. I feel like my involvement with the board of trustees would provide that opportunity. Thank you for your consideration and I have -- hope to have the opportunity to serve you.

CHAIRMAN SENATOR PEELER: Thank you, sir. Questions or comments from the Committee? Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chairman. Do you have any specific ties to Wil Lou Gray, or if not, what are your specific interests in --in that -- in serving on that board?

MR. DOBSON: My ambition would be to -- to get in on this board of trustees and to be able to help provide a new fresh look -- perspective on. If there were some -- any kind of areas of weakness, I would -- I feel like I could be an asset to being on that committee and being able to work with kids and come up with some fresh new ideas.

REPRESENTATIVE DAVIS: So you do not have any direct ties with Wil Lou Gray now?

MR. DOBSON: No. No, I do not.

REPRESENTATIVE DAVIS: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Others?

SENATOR VERDIN: Fine with me. Favorable.

CHAIRMAN SENATOR PEELER: Is there a second?

REPRESENTATIVE CLARY: Second.

CHAIRMAN SENATOR PEELER: Any discussion? Take it to a vote. All in favor raise your right-hand.

MR. DOBSON: Thank you, sir.

CHAIRMAN SENATOR PEELER: Thank you, sir, and I appreciate your willingness to serve.

MR. DOBSON: Thank you. Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Ms. Blalock, you catch your breath Ms. Deborah Blalock, Charleston, At-Large, Wil Lou Gray Opportunity School.

MS. BLALOCK: Good afternoon.
CHAIRMAN SENATOR PEELER: Swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MS. BLALOCK: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MS. BLALOCK: I've been serving on the board for the last four years and I'd like to continue my service.
CHAIRMAN SENATOR PEELER: I love it.
MS. BLALOCK: That's brief.
CHAIRMAN SENATOR PEELER: Questions or comments from the Committee? Senator Scott.
SENATOR SCOTT: Oh, okay. I was looking for an opening statement, but they said that was it. Tell me a little bit about your mental health experience and what that has done to add to service on the Wil Lou Gray board --
MS. BLALOCK: I think --
SENATOR SCOTT: -- especially with some of those young people coming with all kinds of problems.
MS. BLALOCK: Yes, sir. I think it's been helpful. So I've been with the Department of Mental Health for 25 years, and I think my experience with the department has -- I've been able to transfer some of that knowledge in my service on the board and make -- help -- help Wil Lou Gray make some connections for services for kids sometimes who need those services at some of the mental health services where those kids come from. And I think that's been useful. And I also think my knowledge of state agency and state government has been useful to the board. I can help explain things to maybe other board members who don't understand necessarily how state agency works. But I definitely think my mental health background has been helpful.
SENATOR SCOTT: No more.
CHAIRMAN SENATOR PEELER: Representative Whitmire.
REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Ms. Blalock, thank you for serving on the board. My subcommittee here is Wil Lou Gray when they make their presentations, and I have to say I'm extremely impressed with the job that the administrators and the board does down there with the students, the way you turn them out and just a real success story. So thank you for what you do, and I want you to thank the rest of the board from me also.
MS. BLALOCK: Thank you. Will do. It's -- it's an impressive agency. I didn't know much about it until I became a member of the board, and

I'm blown away by the work that they do.
CHAIRMAN SENATOR PEELER: Representative Clary.
REPRESENTATIVE CLARY: Thank -- thank you very much, Ms. Blalock, and -- and I think you bring a very unique skill set to -- to Wil Lou Gray. It's something that -- it's a shame that we don't have more people like you to scatter around on our various boards in -- in the state. But in talking about Wil Lou Gray, I know every year when we have Wil Lou Gray that -- that comes in and -- and brings your students, I am so impressed with -- with those young men and women and the -- the job that y'all are doing. I know that I have colleagues who talk about the -- the cost of -- of each student, but I think when you see the results, it certainly -- certainly very well spent. So, once again, as Representative Whitmire says, please convey to -- to your other board members and -- and to the staff there that you're -- you're doing a great job. We appreciate it. Thank you for serving.
MS. BLALOCK: Thank you.
CHAIRMAN SENATOR PEELER: Senator Verdin.
SENATOR VERDIN: Thank you, Mr. Chairman. I also appreciate the work you've done with not only with Wil Lou Gray and also as we've interacted with DMH. And I have a specific inquiry related to your employment. Are you doing your administrative work from Charleston or -- I'm con -- I'm interested if there's a commute, how you're doing it.
MS. BLALOCK: I commute. I come up on Mondays and rent an apartment and go home on Fridays.
SENATOR VERDIN: Well --
MS. BLALOCK: I commute. It's tough.
SENATOR VERDIN: It - is doable.
MS. BLALOCK: It's doable.
SENATOR VERDIN: It's doable.
MS. BLALOCK: It's tough, but it's doable. My husband might actually like it, I don't know.
SENATOR VERDIN: How long have you --I'm curious, how long have you actually been in that commute?
MS. BLALOCK: Charleston? 50 -- let's see. I'm 59. 57 years.
SENATOR VERDIN: Well, the commute --
MS. BLALOCK: Oh, the commute?
SENATOR VERDIN: The commute as director --
MS. BLALOCK: Oh, I'm sorry, I thought you said --
SENATOR VERDIN: -- deputy director of community services.
MS. BLALOCK: A year -- it was a year January 8th. Yeah, so a little over a year.

SENATOR VERDIN: You can do anything for a short period of time - or for a prescribed --
MS. BLALOCK: I tell myself.
SENATOR VERDIN: -- if you know what --that's all right.
MS. BLALOCK: That's what I tell myself. Yeah. The weeks go by really quickly. I'm super busy, so that part's good.
CHAIRMAN SENATOR PEELER: Any others?
SENATOR VERDIN: Favorable.
CHAIRMAN SENATOR PEELER: Motion is favorable.
REPRESENTATIVE DAVIS: Second.
CHAIRMAN SENATOR PEELER: Seconded. Any other discussion? Hearing none, we'll take it to a vote. All in favor raise your right hand. It's unanimous. Thank you so much --
MS. BLALOCK: Thank you.
CHAIRMAN SENATOR PEELER: -- for what you do. Now we have Robert Nichols Collar, Bluffton, Wil Lou Gray Opportunity School, At-Large. Swear you in, sir. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?
MR. COLLAR: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?
MR. COLLAR: I -- along with Ms. Blalock, I've been serving for the past four years at the Wil Lou Gray Opportunity School. I've greatly appreciated and enjoyed it and would like to continue to do so with your all's blessing.
CHAIRMAN SENATOR PEELER: Questions or comments? How long have you been on the board?
MR. COLLAR: Four years.
CHAIRMAN SENATOR PEELER: Four?
MR. COLLAR: Yes, sir.
CHAIRMAN SENATOR PEELER: Representative Clary.
REPRESENTATIVE CLARY: Mr. Collar, I note that you are currently the assistant superintendent. Is that in Clarendon County?
MR. COLLAR: Yes, sir, Clarendon School District One.
REPRESENTATIVE CLARY: And what -- what led you to serve on the Wil Lou Gray board initially?
MR. COLLAR: Initially I have been very fortunate and really attribute the success of my educational career of starting my very first job out of the University of South Carolina at the Wil Lou Gray Opportunity School. Mr. Smith and his fantastic staff kind of led me to -- with my love of children and at risk youth. Unfortunately in the state of South

Carolina, human service specialists twos don't make a whole lot of money and they pointed me in the direction of public education, thought I might be better suited there. So I went to Richland School District Two, but I've always looked at my experiences there and the staff there and have always wanted to assist them in any way necessary and bring some of my experiences to the board just as a -- as a helping hand or a sounding board.

REPRESENTATIVE CLARY: Thank you very much. Appreciate your service.

MR. COLLAR: Thank you.

CHAIRMAN SENATOR PEELER: Anything?

REPRESENTATIVE WHITMIRE: Favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any other discussion? If not, we'll take it to a vote. All in favor raise your right-hand. It's unanimous. Thank you so much.

REPRESENTATIVE DAVIS: Thank you.

CHAIRMAN SENATOR PEELER: Now we'll move to Medical University of South Carolina, 4th Congressional District, medical seat, Frederick Butehorn, Spartanburg. Afternoon, Doctor.

DR. BUTEHORN: Hi, President Peeler. How are you?

CHAIRMAN SENATOR PEELER: All right. Swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

DR. BUTEHORN: Yes, sir.

CHAIRMAN SENATOR PEELER: Like to make a brief statement?

DR. BUTEHORN: I'm Henry Frederick Butehorn, III. My friends call me Fritz and most people call me Fritz. I'm from Spartanburg. I'm privileged to be here today, and it would be such an honor to serve my alma mater at the Medical University of South Carolina board of trustees. I feel that the way the state has set up the board of trustees having a healthcare provider and then a layperson in each district is very wise, and I hope that my experience as a physician not only representing Spartanburg but the upstate as well as the whole state on various other boards, which I can go into if need be, will provide a good leadership qualities -- or good leadership qualities to help with the board of trustees.

CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you. Thank you for your willingness to serve. We -- we screened you a while back?

DR. BUTEHORN: I believe we did, yes.

SENATOR SCOTT: And what happened in that process prior to the time to get votes? Do you recall anything unusual that took place?
DR. BUTEHORN: No, sir, I'm not aware of anything unusual.
SENATOR SCOTT: Were there any communication between you and any legislators from your area or another area?
DR. BUTEHORN: Well, I communicated with people that I was interested in the seat, but beyond that, no, sir.
SENATOR SCOTT: I'm talking about -- the interest as it relates to -- there was another candidate as well, if I can recall, that was in that race. Were -- were there any communication between you and -- and any other legislator to get the other candidate out of the race?
DR. BUTEHORN: No, sir.
CHAIRMAN SENATOR PEELER: Any other questions or comments? So you didn't ask for a commitment prior to the time?
DR. BUTEHORN: No, sir, not any way. Certainly this is my first time doing this. I followed the rules. In no way, shape or form. (Senator Alexander entered the proceedings.)
CHAIRMAN SENATOR PEELER: Representative Whitmire.
REPRESENTATIVE WHITMIRE: Thank you, Doctor. Are you aware what we were made privy to? I mean, we had some real discussions and heartburn over this whole issue because we were led to believe the other candidate was pressured to get out. Whether he would have won or not, that's immaterial. So what I'm concerned about is did anyone interfere on your behalf, whether you knew it or not? Because we -- we need to put a stop to that going forward.
DR. BUTEHORN: Well, I would certainly understand that. I'm not aware of anything that -- I most certainly am not aware of anything.
REPRESENTATIVE WHITMIRE: I take you at your word.
CHAIRMAN SENATOR PEELER: Representative Clary.
REPRESENTATIVE CLARY: Dr. Butehorn, I think that the day that you were screened was January 14th of -- of this year, if I'm -- if I'm not mistaken.
DR. BUTEHORN: I'll take your word for that. I don't remember exactly.
REPRESENTATIVE CLARY: And on that date and in subsequent dates thereafter, did you have any telephone conversations, any text communications with any member of the General Assembly concerning the seat?
DR. BUTEHORN: Not concerning the board of trustee seats, no, sir.
REPRESENTATIVE CLARY: None whatsoever?
DR. BUTEHORN: No, sir.

REPRESENTATIVE CLARY: Thank you, sir.
CHAIRMAN SENATOR PEELER: How do you do, sir. You have a question?
SENATOR ALEXANDER: I do, sir.
CHAIRMAN SENATOR PEELER: Senator Alexander.
SENATOR ALEXANDER: So just listening to the response to the last question when you said you had no communication regarding the board of trustees --
DR. BUTEHORN: Yes.
SENATOR ALEXANDER: -- seat, so do I take from that you may have had other conversations with members of the General Assembly?
DR. BUTEHORN: I'm on the PAC board and we lobby for multiple issues, and one of those issues is medical marijuana which was very hot at the beginning of the session. So, yes, I was talking to people about that. I may or may not have seen some of y'all at an event that I was invited because I'm on the PAC board. I'm the chairman of the PAC board.
SENATOR ALEXANDER: Just wanted further clarification.
SENATOR SCOTT: Chair.
CHAIRMAN SENATOR PEELER: Senator Scott.
SENATOR SCOTT: Did any -- anyone -- was there any lobbyist who represented either your agency or represented you before this body having communication with members of the General Assembly as it relates to your -- to that election?
DR. BUTEHORN: I've had no lobbyist for this position in no way, shape or form, no, sir.
SENATOR SCOTT: Is there a particular lobbyist that you -- that you do have a relationship with that represent either your company or that you know that represents somebody else before this General Assembly?
DR. BUTEHORN: I have relationships with the South Carolina Medical Association lobbyists. I've known them for 15, 20 years through my -- my work, but I don't personally have a lobbyist and --
SENATOR SCOTT: Did any of them act on your behalf as it relates to that election, was involved at any aspect of the election?
DR. BUTEHORN: No, sir. I'm not aware that anything happened past a screening point and that was it. I was not allowed to do anything beyond that point.
CHAIRMAN SENATOR PEELER: Anyone else? Representative Davis.
REPRESENTATIVE DAVIS: Thank you, Mr. Chairman. As far as your involvement in the issue around medical marijuana, do you see that

in any way as a conflict in your position on the MUSC board?
DR. BUTEHORN: No, ma'am. I believe that any physician who looks at these issues will come up with their opinions. Obviously my position on the board of trustees would be taken as a representative of physicians as a whole for the Congressional District 4. So I don't think my personal opinion would affect my ability to be on the board of trustees.
REPRESENTATIVE DAVIS: Okay. But as you probably know, that's sort of a political -- it's a --it's a political and a medical issue. It's become political for whatever reason, but --
DR. BUTEHORN: It's become a political issue --
REPRESENTATIVE DAVIS: Uh-huh.
DR. BUTEHORN: -- but if you ask the physicians, it's not a medical issue. I think the politicians have tried to make it a medical issue. So that's the -- the thing that most physicians would fall in that line. You may find a few on the other side, but I have very strong beliefs on that particular issue.
REPRESENTATIVE DAVIS: Okay. All right. I -- I just --
DR. BUTEHORN: I'm happy to -- to further talk about it.
REPRESENTATIVE DAVIS: Well, I just wanted to sort of reconcile that in my mind about -- about whether or not that was a conflict. So thank you. I appreciate your input.
DR. BUTEHORN: I would certainly be a major advocate for having further research done, and if MUSC can -- can be a venue to do that research, that would be wonderful. I do think there needs to be a lot more research before we turn -- turn that loose.
REPRESENTATIVE DAVIS: Thank you.
CHAIRMAN SENATOR PEELER: Senator Scott.
SENATOR SCOTT: Thank you again, Doctor, for -- for -- for being here and answering these questions. What is troubling to me is that prior to this last election members of this General Assembly took it upon themselves to actively be involved in election prior to time to get votes, and with you having no relationship with lobbyers, no relationship with members of the legislature, I just kind of -- I'm just trying to kind of figure all this -- all this out. Why would they have such a major interest in this election if you had no relationship with -- with anybody other than with your association? That's what's troubling me. I'm not -- not able to get my arms around it. You have no relationship with anybody on these legislators. You have no relationship with the lobbyists, but they had all this major interest in either getting the other person out of the race so that the race would be a race ran with just one candidate in it.
DR. BUTEHORN: Once again, you can certainly elaborate more about

-- I'm kind of working without all the cards you have apparently. I don't know --

SENATOR SCOTT: Right.

DR. BUTEHORN: -- the details you're talking about. I do have relationships with practically everybody. I know all the people who are elected in Spartanburg County. I -- I think it's my issue as a citizen to do that. I know Senator Peeler. He's come to our legislative sessions that we have once a year. I've kind of started that in Spartanburg to try to get everybody involved and get physicians to meet our legislators. So do I know the legislators? Yes, I do. I know them and I hope they have a positive view of me. Beyond that, I have supported a few which I think you have on the -- beyond that -- that's -- that's it. I do feel like I can call my legislators if I have an issue as a representative of the government, and that's what I -- I try to do. I tried to -- have I called anyone about this position asking for their commitment or their vote? In no way, shape or form.

SENATOR SCOTT: If anything happened, they acted on their own is what you're saying?

DR. BUTEHORN: I would say that. I'm not aware of -- I know something's happened and things have happened, but I am not aware of all the things. I'm really not.

SENATOR SCOTT: Okay.

DR. BUTEHORN: A bit mysterious.

CHAIRMAN SENATOR PEELER: Anyone else?

SENATOR VERDIN: Mr. Chairman.

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman. I want to thank Dr. Butehorn for the response on the research that is inevitably got to transpire in this country as it relates to the plant. And you and I have had had multiple conversations about it, formally, informally, and I appreciate your candor. Also the -- I lost my train of thought. I do want to thank you for that acknowledgement going forward. Oh, yeah, we were talking about cannabis. Some people talk about medical marijuana. I talk about medicinal cannabis because -- and I don't want to hear it right now. Not the time or the place. Normally that's been my question for everyone. And I thought I might jog back around to my part B comment, but I don't want to -- didn't want to fail to acknowledge the -- whether it be the medical community or the law enforcement community, they're coming up and -- and of course as representative of the CM -- SCMA, y'all have been very -- much more pronounced in your address of the issue this year, and that's what it's going to take going forward. So I

thank you for that on part of the SCMA. Rather than neutrality, we need to know where people are and be able to address the concerns, qualms, issues, fears, and certainly deferring to your medical -- which is what we're doing here, by the way. There's a reason we're putting MDs on there, not because you're an alumnus, because that you've been in practice and then now you can take those perspectives and those experiences back to your alma mater and then the next generation. So I thought I'd get back to it, but I didn't. So there was something else stuck back there, but --

DR. BUTEHORN: Thank you. I know we've had a lot of conversations about it and --

SENATOR VERDIN: It's inevitable for -- from -- from where I sit, from where the chairman, President Peeler used to sit, and from the actions of SCMA, you know, we're going to -- we can sit back and do nothing or we can grapple over it, and I think we best serve our constituencies by grappling over it. That will enable us to have the conversation of how far the political debate has outrun the medical debate. And for you to say, "Certainly I would support MUSC's research of the matter," is all the encouragement and comfort that I can take as we try to establish new public policy. I want South Carolina to establish public policy. I don't want a nationalized policy forced on us which is inevitably what's going to happen within a few short years. It's breaking fast, and I want to have a proactive approach and it's going to take everybody, law enforcement, our medical research instruments. And I would like to show the rest of the country a better way, and I think we can do that from the southeast. I think the Mid-Atlantic States, Midwestern states will follow our lead. Some of them will back up on themselves to fix some of the stuff that they've enacted already.

DR. BUTEHORN: I think if you go to states that have enacted it, you will -- and you talk to political officials without a camera present, they will tell you several things that -- that they would like to do differently, and I think South Carolina has an excellent opportunity to do things correctly as you said. Are there positive things to the plant? 100 percent. Are there negative things to the plant? 100 percent. And it's federally illegal and it's classified as a drug that doesn't have medical benefit. So I have a hard time with that.

SENATOR VERDIN: I know that's the silo that we're in currently. That -- the walls of that silo are coming down. FDA is gonna deschedule and the federal government is going to decriminalize and the states are going to be sitting out here saying, "Uh-oh, we now have to do something." I'd rather us get in the game now because what I just said I don't think is

more than 18 to 24 months away.

DR. BUTEHORN: I think if we are all looking for our citizens' and patients' best interest, then we all have the right goal, and it's not necessarily the -- the thing that's going to make the state the most money. It would be the thing that is safest for the state and safest for our citizens, and that -- that takes time and it's not something that happens in 18 months. It would be something that takes medical literature for a drug to be approved after you go through a double-blinded placebo controlled trial which is powered enough in order to prove what you need to prove, and that would take, if you're ready to go, probably a minimum of two to three years to actually get your study done. So we don't prescribe drugs or -- we don't prescribe drugs -- that's the important word -- prescribe drugs that -- that aren't FDA approved.

SENATOR VERDIN: Where we have our greatest agreement is in the sanctity of the doctor-patient relationship. Where we're going to struggle going forward as a General Assembly as a country is the efficacy and timeliness of pharmacology and federal regulators. Hanging our hat on a -- on a peg on the ability of the federal government to serve us best is where a lot of this is going to break as well.

DR. BUTEHORN: Well, hopefully we got 50 states and state --

SENATOR VERDIN: Each a laboratory.

DR. BUTEHORN: Right. So that's the way it's supposed to be. So I would agree with you there.

SENATOR VERDIN: Thank you.

CHAIRMAN SENATOR PEELER: Anyone else? Dr. Butehorn, I appreciate your attendance. I appreciate your willingness to serve. I appreciate your forthrightness. The Committee takes very seriously our role and I think you would appreciate that.

DR. BUTEHORN: Yes, sir.

CHAIRMAN SENATOR PEELER: There were some questions that needed to be answered that -- asked and answered, and I'm satisfied with the questions and the response.

REPRESENTATIVE DAVIS: Uh-huh.

CHAIRMAN SENATOR PEELER: So what's the desire of the Committee?

SENATOR VERDIN: I move for a favorable report --

CHAIRMAN SENATOR PEELER: Motion is favorable. Is there a second?

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any other discussion? We'll take it to a vote. All in favor of a favorable report, please raise

your right hand. All opposed raise your right hand. Five positive. Two abstained. Thank you, sir.
DR. BUTEHORN: Thank you.
CHAIRMAN SENATOR PEELER: Appreciate it. Completes our agenda and adjourned.
The screenings were concluded at 2:18 p.m.

State of South Carolina College and University Trustee Screening Commission for College and University Board of Trustees Screenings

DATE: Thursday, April 4, 2019
TIME: 9:30 a.m.
LOCATION: 209 Gressette Building
1101 Pendleton Street
Columbia, South Carolina

Committee Members Present:
Chairman Senator HARVEY S. PEELER, JR.
Senator THOMAS C. ALEXANDER
Senator JOHN L. SCOTT, JR.
Senator DANIEL B. "DANNY" VERDIN, III, Vice-Chairman
Representative William R. Whitmire
Representative Phyllis J. Henderson
Representative Sylleste Davis
Also present: Martha Casto, Julie Price, Staff

CHAIRMAN SENATOR PEELER: I'll call the meeting to order. This is a meeting of the College and University Trustees Screening Commission. I'd like to welcome everyone and pray that God continues to bless us all. We have one appointment today before us, Coastal Carolina University. Our candidate wants to continue to serve on the Coastal Carolina University board. Mr. Turner, if you would, come forward.
MR. TURNER: Yes, sir.
CHAIRMAN SENATOR PEELER: For the record, give us your full name.
MR. TURNER: Thank you, Mr. Chairman. My name is William E. Turner, III.
CHAIRMAN SENATOR PEELER: Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you

God?
MR. TURNER: I do.
CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to continue to serve on the board?
MR. TURNER: I would. Thank you. I'll be brief. I would like to thank you this morning for having me in. I would first love to thank you for your flexibility. Unfortunately, I was on a business trip in Texas last week, on the 25th, and was unable to be here. But again, thank you for your flexibility and willingness to come back and spend your time for a few minutes with me today. Coastal is a passion for me. I've been involved with the University since -- as a trustee since 2011, 1997 graduate, a native of Conway. So I've watched that university grow and thrive. Growing up there, I remember it as a child with just a few small buildings and a lot of parking lots with empty parking spaces; now, today, a few parking lots and no empty parking spaces. So it's just a beautiful place to be a part of. I'm honored to serve, and with your help, I'd like to continue to do that.
CHAIRMAN SENATOR PEELER: Thank you.
MR. TURNER: Thank you, sir.
CHAIRMAN SENATOR PEELER: Any questions or comments? Senator Scott.
SENATOR SCOTT: First, let me thank you for your willingness to serve.
MR. TURNER: Thank you.
SENATOR SCOTT: I see you have three wonderful daughters.
MR. TURNER: I do.
SENATOR SCOTT: Any of them go to Coastal yet?
MR. TURNER: I have one daughter -- my oldest daughter is a sophomore, about to finish her sophomore year at Gardner-Webb University.
SENATOR SCOTT: Okay.
MR. TURNER: My middle daughter is finishing her junior year in high school, and Coastal's at the top of her list. So I'm praying and crossing my fingers that at least one of them will go to Coastal. And Coastal was at the top of the list for my oldest daughter. But the nursing program was a little bit too new at Coastal for her to go there.
SENATOR SCOTT: Tell us what you really like about Coastal since you've been on the board and some of the things you've been able to improve as result of you being a trustee.
MR. TURNER: Sure. I look around the boardroom and around that table, and I look at some phenomenal professionals in the communities

in which they live. The knowledge that they bring to the table is balanced. From a fiscal perspective, I feel like we bring a base that keeps things in check. While we look to grow, we look to grow responsibly and keep our finances in such a manner that we're doing right by the students of South Carolina.

(Senator Alexander entered the room.)

MR. TURNER: So the growth has been phenomenal, as I'm sure you are aware, but it's been managed growth, and that's been very strategic. I think if we wanted to grow at six or seven percent a year, we could certainly do that, but that wouldn't be sustainable from a fiscal perspective. So I think we just simply bring balance. We have a phenomenal administration in President Dave DeCenzo and our Executive Vice President and Provost Ralph Byington.

SENATOR SCOTT: And all that's getting ready to change.

MR. TURNER: It is going to be changing.

SENATOR SCOTT: Tell me a little bit about where you're going with that.

MR. TURNER: So we've established a committee to begin working on the presidential search. That's probably going to take us through the next year to 18 months. I'm not on that committee, but that will be -- the entire board will be active in the second stage, I would say. Once they've put the committee together and started actively pursuing candidates, then the entire board will be involved.

SENATOR SCOTT: What are you looking for in a good president?

MR. TURNER: That's a great question. Number one, someone that's willing to want to be there, I would say, ten years, I think, with the direction that Coastal is going, someone that's going to have a vested interest in sticking around for a little while and helping us achieve the growth that we want to achieve and continue the academic standard that we've set forth and want to maintain.

SENATOR SCOTT: I know the in-state/out-of-state balance has been a real issue for Coastal. You do a lot of out-of-state recruiting. Tell me how you balance that. You all have made several requests back and forth to the higher ed subcommittee for additional funding, although you get local funding as well, and there's a real push to educate South Carolina children. So tell me how you create some balance with that. And that's my last question.

MR. TURNER: So, first and foremost, when we look at our in-state to out-of-state ratio, it's fairly even, within about one percent, depending on what statistics you look at. Some show us at 49 percent in-state, 49 percent out-of-state, with two percent international. Other statistics have

that off balance by one or two percent. But first and foremost, we have a policy in place to admit any South Carolina student that meets our minimum requirements, period. We understand that that's not necessarily the case in some of the other institutions in the state, but those minimum requirements, once met, that student is admitted. Now, whether they choose to go to Coastal is another story. You know, we're in a unique situation where we're competing with some phenomenal institutions in Clemson, South Carolina, Furman, Winthrop, a long list. So there's a lot of good education in this state for our students to choose from, and fortunately, we get a good many of those. But, again, we do not turn away any South Carolina student that meets our requirements. Having said that, we do rely heavily on that out-of-state tuition. And if you look at the imbalance, if you will, between our in-state versus out-of-state tuition, it's considerable. But we look at the numbers, and we're one of the lower funded universities in the state in terms of state appropriations. And with the new legislation that's being introduced, that may change, with this new bill that's in place now and going through committee. The money following the student, I think, would be a phenomenal asset to all the universities.

SENATOR SCOTT: But your out-of-state numbers may create a problem for you with that legislation --

MR. TURNER: I think --

SENATOR SCOTT: -- especially when incentives go to schools who are educating in-state students.

MR. TURNER: This is true. I would love to say, News at eleven, because there's a lot more to come from that. And I've seen the proposed numbers one time, and they looked beneficial to Coastal. But I think if -- you know, there's another unique scenario where we're seeing more and more students applying to other universities that are not being accepted, and we're looking at ways to recruit those students where Coastal was not their first choice, but we would be a wonderful second choice in the event they didn't get into Clemson, University of South Carolina, Winthrop, et cetera. I think from an economic standpoint we make good sense for those students that don't have that option.

SENATOR SCOTT: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you. Anyone else? What's the desire of the committee?

SENATOR SCOTT: Favorable report.

CHAIRMAN SENATOR PEELER: Motion is favorable.

SENATOR ALEXANDER: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any further discussion?

Hearing none, we'll take it to a vote. All in favor of a favorable report, raise your right hand. (Members raise hands.)
CHAIRMAN SENATOR PEELER: Unanimous. Thank you for your willingness to continue to serve.
MR. TURNER: Thank you very much for having me today.
CHAIRMAN SENATOR PEELER: Meeting adjourned.

The meeting was concluded at approximately 9:42 a.m.

Joint Consumer Affairs Screening Committee
2019 Report of Candidate Qualifications

Date and Time of Final Report:
Friday, April 12, 2019 at 12:00 p.m.

Members of the General Assembly are **PROHIBITED** from pledging their votes until Tuesday, April 23, 2019 at noon.

The election will be on Wednesday, May 8th at noon.

Committee Composition and Responsibilities

The Committee is comprised of eight members -- four from the Senate and four from the House of Representatives. To fulfill its mandate, the Committee conducts an investigation of each applicant's professional and financial affairs and holds a public hearing during which each applicant may be questioned on a wide variety of issues.

The JCASC's investigation includes (1) a State Law Enforcement Division background check; (2) a credit investigation; (3) a careful study of application materials, including a personal data questionnaire; and (4) further inquiry as the Committee considers appropriate.

Joint Consumer Affairs Commission Screening Committee

Sen. JOHN MATTHEWS, Chair
Sen. TOM DAVIS
Sen. SEAN BENNETT
Sen. KATRINA SHEALY

Rep. Leon Howard
Rep. Chandra Dillard
Rep. F. Michael Sottile
Rep. Cezar McKnight

SENATOR BENNETT: Alright, good morning everybody. Thank you for coming. Sorry we're a little late. But in the Senate we are still early. I apologize for the delay--we have a few members that are still trickling in from out of town, but we're going to go ahead and get started to be respectful of your time. We have a number of candidates today. We are here as a Joint Committee to Review Candidates for the Consumer Affairs Commission. Our members, Representative Howard, Representative Sottile are here, and of course the other members will be coming in. Steven, do you have any instructions for us as we get going?
DR. GILBERT: We bring them each up one at a time, you will swear them in, and there are some basic questions provided that you can ask to start the conversation going. After those basic questions, then we would certainly open it up for the members to ask whatever relevant questions they would like, based on the information in the packet you have. The personal data questionnaire, which gives the background for them, it functions essentially like a resume. It is designed to catch any conflicts of interest that we can catch. There is also a credit check, below that there is a background check, and then there is a driving record. You'll notice--and typically, if there is anything that would have drawn attention, I have put an asterisk next to it in the application. Something you'll notice, if it's flagged an accident, if it's a non-contributing accident it's a no. That's just something for your information. But I think everything that you would need probably is encapsulated in the forms in front of you.
SENATOR BENNETT: Alright we'll get started. I think to save us a little time, if it's ok with the committee, I'd like to just go ahead and swear in all folks that are going to testify today and we'll hear from so we don't have to do that each time you come up. So if you are going to testify in front of us, if you'll please stand and raise your right hand and repeat after me, please. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God? Great, thank you very much. I appreciate that. So as you come up, we'll start with Mr. Geddings. Come forward. Also, please everyone understand that we will be recording all the comments today and those will be transcribed in the journals so that other members of the committee that are arriving late or happen not to be able to get here today can see your comments. All of you have provided staff with your personal background data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found to be complete with all the information that we requested. Are there any changes or additions that you would like to submit at this time, Mr. Geddings?

WILLIAM GEDDINGS: No, sir.
SENATOR BENNETT: Ok, great. Let me just start by opening up and asking, do you know of any reason why you would have any difficulty performing the duties of this position?
WILLIAM GEDDINGS: No, sir.
SENATOR BENNETT: Ok. Mr. Geddings, can you briefly tell us about yourself and explain to us why you want to be on the Commission?
WILLIAM GEDDINGS: Yes, sir, Senator Bennett. My name is Williams Geddings. I am from Florence. Born in Florence, came to USC, went to USC Law, and went back to Florence. Since going back to Florence, I have been an attorney at Hays, Colley. I'm a member of the National Association of Consumer Advocates. We do primarily, if not completely, consumer defense, with a smattering of Social Security Disability in there. In that overriding category, we bring claims for incorrect credit reporting, illegal debt collection actions, illegal repossession, automobile fraud. By fraud I mean selling of automobiles, not so much wrecking of automobiles and things of that nature. I have been doing that since 2010. I have actually never worked as an attorney in any other field other than consumer except for a brief foray as an intern at the public defender in Florence. I enjoy what I do, and I enjoy defending consumers in South Carolina to the best of my ability.
Senator Bennett: Any specific skills or experiences other than what you've already noted, told us about your practice, that you believe would be beneficial to the Commission?
WILLIAM GEDDINGS: The relevant skills probably would come from the practice. I've been in the weeds with these statutes, specifically the Consumer Protection Code in Florence multiple times, 37-5-108 being one of the most often litigated. I teach a class in Florence, as well, once a year for Florence Darlington Tech. The law school for non-lawyers in consumer law is actually being taught Thursday. The class is through the National Association of Consumer Advocates. Also on consumer law, but not really South Carolina law related, so it's more broad. I'm a South Carolinian, and I care what happens in South Carolina. Other than a year I lived in Jacksonville, I've lived in South Carolina my entire life, and I have no inclination that I intend to leave. Other than within my practice, I'm not sure what other skills would be relevant to the position.
Senator Bennett: Great. Any questions from the committee? Alright, thank you Mr. Geddings. So members, we have heard from Mr. Geddings. You have had a chance to read his report or the reports that were pulled on him. We now need to vote whether we find him qualified and nominate him to the General Assembly. Do I hear a motion for his

qualification? Is there a second? Any discussion? All those in favor say aye. Any opposed? No. Ok, Mr. Geddings, we have found you qualified. Thank you. Alright, Renee Madden. Good morning, Ms. Madden. How are you? Ms. Madden, you have provided to staff your personal data questionnaire, and they have run the appropriate background checks and credit checks. The documents have been reviewed and found to be complete with all of the information that was requested. Are there any changes that you would like to make or any additions to the data?

Renee Madden: No changes, but I just want to make sure that the documents have reflected accurately the case that I have against Love Plumbing. I prevailed in that case for breach of contract, but the Clerk of Court had incorrectly entered it as a judgment against me, and that stayed for about five days in the record, so I wanted to make sure that my credit report didn't pick up--I'm still waiting for a copy of the credit report--so I just wanted to make sure that you have it accurately reflected that I prevailed in that case and that the judgment was against Love Plumbing and not me.

SENATOR BENNETT: So you won--congratulations.

RENEE MADDEN: Yes, thank you.

SENATOR BENNETT: Do we have a record of that? Nothing was flagged.

RENEE MADDEN: Ok, good. Good. Thank you.

SENATOR BENNETT: But thank you for that. Let's see Ms. Madden. Do you know of any reason why you would have difficulty performing the duties of the Commission if you were so appointed?

RENEE MADDEN: None at all.

SENATOR BENNETT: Can you briefly tell us about yourself and why you think this is a good fit for you?

RENEE MADDEN: Yes, I am an idealist, and I would like to do whatever I could to level the playing field between consumers and businesses. I think that's a uniquely government function, recognizing at the same time that there are often two sides to a story.

SENATOR BENNETT: Any specific skills or experiences that you have that you believe bring value to the Commission?

RENEE MADDEN: Just my experience as a consumer, having to fight in certain cases, and also fighting for my clients, particularly in the HOA area.

SENATOR BENNETT: That's an interesting area. I will tell you--I don't know if I can speak for my colleagues here--but probably one of the most frequent emails that I get from constituents have to do with

HOA's. What do you see as being the primary issues surrounding those challenges from residents and HOA's that they operate under?

Renee Madden: One overarching issue that I see through all areas is having an educated consumer, knowing that they've got this avenue. If you look at your website, you see that the most, the highest rate of complaints being made in probably the wealthiest, presumably most educated counties. I think in some of the poorer, more rural, less educated counties, they have probably higher rates of injuries inflicted upon them unfairly. But in terms of HOA's, one of the issues that I see is that the documents provide for any past due assessments to be liens on the property, which would--it's like a security interest--they can foreclose, so you're foreclosing on someone's home for maybe a couple thousand dollars. You add to that these onerous collection attorney's fees, and you're really putting people into a bad spot. Then you have volunteer boards, who sometimes are doing the best they can, sometimes they just want to take shortcuts, but often they are doing things that are beyond what the documents provide them the authority to do. They are creatures of statute--they have only the power that their documents and the South Carolina Non-Profit Corporations Act gives them and the new HOA Act or the Horizontal Property Act, depending on what's appropriate. So you have boards either being self-interested or going beyond what they are permitted to do.

SENATOR BENNETT: Any questions?

REPRESENTATIVE SOTTILE: I'd just like to follow-up on the HOA situation. Where I come from, the Charleston area, there's a lot of that sort of thing down there. We've dealt with it over in the House. I was on the LCI Committee that had a lot of HOA legislation come before it a couple years ago. I found that in most of the complaints, the owners weren't really aware of what the by-laws said, what they were responsible for. Lack of education, or they just weren't reading them--that was the biggest problem. It is good to know that you are up to speed on that sort of thing, because that is something that is a little ticklish now with everybody.

RENEE MADDEN: And often when you see--the late fees is one issue that I've seen repeatedly. Many of the documents don't give them permission to charge late fees, but they do. And then sometimes the by-laws aren't really passed in accordance with what the requirements are, so they're not really by-laws.

REPRESENTATIVE SOTTILE: Thank you, ma'am.

REPRESENTATIVE HOWARD: If appointed or elected, what measures would you take to rectify what you see as wrong as it relates to HOA's?

RENEE MADDEN: For the HOA's?

REPRESENTATIVE HOWARD: Yes, is there anything specific? I know you have broad duties beyond that, but is there something specifically that you would work toward or you would advocate toward?

RENEE MADDEN: Really big picture, I think that for a homeowner, an owner of a condo, or a restricted house, if it's used as the primary residence, I think that the foreclosure laws should probably be reevaluated, and perhaps, and also the wage garnishment. So you can't garnish salaries. But I think that perhaps getting that changed so to avoid foreclosure, the HOA's will have other avenues to recoup the assessments, because they do need to collect that money, and everyone does need to contribute their fair share, but people do sometimes get into binds. So that's just very big picture, one issue that I see. I think the new website for the complaints that can be aired publically, I think it could be made a little easier to search, and perhaps to include a summary of a complaint, the main issues, so that if you're trying to look at the bulk of the material that's there, you can identify what's really going on in most of these cases, if there is some area where we need to start first. So to organize some of the data that's there and that's going to be as more people become aware of this and contribute. I think that would be helpful to make it useful.

REPRESENTATIVE HOWARD: Thank you.

SENATOR BENNETT: Great. Any other questions? If not, I will entertain a motion from the committee to find Ms. Madden qualified and nominated.

REPRESENTATIVE HOWARD: So moved, Mr. Chair.

SENATOR BENNETT: A motion and a second, any discussion? All those in favor say aye. Those opposed are none. Congratulations. Let me, Ms. Madden, before you leave, and I know the previous gentleman did, just make sure that I let you know, as I'm sure the rest of you will be trickling out, at the end of the process we will let you know, once everybody had been screened and all of the nominations and qualifications have been set, you will not be able to seek support for this position from members of the General Assembly until you hear from staff. So I just want to make sure that you're aware of that and avoid jumping the gun, because that is sort of frowned upon around here. Thank you very much. Alright, next up is Andrew Sims Radeker, hope I pronounced that correctly. Good. One for one today. Mr. Radeker, thank

you. You've already been sworn in as have the others. You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found complete, with all the information that was requested of you. Are there any changes or additions that you'd like to make at this time?

ANDREW RADEKER: No, sir.

SENATOR BENNETT: Ok, great. Mr. Radeker, do you know of any reason why you wouldn't be able to provide service to the Commission if you were elected?

ANDREW RADEKER: I do not.

SENATOR BENNETT: Ok, great. Why don't you briefly tell us about yourself and why you'd be a good fit for the Commission.

ANDREW RADEKER: Well, I'm a lawyer. I'm a partner at Harrison, Radeker, and Smith, which is a law firm here in Columbia. We do a lot of different things, but one of the things that we do and that I've done for years is represent litigants in cases that involved consumer and debt collection issues. Not just consumers, but sometimes also their creditors. I'd say probably on balance, most of my representation has been of consumers throughout the years. So I think I bring a balanced perspective in my ability to kinda evaluate both sides of any proposed change to a regulation, in how that might affect both people in the credit business as well as consumers. The idea, I guess, of the Department of Consumer Affairs is to prevent unfair advantage from being taken of consumers, not to prevent people necessarily from making money from lending, etc.

SENATOR BENNETT: I will pass the gavel to our chairman who has just walked in, and then I will take a nap. Good morning, Senator.

SENATOR MATTHEWS: You might have to wake back up. Do you know of any reason why you would have difficulty performing your duties?

ANDREW RADEKER: No, I do not.

SENATOR MATTHEWS: Briefly tell us about yourself and why you want to serve on the Commission.

ANDREW RADEKER: Well, as I said, I'm a lawyer at Harrison, Radeker, and Smith, and I've done several different things throughout my career. One of them has been representing litigants in cases that involve consumers and debt collection issues. Most of that representation has been on behalf of consumers, but a substantial minority, I'd say, has been on behalf of creditors. I mean, I've got some creditors cases right now. And so I guess I'd bring what I'd hope would be a seasoned

perspective to any issue or proposed regulation that's before the Commission. And just as far as why I want to serve, I'd like to serve my community. If I can be of assistance to the operation of this Commission, then I'd be honored to do that.

SENATOR MATTHEWS: Thank you. Are there any questions? Do we have a motion? Motion has been made and seconded that we find the candidate qualified. Those in favor of the motion, please say aye. Those opposed?

ANDREW RADEKER: Thank you.

SENATOR MATTHEWS: Thank you. Mr. Sullivan? Is he here? Good morning.

LAWRENCE SULLIVAN: Good morning.

SENATOR MATTHEWS: You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found complete, with all the information that was required. Are there any other changes or additions that you would like to submit to us now?

LAWRENCE SULLIVAN: No.

SENATOR MATTHEWS: Ok. The first question--do you know of any reason why you would have any difficulty performing your duties?

LAWRENCE SULLIVAN: No.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve.

LAWRENCE SULLIVAN: Thank you. My name is Larry Sullivan. I am semi-retired in the Charleston area, Summerville. And I am an adjunct professor at the Citadel and Trident Technical College. I also do independent consulting, mostly in the energy industry, mostly in the financial and engineering aspects of the petroleum and power, and emerging biofuels and renewable energy. I have a background in petroleum for most of my career, and then the last ten or fifteen years has been more related to the interface between petroleum and biofuels or renewable power and traditional power.

SENATOR MATTHEWS: Thank you. Any questions from the committee? Senator from Dorchester.

SENATOR BENNETT: Thank you, Mr. Chairman. Good morning, Mr. Sullivan. Mr. Sullivan actually resides in Summerville, and I actually, in full disclosure, encouraged him to apply for this position. I really would like to kinda hit on the energy component. Members, as you know, we recently passed legislation in the past year to move away from ORS a lot of the energy related items to allow for consumers to be protected by a different agency. There were a number of positions or situations where

there were some concerns about whether there were conflicts of interest between what ORS was doing with regards to economic development and then also looking after the consumer. So we passed that duty over to Consumer Affairs, and that's a new duty for them coming up. Mr. Sullivan, will you kinda touch on that and the value of your background, and maybe taking on this new role for Consumer Affairs?

LAWRENCE SULLIVAN: Yes, thank you. My background has been primarily in international petroleum, where I worked mostly overseas with state owned energy. Most of the world, as you probably know, the electricity and the power generation, the petroleum, is usually a state-owned function--Saudi Arabia, Venezuela, different countries around the world. My career has shifted more toward biofuels, refining and marketing and the interface between the petroleum industry and the biofuel industry. Specifically, the power industry, which is a regulated industry compared to petroleum, which is a semi-regulated industry. Generally, in the United States the power is made by municipals or state-owned enterprises like the TVA or Santee Cooper, and then independent, or what's known as investor-owned utilities. And I think that there has been a historical situation where the advocacy in environments of regulated industries you have the agency is sort of torn between the advocates for lower rates and the advocates for higher rates, but generally that's in the context of expert witnesses that represent traditional, in a sense, consumers or traditional producers of power. I think it's exciting that the state stood back and said that the consumer agency should have a place at the table, so to speak. The issue is sort of the regulatory environment where you have an adversarial situation, perhaps with the consumer present, it can be less adversarial, could have a third or fourth opinion about power rates or power development.

SENATOR BENNETT: Mr. Chairman, at the appropriate time I'd like to move for a favorable report.

SENATOR MATTHEWS: My experience with Consumer Affairs hasn't necessarily been with the bigger issues that you're talking about, but people with mortgage problems, foreclosures, sometimes these mortgage companies abuse their customers, so you're going to get a lot of those small things. Will you be able to handle that?

LAWRENCE SULLIVAN: Yes. The situation in our state is very unique, I think, where you have a large investor owned utility like Duke, and now Dominion, but both are not in the state per se, and then you have the large Santee Cooper, which is historically state-owned. I've actually had a lot of experience earlier in my career, in college even, with the Salt River Project in Arizona, where I went to graduate school--state owned,

similar to the TVA. And then later in Texas, in Austin, Texas, where I went to college, was the Lower Colorado River Authority, which is in a sense a Texas version of Santee Cooper. And the state is actually trying to figure out, in a sense, how they will manage a state-owned enterprise. It is unusual in the United States to have a large state-owned enterprise like that.

SENATOR MATTHEWS: Any other questions? Alright, the motion has been made and seconded that we vote him out favorably. Those in favor of that motion let me know by saying aye. Thank you sir. Robert Wells.

Robert Wells: Good morning again.

SENATOR MATTHEWS: Good morning. First of all, thank you for being willing to serve the public. I have three questions I would like to ask you. You can wait till I read all three of them and answer at one time.

ROBERT WELLS: I've been listening to them, so I have a feeling I know what they are.

SENATOR MATTHEWS: Yes, sir. I got to do it anyway, just for the record. Do you know of any reason why you would have any difficulty performing your duties?

ROBERT WELLS: No reason that would prevent me from performing my duties.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on this commission.

ROBERT WELLS: I retired last May, after over thirty years serving as the executive director of the South Carolina Bar. It's an entity that serves its constituency but also serves the public. I'm very proud of the work that was done over there. I see this as a very valuable service. I learned that while I was the public service director, I worked with this Department, on various projects working cooperatively. It's something that I have a great interest in. I also feel that a big part of this is making sure you're the right person in the job. I have a lot of experience with personnel management, obviously from the Bar. So I think I bring a skill set which will be in addition to some of the ones you've already heard today and will be beneficial to the Department.

SENATOR MATTHEWS: You're about to answer my second and third question. What specific skills or experiences do you have that you believe would enable you to represent effectively the consumers across the state?

ROBERT WELLS: I took consumer complaints. I would take those complaints. I met with those people who came in and would see whether or not it was a legal problem or something that Consumer Affairs could

better serve. We created a website, we worked cooperatively with creating websites with the Department. All of those areas that I also worked with through committee or social boards that I worked with. All of those things will come into play. I can bring that back to working on the Commission. I also, being retired, I usually have the opportunity to read about five newspapers a day, electronically, so hopefully I'll anticipate some consumer problems and will get ahead of the curve in South Carolina if other states are already working on these things.

SENATOR MATTHEWS: Are there any questions from the committee members?

SENATOR BENNETT: Are there five good newspapers?

ROBERT WELLS: I didn't say they were good--I said I read five. I do read three locals, I read Greenville, I read Charleston, I read The State, but then I also do Washington and New York.

SENATOR MATTHEWS: You do that on a daily basis?

ROBERT WELLS: I do.

SENATOR MATTHEWS: Well you must be retired.

ROBERT WELLS: I am retired, and I tell you when you get there it's wonderful.

SENATOR MATTHEWS: Any other questions? The motion has been made and seconded that we approve the nominee. Those in favor of that motion let me know by saying aye. Ayes have it. You have been approved, sir. Janie Borden? Come on up. First of all, thank you for being willing to serve and go through this. I'm going to ask you three questions. First question is do you know of any reason why you would have any difficulty performing your duties in this position?

JANIE BORDEN: No, sir, I do not.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on this commission.

JANIE BORDEN: Yes, sir, my name is Janie Borden and I am an assistant corporation council for the City of Charleston. I have held that position since 2004. I was actually an extern in the legal department with the city in 2003. The city's mission of preserving and enhancing the quality of life of its residents I think is very similar to the mission of the Consumer Affairs Department, in the sense of protecting consumers in the marketplace, as well as recognizing the needs of businesses. And that is primarily what we do in the Office of Corporation Council for the City of Charleston on a daily basis.

SENATOR MATTHEWS: Maybe you've answered this one, but I have to ask it anyway. What specific skills or experiences do you have that

you believe would enable you to represent effectively the consumers across the state?

JANIE BORDEN: Yes, sir. On a daily basis, I work in advocacy, mediation, enforcement, and education, which are the four items that, again, the Consumer Affairs Commission uses to support the mission of the Department. Also, as a part of my job skills, I also am a prosecutor in the city's Livability Court, which the mission of that court is not simply to find someone guilty, but to work with the parties to find a resolution to the issue. And so as a prosecutor in that court, I work with not only businesses, but with residents to find a resolution to satisfy both party's needs. I think that that will be helpful in this position.

SENATOR MATTHEWS: Any other further questions? Senator from Berkeley? Dorchester. I'll promote you.

SENATOR BENNETT: Berkeley, too. Charleston, as well. Ms. Borden, thank you for coming and your willingness to put yourself out. I'm just looking over your personal data questionnaire, and I just want to make sure we're clear here. On item 38, you're asked about whether you have requested support or requested a pledge from any member of the General Assembly. You state that you did ask Senator SENN to support your nomination. I'm assuming that just meant applying for the position. Is that correct?

JANIE BORDEN: That's correct.

SENATOR BENNETT: Ok, just to be clear, you can't seek actual support for those positions.

JANIE BORDEN: I have not had any further conversations with her.

SENATOR BENNETT: Thank you, just wanted to clarify that.

REPRESENTATIVE SOTTILE: Ms. Borden, I would like to first thank you for taking the time to come up here, and I guess you are one of my constituents, I believe. The Mt. Pleasant area.

JANIE BORDEN: Yes, sir.

REPRESENTATIVE SOTTILE: Welcome. Your experience with Livability Court, I too have experience with that at the Isle of Palms, because we followed y'alls advice and did that to help with our problems with the tourists, the large homes, and that sort of thing. Michael Molony has done a wonderful job over there. He works with y'all as well.

JANIE BORDEN: Yes, sir.

REPRESENTATIVE SOTTILE: But I just wanted to say, thank you for coming, and anything we can do to help, let us know.

JANIE BORDEN: Well I enjoy being a public servant, obviously I have been for over fifteen years now, and I like going home at the end of the day knowing that I've made a difference.

REPRESENTATIVE SOTTILE: Thank you.
REPRESENTATIVE HOWARD: Mr. Chairman, I would like to move approval.
SENATOR MATTHEWS: Do I have a second? Those in favor say aye. Opposed?
JANIE BORDEN: Thank you, Mr. Chairman.
SENATOR BENNETT: May I make a motion in the meantime, since we're waiting on someone, to go into executive session and discuss another candidate?
--Executive Session--
SENATOR MATTHEWS: Thank you for your willingness to serve. We're going to go ahead and get started. I'm going to ask you a couple questions, and after that the members may want to ask you a couple questions or for explanations. Do you know of any reason why you would have difficulty in performing the duties of this position?
JAMES LEWIS: No, sir.
SENATOR MATTHEWS: Briefly tell us about and explain why you want to serve.
JAMES LEWIS: Sure, I'm a husband and a father from Myrtle Beach, South Carolina. I am an attorney. I've been practicing since 2009. My first three years I was in litigation, and then I moved to an in-house counsel role, with a large insurance brokerage. I moved off on my own. My business still handles legal, but we also offer insurance and business development consulting services.
SENATOR MATTHEWS: What specific skills or experiences do you have that you believe would enable you to represent effectively the consumers across this state?
JAMES LEWIS: I think I've got--even though I'm young--I've got a variety of experiences in my professional life dealing with, on the consumer side, you're dealing with consumers all the time. I talk to them about products, and I'm actually, my bread and butter is long-term care. I'm actually a designated long-term care professional. When you're dealing with seniors especially, you want to make sure--that's a sensitive market--you have to make sure that everything that you do is, of course, above board, and, of course, as an attorney as well, dealing with the public, and usually they're not coming to you necessarily with something that is easy to solve, and they expect you to be solution oriented and to do so in a proper manner.
SENATOR MATTHEWS: Any questions to add?
SENATOR BENNETT: Just a quick question.
SENATOR MATTHEWS: Senator from Dorchester.

SENATOR BENNETT: Thank you Mr. Lewis. So one of the previous applicants caught my eye when he was both a Purdue and an Ohio state grad. I thought that was strange until I saw Georgia South Carolina on this application. How in the world do you do that? You don't have to answer that. I'm glad you brought up seniors, particularly with respect to insurance products, or really any products. I had a constituent actually brought me a box, just a few weeks ago, literally a box of just a bunch of mail pieces that his elderly mother receives on an almost constant, daily basis. What do you think the role is of Consumer Affairs with respect to maybe that specific issue, or seniors in general? Is there an extra level of attention that we need to be paying there?

JAMES LEWIS: I think so. I mean, I can certainly speak on the insurance side of things, you're dealing with seniors, in particular. They are putting a level of trust in you because you have the knowledge. They foresee that they will have a need and they are expecting you to give them a solution. It's not based on whether or not you're going to make a commission on the sale, but whether or not it's an appropriate solution given their set of circumstances. You see a lot of mailings and things of that nature that I think are on the edge, and I don't think that they are appropriate for people to be receiving in the mail. One example I can give of that is there's something called the Partnership for Long-Term Care, which is essentially where the state and the federal government work together to try to put out information about long-term care specifically, and then there's certain criteria that I don't have to go in depth with, but there's advantages to purchasing what's called a partnership qualified plan. But you'll see mailers that come out that almost pretend to be from the state, and they use the fact that the federal government and state government are working together almost as a way to deceive the consumer to believe that it is a state-authorized mailing, when in fact it's not. I even know of insurance folks who will go in with a badge that will say "state partnership certified" or whatever. To me it's just not ok. I would like to see us do more and potentially I know the Department of Insurance is certainly handling the regulation of their products, but I would like to see more efforts to protect seniors, especially from that type of thing that is out there.

SENATOR MATTHEWS: I got one question--this is a question someone asked me last week. Not an elderly person, I think she's 78 or 79. She's in the market for long-term care insurance, and she didn't know whether she should do that. I told her I thought it was a little late in the game. Do you get many people 79 years old looking for long-term care insurance?

JAMES LEWIS: It would likely be prohibitively expensive at this point, because it almost works like one of those curves that you saw when you were in grade school, where it just kinda starts, and when you hit your 60's it starts to climb, and into your 70's and approaching 80, the premiums to get into it are really cost prohibitive, so you would take a look at it and, honestly, I would tell them at that point, I mean, one, of course there's health underwriting, and two does it make sense from a financial standpoint at that point with it being so expensive? Probably not.

SENATOR MATTHEWS: She didn't exactly give me the numbers, but I just thought that turning 79, and buying long-term health insurance, it's a little late in the game.

JAMES LEWIS: It would be very, very cost prohibitive.

SENATOR MATTHEWS: I gave her the right advice, then. Any other questions? Do I have a motion? Motion has been made and seconded. You have been approved sir.

JAMES LEWIS: Thank you all, very much.

STEVEN GILBERT: We have one final candidate, Jessica Monsell, who, I don't think she's here yet, but if you want to take a look at her packet, I expect that she will be here very soon. We have Jessica Monsell.

SENATOR MATTHEWS: Ms. Monsell, would you take a seat?

JESSICA MONSELL: Good morning.

SENATOR MATTHEWS: Would you raise your right hand please? As I put my glasses on. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

JESSICA MONSELL: I do.

SENATOR MATTHEWS: You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found to be complete, with all information that was required. Are there any other changes or additions that you would like to make at this time?

JESSICA MONSELL: No, sir.

SENATOR MATTHEWS: Thank you. I'm going to ask you three questions. First question is, do you know any reason why you would have any difficulty performing the duties of this position?

JESSICA MONSELL: Not at this time, no.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on the commission.

JESSICA MONSELL: Sure. So I moved to South Carolina in 2006. Before I worked here in South Carolina, I worked for an office of the Embassy of France studying financial markets. I moved to South

Carolina to take a position with the Motley, Rice Law Firm, where my practice group at that time was focused on helping victims of aircraft crashes. I started with them as a French translator, and over time learned civil litigation as a paralegal, and then also worked to some degree with our marketing team. So my role expanded over time. And then in 2018, I decided to go to law school, and I started at, I'm a first-year student at the Charleston School of Law. In 2015, I started working with a consumer advocacy group that is now a 501 (C) 3 non-profit that helps consumers nationwide with all sorts of, I would call them consumer or customer service lapses. They are not cases that lawyers typically handle, but really they are for those cases where people are unable to find a lawyer to help them because there's, honestly, not a lot of money in helping these folks, right, so what we were doing while I was working with that group is we would connect them with folks within the corporation that's implicated in that complaint and they would resolve the cases for them. As part of our mission with that group, we also had an education mission, and that would be to tell the consumer's story online so that other people could read about it when they encountered a similar problem and learn how to resolve it, either on their own or with the help of a consumer advocate. So, both within my roles at Motley, Rice law firm and with the consumer advocacy group, I have a lot of experience listening to and handling consumer complaints. I usually can tell when there's something that really requires the assistance of a lawyer and when it's something that falls more in the realm of a customer service lapse. And I think there's a great deal of both of those types of cases out there, where folks need help. So to answer your final question, why I am interested in serving in this capacity, as someone who is looking to begin a new chapter of her career in public service, this seems like it would be a good fit for my skills and background and my desire to serve the people of South Carolina.

SENATOR MATTHEWS: Thank you. Third question: what specific skills or experiences do you have that would enable you to represent effectively the consumers across the state?

JESSICA MONSELL: Well, I partly, I think, already answered some of that. But more specifically, I can tell you that I do a lot of reading and research on issues of consumer law. I have a particular interest in law that touches underserved populations, for example people with disabilities. I can tell you, because I've done a lot of research, probably more research than is normal, that there are laws that are supposed to protect people for which there is no private cause of action. So, for example, if a disabled passenger on an airline is forgotten on an airplane

because nobody ever shows up with a wheelchair to take the passenger off of an airplane. All that person can do is complain to the Department of Transportation in Washington, and maybe the Department will track those statistics and eventually fine the airline, but ultimately those fines are really just a reinvestment into the corporation. They tell them you need to take this money and re-train your ground staff. There's no recourse for the actual person, the actual passenger. So, there are places where the law is stagnant and hasn't evolved with our growing disabled population, for example. And so I feel strongly about helping people in those situations where they're not going to know how to help themselves.
SENATOR MATTHEWS: Any questions?
SENATOR BENNETT: No questions, just a statement. I appreciate the comment that was made earlier about recognizing the difference between an actual complaint and a customer service problem. I think that's appropriate in the position she would hold. Thank you for coming.
JESSICA MONSELL: Thank you.
SENATOR MATTHEWS: Can I get a motion? Motion has been made and seconded that we report you out favorably. All those in favor of that motion say aye. Ayes have it, and you've been reported out.

Ms. Janie Borden
Background
Ms. Borden is an attorney from Charleston, SC.
Findings
Ms. Borden's SLED background check and credit check revealed no concerns. She was found to be qualified.

Mr. William K. Geddings
Background
Mr. Geddings is an attorney from Florence, SC.
Findings
Mr. Geddings's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. James E. Lewis, Jr.
Background
Mr. Lewis is an attorney from Myrtle Beach, SC.
Findings
Mr. Lewis's SLED background check and credit check revealed no concerns. He was found to be qualified.

Ms. Renee I. Madden
Background
Ms. Madden is an attorney from Columbia, SC.
Findings
Ms. Madden's SLED background check and credit check revealed no concerns. She was found to be qualified.

Ms. Jessica Monsell
Background
Ms. Monsell is employed by a law firm and is pursuing a law degree. She is from Charleston, SC.
Findings
Ms. Monsell's SLED background check and credit check revealed no concerns. She was found to be qualified.

Mr. Andrew Sims Radeker
Background
Mr. Radeker is an attorney from Columbia, SC.
Findings
Mr. Radeker's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. Lawrence Sullivan
Background
Mr. Sullivan is an energy and petroleum expert from Summerville, SC.
Findings
Mr. Sullivan's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. Robert Wells
Background
Mr. Wells is a retired attorney from Lexington, SC.
Findings
Mr. Wells's SLED background check and credit check revealed no concerns. He was found to be qualified. *Mr. Wells withdrew from consideration March 27, 2019.*

THURSDAY, APRIL 18, 2019

Judicial Merit Selection Commission
Report of Candidate Qualifications

Date Draft Report Issued: Thursday, April 18, 2019

Date and Time Final Report Issued: Noon, Tuesday, April 23, 2019

Judicial candidates are not free to seek or accept commitments until Tuesday, April 23, 2019, at Noon.

Judicial Merit Selection Commission

Rep. G. Murrell Smith Jr., Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
Rep. Chris Murphy
Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

April 18, 2019

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

THURSDAY, APRIL 18, 2019

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, April 23, 2019. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, April 23, 2019. In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,

Representative G. Murrell Smith Jr.

Judicial Merit Selection Commission

Rep. G. Murrell Smith Jr., Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
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J.P. "Pete" Strom Jr.

Erin B. Crawford,
Chief Counsel
Emma Dean, Counse

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

April 18, 2019

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report***. The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly***, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying***

offense and must be considered when determining a candidate's fitness for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,

Representative G. Murrell Smith Jr.
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, as amended, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that

candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.,* lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, experience, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar through BallotBox online;
(2) SLED and FBI investigation;
(3) credit investigation;
(4) grievance investigation;
(5) study of application materials;
(6) verification of ethics compliance;

(7) search of newspaper articles;
(8) conflict of interest investigation;
(9) court schedule study;
(10) study of appellate record;
(11) court observation; and
(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South

Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the Circuit Court.

CIRCUIT COURT
QUALIFIED AND NOMINATED

The Honorable M. Anderson Griffith
Circuit Court, Second Circuit, Seat 1
Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Griffith meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Griffith was born in 1958. He is 60 years old and a resident of Aiken, South Carolina. Judge Griffith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Griffith.

Judge Griffith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Griffith reported that he has spent $231.51 in campaign expenditures.

Judge Griffith testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Griffith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Griffith to be intelligent and knowledgeable.

Judge Griffith reported that he has taught the following law-related courses:

(a) Organized the topics and speakers for the 2014 Masters-in-Equity Bench Bar held on October 10, 2014. This is a one day continuing education program.

(b) Speaker at the South Carolina Association of Clerks and Registers of Deeds Fall Conference in 2017. The topic of the program concerned the procedure and issues in filing a mechanic's lien.

(c) As President of the Master in Equity Association, I was responsible for arranging for speakers during annual judicial conference and our meetings during the circuit court judge conference.

Judge Griffith reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Griffith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Griffith did not indicate any evidence of a troubled financial status. Judge Griffith has handled his financial affairs responsibly.

The Commission also noted that Judge Griffith was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Griffith reported that his rating by a legal rating organization, Martindale-Hubbell, is BV.

Judge Griffith reported he has not served in the military.

Judge Griffith reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Griffith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Griffith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Griffith was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

(a) After graduating from law school, I began working with the law firm of Bodenheimer, Busbee & Hunter. I became a partner in that firm approximately two years later. The firm later changed the name to Busbee, Hunter & Griffith. I served as president the last few years until my appointment as Master in Equity for Aiken County in June 2011. I would describe my involvement with the administrative and financial duties of the partnership to be divided among the three attorneys. I had a more active role the last five years. After my appointment, the

two remaining attorneys continued to operate the office until they retired. Since my position is full time, I no longer engaged in any private practice.

(b) In 1990, I began serving as the municipal judge for the Town of Wagener. The primary duties were to conduct a bench and jury trials in criminal matters each month. I would also review the reports to be provided to the South Carolina Court Administration. This provided an enjoyable experience of dealing with the local police, the employees and the general public of the town. I would normally have one day scheduled for jury trials each month and another day to have bench trials on traffic ticket cases and other criminal cases within the jurisdiction of the Municipal Court.

(c) Initially, my private practice involved personal injury cases, workers compensation matters and criminal defense work. I began to develop a practice that involved representing homeowners, subcontractors and general contractors on contract matters. These cases would often involve filing mechanic liens, partition actions, boundary disputes, actions involving different types of easements, owner financing lease issues that involve equitable claims by the buyer as well as claims for specific performance. I continued to develop that practice during the last 10 to 15 years prior to my appointment in 2011. Almost all of these cases were non-jury and any hearings were before the Master in Equity or a Special Referee.

(d) In 1996, I began serving as the attorney for the Town of Jackson in Aiken County. This involved attending Council meetings when requested by the town, researching issues and handling any criminal trials or appeals from the Municipal Court. In 2006, I also began serving as the attorney for the City of New Ellenton. This involved similar duties that I performed with the Town of Jackson. Income from both of these was paid to the law firm and not to me individually.

(e) Since my appointment as Master in Equity in June 2011 I have had thousands of cases referred and completed. The types of cases have varied but include foreclosure, boundary disputes, easement cases, road closing cases,

breach of contract matters, quiet title actions, structured settlement approvals and minor settlements along with various other civil actions.

Judge Griffith further reported regarding his experience with the Circuit Court practice area:

I have been the Master in Equity for Aiken County since June 2011. This answer discusses my practice prior to that time.

The majority of my experience in criminal matters occurred during my first ten years in private practice. I represented defendants in municipal and magistrate court in Aiken County. These cases were traffic cases, driving under the influence, and other matters heard in these courts. I prosecuted cases as part of my work for the towns of New Ellenton and Jackson in Aiken County. I was the municipal judge in Wagener for approximately six years. I would conduct jury trials each month for various criminal offenses.

I represented defendants on various charges in circuit court. Some of these included receiving stolen goods, drug charges, and several criminal sexual conduct cases. All of the cases resulted in plea agreements or an agreement to allow the defendant to enter a pretrial intervention program. I was appointed on numerous Post Conviction Relief cases. Those were resolved with a hearing or the withdrawal of the petition by the petitioner.

Since I have not practiced in the General Sessions Court in some time, I recognize the need to review procedural matters, appellate decisions, and to attend continuing education conferences with an emphasis in the criminal trial area.

I represented plaintiffs and defendants in a variety of civil matters. I represented plaintiffs in personal injury matters that would include negligence claims as a result of automobile collisions and premises liability cases. Prior to the settlement in a civil matter, I would normally file the lawsuit, initiate written discovery, conduct depositions, and prepare for trial.

I also represented plaintiffs in medical malpractice cases. I conducted the initial interviews, obtained and reviewed the medical records, and decided if a review by an expert was needed before accepting the case. At that point, I would associate another law firm that had considerable experience in this area. The depositions were divided between the two firms. We worked together to prepare discovery responses and for mediation. Based on that preparation and the presentation, we were successful in reaching an agreement in mediation.

I developed a practice involving various contract and property claims. These would include breach of contract claims, mechanic liens, easement cases, boundary line disputes, partition actions, and other claims. These cases would normally be heard by the Master in Equity. I represented both plaintiffs and defendant in these matters. As with other cases, I drafted pleadings, prepared discovery, and participate in depositions.

Judge Griffith reported the frequency of his court appearances prior to his service on the bench as follows: during the past five years as follows:

(a) Federal: No Appearances; One case was removed to the federal court and was resolved by settlement.

(b) State: In the Court of Common Pleas, I believe I had approximately thirty cases pending with the clerk of court when I was appointed to my current position in June 2011. I also had many other civil cases in my office to prepare for filing or settlement. My civil caseload for the last five years in private practice was very active. I was scheduled to appear at most or all of the non-jury roster calls and the motion dockets in Aiken County, South Carolina. I had filed a complaint or an answer in litigated matters approximately 170 times in the five years prior to my appointment. Most of my criminal defense work was performed in my first ten years of private practice. Prior to that time, our firm did not handle any criminal defense matters. I also prosecuted municipal cases for Jackson and New Ellenton since I served as the town attorney.

Judge Griffith reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

(a) Civil: 75%
(b) Criminal: 5% including cases I prosecuted as the attorney for Jackson and New Ellenton.
(c) Domestic: 15%
(d) Other: 5%

Judge Griffith reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 25%
(b) Non-jury: 75%

Judge Griffith provided that he has most often served as sole counsel in a majority of cases and co-counsel in medical malpractice matters.

Judge Griffith provided the following list of his most significant orders or opinions:

(a) Ippolito v.Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a case of first impression that involved the South Carolina "Innkeepers Statute", S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial.
(b) Mims v. Myers, et.al., Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non- jury trial.
(c) J. E. Stewart Builders, Inc. v. Szabo, Op. No. 2003-UP-185 filed March 6, 2003. The case involved an appeal by Szabo of the lower court decision. It involved a claim for unfair trade practice in the use of a draftsman. The Appellate Court affirmed the decision. The lower court case was a jury trial.
(d) Combs v. Barton, No. 07-CP-02-1868 (Aiken, S.C. Ct. Common Pleas, November 1, 2010). This issue in this case was interpretation of S.C. Code Ann. 40-59-810 et seq. This was a relatively new statute but was important for parties filing a lawsuit or defending the case in construction disputes. The statute concerned the proper

procedure to offer a contractor the chance to cure any defects before a lawsuit can be filed.

(e) Dandy v. American Laundry Machinery, Inc. 301 S.C. 24, 389 S.E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit. I prepared and argued the appeal in this matter. The case clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.

The following is Judge Griffith's account of civil appeals he has personally handled:

(a) Ippolito v. Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a case of first impression that involved the South Carolina "Innkeepers Statute", S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial. The Appellate Court affirmed the Circuit Court. This was a jury trial.

(b) Mims v. Myers, et.al. Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non- jury trial.

(c) J. E. Stewart Builders, Inc. v. Szabo, Op. No. 2003-UP-185 filed March 6, 2003. The case involved an appeal by Szabo of the lower court decision. It involved a claim for unfair trade practice in the use of a draftsman. The Court affirmed the decision. The lower court case was a jury trial.

(d) American General Finance, Inc. v. Griffin et al, (Edgefield, S. C. Ct. Common Pleas, January 21, 2009). The case was settled during the appeal. It involved an argument that the Special Referee erred in finding that the appellant had not established the defense of mutual mistake by clear and convincing evidence.

(e) Dandy v. American Laundry Machinery, Inc. 301 S.C. 24, 389 S.E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit. I prepared and argued the appeal in this matter. It clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.

Judge Griffith reported he has not handled any criminal appeals.

Judge Griffith provided the following list of his most significant orders or opinions:

(a) Three Runs Plantation v. Jay Jacobs; Lower Court Case Number No. 2011CP0200548; Appellate Case No. 2013-002305; This involved a complicated matter between the homeowner and the developer. This was a four day trial that involved interpreting the subdivision restrictions, breach of the sales contract, voting rights claim and the attorney fees. The decision was affirmed on appeal.

(b) Randall v. Borst; 2015-CP-02-01076: This was a two day trial that involved an allegation of assault and battery, damages, and violations of the South Carolina Residential Landlord Tenant Act.

(c) Riley v. Griffin; 2012-CP-02-02770; This trial involved numerous parties in a subdivision and concerned access to the riding or recreation trails that also allowed entry into Hitchcock Woods. Each of the plaintiffs' claims had to be evaluated separately as to the type of easement and the use that was allowed under any agreement. I believe it also involved a trespass claim.

(d) Wilson v. Douglas; 2011-CP-02-00755; I believe this was a three day trial and the case dealt with water flow damaging the property of the neighbors, easement claims, trespass claims and a determination of damages.

(e) Robertson v. Huddle House; 2016-CP-02-01550; Appellate Case No. 2017-000748 ; This case involved a claim by the landlord against Huddle house claiming that he could evict on thirty days notice. Huddle House had assumed the position of the tenant through a series of agreements. The case required the court to evaluate the testimony and the lease, a collateral assignment of lease and the franchise agreement. The plaintiff filed an appeal and the appellate court affirmed the decision.

(9) <u>Judicial Temperament:</u>

The Commission believes that Judge Griffith's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Judge Griffith to be "Qualified" in all nine evaluative criteria including constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament. The Citizens Committee noted, "The committee was concerned about the 2002 and 2008 tax liens but was satisfied with his explanations and didn't think this past experience would affect his ability to serve as a circuit court judge."

Judge Griffith is married to Anne Gentilucci Griffith. He has three children.

Judge Griffith reported that he was a member of the following Bar and professional associations:

(a) Aiken County Bar; past president
(b) South Carolina Bar Association
(c) South Carolina Masters in Equity Association; past president

Judge Griffith provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

South Carolina Masters in Equity Association; past President

Judge Griffith further reported:

After graduating from law school, I began working with the law firm of Bodenheimer, Busbee & Hunter. I became a partner in that firm approximately two years later. The firm later changed the name to Busbee, Hunter & Griffin. I served as president until my appointment as Master in Equity for Aiken County in June 2011.

In 1990, I began serving as the municipal judge for the Town of Wagener. The primary duties were to conduct a bench and jury trials each month. I would also review the reports to be provided to the South Carolina Court Administration. This provided an enjoyable experience of dealing with the local police, the employees and the general public of the town. I would normally have one day scheduled for jury trials each month and

another day to have bench trials on traffic ticket cases and other criminal cases within the jurisdiction of the Municipal Court.

Initially, my private practice involved personal injury cases, workers compensation matters and some criminal defense work. I began to develop a practice that involved representing homeowners, subcontractors and general contractors on contract matters. These cases would often involve filing mechanic liens, partition actions, boundary disputes, actions involving different types of easements, owner financing leases that involve equitable claims by the buyer as well as claims for specific performance. I continued to develop that practice during the last 10 to 15 years prior to my appointment in 2011. Almost all of these cases were non-jury and any hearings were before the Master in Equity or a Special Referee.

In 1996, I began serving as the attorney for the Town of Jackson in Aiken County. This involved attending Council meetings when requested by the town, researching issues and handling any criminal trials or appeals from the Municipal Court. In 2006, I also began serving as the attorney for the City of New Ellenton. This involved similar duties that I performed with the Town of Jackson. Income from both of these was paid to the law firm and not to me individually.

Since my appointment as Master in Equity in June 2011 I have had thousands of cases referred and completed. The types of cases have varied but include foreclosure, boundary disputes, easement cases, road closing cases, breach of contract matters, quiet title actions, structured settlement approvals and minor settlements along with various other civil actions.

(11) Commission Members' Comments:

The Commission appreciates and is impressed with Judge Griffith's exemplary service as the Aiken County Master-in-Equity. The Commission noted that Judge Griffith also possesses both civil and criminal trial experience gained before his service as a Master which would serve him well as a circuit court judge.

(12) Conclusion:

The Commission found Judge Griffith qualified and nominated him for election to the Circuit Court, Second Circuit, Seat 1.

THURSDAY, APRIL 18, 2019

David W. Miller
Circuit Court, Second Circuit, Seat 1
Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Miller meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Miller was born in 1972. He is 47 years old and a resident of Aiken, South Carolina. Mr. Miller provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Miller.

Mr. Miller demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Miller reported that he has not made any campaign expenditures.

Mr. Miller testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Miller testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Mr. Miller to be intelligent and knowledgeable.

Mr. Miller reported that he has taught the following law-related courses:

(a) I have lectured at the S.C. Prosecution Commission's Prosecution Boot Camp each year since 2012. At the Boot Camps, Senior Assistant and Deputy Solicitors are given specific topics to cover during instructional periods and all instructors participate in discussion and performance workshops. Instructors critique students on their performances with assigned fact patterns and lead group discussions. I taught the following individual classes to the participants over the years listed: Hearsay (2013, 2014, 2015) Sentencing Fundamentals (2013, 2014), Guilty Pleas: Negotiations, Agreements and Procedure (2016, 2017, 2018).

(b) I made two presentations for the S.C. Bar's pro bono project, Legal Lessons: A series for the Public in 2012. The Legal Lessons series was a program to introduce members of the public to specific areas of the law by providing classes taught by lawyers with experience in that practice area. The courses were scheduled at the local technical college over the course of several consecutive weeks and included a one hour class on each subject along with a question-and-answer period afterward. I presented an "Overview of the South Carolina State Courts" (09/17/2012) and "Criminal Law" (10/29/2012).

(c) I have lectured at the S.C. Solicitor's Association Annual Conference since 2017. I have conducted classes covering several topics. In 2017, I presented a lecture titled "Obtaining Evidence Lawfully" that focused on unusual or technical situations where prosecutors are called upon to obtain evidence in cases using specific types of court orders. This lecture was presented in coordination with Senior Deputy Attorney General Don Zelenka, who presented a companion lecture titled "Getting and Using Evidence- Problems, trends, and the Appellate Courts".

In 2018, I presented a lecture titled "Investigating and Prosecuting Animal Abuse Cases" that focused on the unique aspects of investigating and prosecuting animal abuse cases including societal attitudes that impact presenting evidence to juries and the impact of social media and public outcry on courts' sentencing. I also presented a "follow-up" to the 2017 lecture called "Using Search Warrants, Subpoenas, and Court Orders." This lecture discussed the appropriate use of search warrants and court orders to obtain evidence in criminal prosecutions, focusing on ethical and procedural concerns and how those concerns impact communication with law enforcement agencies.

(d) Following my lecture at the SCSA Annual Conference, I was invited to be a guest facilitator for a workshop on Investigating and Prosecuting Animal Abuse cases at the Southeast Animal Alliance Annual Conference in Augusta, Georgia. The workshop took law enforcement personnel through the process of investigating and documenting a complaint to testifying at trial, where I served alternately as the prosecutor and the defense attorney for various witnesses.

Mr. Miller reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Miller did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Miller did not indicate any evidence of a troubled financial status. Mr. Miller has handled his financial affairs responsibly.

The Commission also noted that Mr. Miller was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Mr. Miller reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Miller reported the following military service:
1991-95 U.S. Marine Corps Active Duty, Corporal, Honorable Discharge
1995-96 USMC Reserve, Corporal, Honorable Discharge

Mr. Miller reported that he has never held public office other than judicial office.

(6) Physical Health:
Mr. Miller appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Mr. Miller appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Mr. Miller was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

(a) 2001-2002: Law Clerk for the Honorable Rodney A. Peeples
(b) 2002-2004: Robert J. Harte, P.C. - Associate attorney involved in general litigation matters representing plaintiffs as well as criminal and civil defendants.
(c) 2004-2009: Smith, Massey, Brodie, Guynn & Mayes, P.C. - Associate attorney involved in general litigation matters representing plaintiffs as well as criminal and civil defendants.
(d) 2009-2013: Office of the Solicitor, 2nd Judicial Circuit - Assistant Solicitor prosecuting felonies and misdemeanors in General Sessions and Magistrate courts. Also handled appeals from magistrate and municipal courts.
(e) 2013-2015: Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Aiken County prosecuting

felonies and misdemeanors in General Sessions, coordinating prosecution/docket management for Aiken County, and working special Information Technology Projects for the Office. In this position my administrative tasks included managing staff and overseeing dockets for individual terms of court.

(f) 2015-Present: Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Barnwell and Bamberg Counties prosecuting felonies and misdemeanors in General Sessions and Magistrate courts, continuing to work as needed on cases in Aiken County, and continued implementing technology initiatives throughout the Second Judicial Circuit. Administrative duties in this position increased to include input with the elected Solicitor on office personnel, budgetary needs, equipment and space issues, preparing performance appraisals of employees, complete management of criminal dockets in both counties, and coordinating terms of court with incoming judges and other court personnel. Additionally, I coordinate training for law enforcement personnel throughout the circuit and in other jurisdictions while continuing to train inexperienced lawyers under my supervision.

Mr. Miller further reported regarding his experience with the Circuit Court practice area:

My first job as a member of the South Carolina Bar was working as a law clerk for the Honorable Rodney A. Peeples. Then, I practiced as a private attorney for seven years before becoming an Assistant Solicitor and, later, a Deputy Solicitor in charge of two counties in our circuit. Through this experience, I have handled many different types of cases, both civil and criminal.

Before joining the Solicitor's Office I defended numerous criminal cases involving defendants charged with everything from murder and criminal sexual conduct to Driving Under the Influence. Additionally, I represented both plaintiffs and defendants in civil matters while in private practice. As an associate attorney in a medium-sized firm, I handled diverse civil litigation matters ranging from personal injury cases to

contract disputes in Common Pleas and Magistrate courts. I was personally involved in the litigation over the Estate of James Brown before leaving private practice. My civil practice was necessarily diverse because of my firm's limited market. Our firm did not advertise for personal injury cases, and most of the civil matters I handled were taken on an hourly fee basis. I handled contract disputes between businesses, land disputes and nuisance claims, will contests, mechanic's lien cases, and condemnation claims. I was also occasionally appointed by the Circuit Court as a Special Referee to hear non-jury civil claims.

I have prosecuted hundreds of cases as an Assistant Solicitor and Deputy Solicitor in the Second Judicial Circuit. Many of these cases were violent felonies including multi-defendant armed robbery cases, murders and home invasions. In the past five years, I have practiced exclusively in criminal court. During that time I have handled over one thousand cases, including several jury trials. In those cases, and in cases that resulted in resolutions prior to trial, I have dealt with motions to suppress evidence, Neil v. Biggers hearings, Jackson v. Denno hearings, motions in limine, as well as other motions. I have been responsible for presenting expert witness testimony and have been called upon to cross examine expert witnesses called by the defense. I have frequently been asked to draft Orders for the Court following rulings on complex factual or legal issues.

My experience as a criminal defense attorney has shaped the way I prosecute cases throughout my career as a prosecutor. Lengthy, sometimes life-long, prison sentences can be necessary to protect society from a particular person, but those situations are, fortunately, extremely rare. I take pride in my ability to work with the defense bar and with judges to come up with fair and just resolutions to cases. I also take pride in my reputation as a capable trial attorney.

Mr. Miller reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 0%
(b) State: 100%

Mr. Miller reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

(a)	Civil:	1% (Post-Conviction Relief Actions)
(b)	Criminal:	84%
(c)	Domestic:	0%
(d)	Other:	15% (Administrative)

Mr. Miller reported the percentage of his practice in trial court during the past five years as follows:

(a)	Jury:	80%
(b)	Non-jury:	20%

Mr. Miller provided that he has most often served as chief counsel in jury trials in Barnwell and Bamberg Counties, but has also frequently appeared as associate counsel when one of the junior lawyers under his supervision is trying a case.

Mr. Miller provided the following list of his most significant orders or opinions:

(f) Hill v. State, 377 S.C. 462, 661 S.E.2d 92 (2008). This case was a Capital PCR where the Petitioner ultimately waived his rights to appeal and was put to death. This case is significant to me for many reasons. It was the first time and the only time I argued a case before the South Carolina Supreme Court. I was criticized for helping Hill waive his appeals and proceed with imposition of the death sentence by other lawyers that handled capital litigation. Although I disagreed with Hill's decision to waive his appeals, I had no doubt Hill was competent to make that decision, so I was obligated to assist him seeking the waiver. But the most impactful thing about the case was that my client requested that I be one of his witnesses when the sentence was carried out, so I ultimately watched my client be put to death on June 6, 2008.

(g) State v. Gurrero, 382 S.C. 620, 677 S.E.2d 603 (2009). This was an extremely complex case logistically because it involved four defendants, none of whom spoke English, and four different defense attorneys. All of the defendants were tried together. This case is also significant to me because it was the first criminal case I

ever defended in General Sessions Court. It was also the first case that I had overturned on appeal when the South Carolina Supreme Court agreed with me that a directed verdict in favor of my client should have been granted at the close of the State's case.

(h) State v. Buckmon. Michael Paul Buckmon and Matthew Bolen sexually assaulted and killed Donna Dempsey in Barnwell County on November 1, 2013. Her home was set on fire in an attempt to conceal the sexual assault and subsequent burglary of the residence. The SLED investigation of the crime spanned from Allendale County to Pickens County and resulted in a nearly 800 page investigative report. The SLED arson investigator and several SLED analysts were qualified as experts in the case and offered testimony concerning the evidence collected during the investigation. There were very few lay witnesses in the case because many people were fearful of Buckmon. He had previously been convicted of murder and sentenced to life but later had his conviction overturned by the Supreme Court. The case was very difficult to organize and present to the jury in a logical fashion because of the overwhelming volume of evidence to be presented. Buckmon was convicted of murder, arson in the first degree, and criminal sexual conduct in the first degree at trial. He received a life sentence.

(i) State v. James. This was a multi-defendant armed robbery in Bamberg County. I tried the case against two of the most respected lawyers in Bamberg and was able to obtain a conviction on all charges. The defendant was sentenced to life pursuant to S.C. Code §17-25-45 because he had prior convictions for armed robbery. A jury also convicted one of the co-defendants in a separate trial. He was given a life sentence because he had several prior armed robbery convictions. The third co-defendant in the case pled guilty but did not testify in either trial for the State.

(j) State v. Boyd. This was a home invasion case where I was appointed to represent the defendant. He was charged with Burglary 1st Degree, Kidnapping, and Assault and Battery with Intent to Kill. The case is

> significant to me because the defendant was one of the most difficult criminal defendants I ever represented, but I was convinced he was not guilty of the crimes he was charged with. Less than two weeks before the trial, I received the State's notice of intent to seek life without parole. We tried the case and the jury found the defendant not guilty on all charges.

The following is Mr. Miller's account of civil appeals he has personally handled:

Hill v. State, 377 S.C. 462, 661 S.E.2d 92 (2008). South Carolina Supreme Court, April 28, 2008.

Mr. Miller has not handled any criminal appeals.

Mr. Miller further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Judge, At-Large Seat 14 in the Fall of 2012. I was found to be qualified but not nominated by the Judicial Merit Selection Commission.

I was a candidate for Circuit Judge, At-Large Seat 1 in the Fall of 2016. I withdrew from the race before the Judicial Merit Selection Commission reported on my candidacy.

(9) Judicial Temperament:

The Commission believes that Mr. Miller's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Mr. Miller to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. Finally, the Citizens Committee noted, "The committee felt that Mr. Miller was very well qualified to sit as a circuit court judge. He was energetic, eager to stay involved in making the judicial system more efficient, pleasant and exhibited good temperament."

Mr. Miller is married to Christian Morton Miller. He has two children.

Mr. Miller reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar 2001 - Present;
(b) Aiken County Bar, 2001 - Present, President 2004-06;
(c) South Carolina Trial Lawyer's Association, 2001-08, Member, Board of Governors 2005-08;
(d) South Carolina Association for Justice, 2014-Present (Public Sector Member)

Mr. Miller provided that he has not been a member of a civic, charitable, educational, social, or fraternal organization in the last five years.

Mr. Miller further reported:

There are several seminal moments in my career that have helped shape who I am. In 2006, I was appointed lead counsel on the Post-Conviction Relief Application for David Mark Hill, who was sentenced to death after he murdered three people in Aiken County in 1996. Ultimately, Hill decided to waive his appeals and asked that his death sentence be imposed. Following our appearance on the case before the South Carolina Supreme Court, Hill asked that I be present as his witness at his execution. I spent the last twelve hours of David Hill's life with him in a small cell at the Capital Punishment Facility of the South Carolina Department of Corrections. I witnessed his execution that evening.

In November of 2008, Strom Thurmond was elected Solicitor of the Second Judicial Circuit. In late December, he asked me to become an Assistant Solicitor for his office. It was a difficult decision for me because I had gotten married just a few weeks after his election. In less than ninety days, I went from a single, relatively successful private attorney living in a rented townhouse, to a married Assistant Solicitor living in my first home with my new wife and two children. In retrospect, there is no question I made the right decision when I joined Solicitor Thurmond's staff. Working as an Assistant Solicitor allowed me

to be in the courtroom where I always dreamed I would be. In addition to my prosecutorial duties, I was allowed to work with new attorneys in the office and formally mentor several of our lawyers through the SC Bar's lawyer mentoring program.

In December of 2011, Aiken Department of Public Safety Master Public Safety Officer Edward Scott Richardson was shot and killed by Stephon Carter. Two months later, Aiken Department of Public Safety Master Corporal Sandra Rodgers was shot and killed by Joshua Jones. These murders devastated our community. Solicitor Thurmond assigned me as the lead counsel in the Stephon Carter case and assigned Deputy Solicitor Beth Ann Young as the lead counsel in the Joshua Jones case. In November of 2012, Solicitor Thurmond determined our office would seek the death penalty against Stephon Carter.

For the next two and a half years, I was the lead attorney dealing with all matters involved in the case. Ultimately, we offered a plea agreement to Carter that would require him to spend life in prison without the possibility of parole. The decision to make the plea offer, and the defense's decision to accept the offer, was only possible because of the countless hours spent working the case and communicating with the officers at ADPS and family members of Officer Richardson.

During my time as an Assistant Solicitor and now as a Deputy Solicitor, I have taken on more administrative functions. Since May of 2015, I have been in charge of our "lowcountry" offices in Barnwell and Bamberg Counties. I have developed strong relationships with the defense bar, with court personnel, and with law enforcement agencies there. I have also managed the criminal dockets in both counties. For several months now, Barnwell and Bamberg have been two of only a handful of counties in South Carolina that meet the Supreme Court's mandate that at least 80% of the pending cases are less than a year old.

When I ran for Circuit Court Judge previously, I was asked many questions about my tenure as the law clerk for Judge Rodney Peeples. Judge Peeples was an incredible judge and remains an amazing person. I continue to love and respect him; he is like a

father to me, as he is for all of his former clerks. He had a style that was not unique when he came to the bench, but the world changed a lot in the three decades he was on the bench. Unfortunately, he did not always change the way he did things with the times. As much as I love and respect him, I would have a different demeanor on the bench. Academically, Judge Peeples had few equals. Some of the most influential and ground-breaking cases in South Carolina over the last half century have his name attached to them. In my experience, he dispassionately applied the facts to the law. When the result wasn't fair, he said so, but he still followed the law. Occasionally, that resulted in the law changing, but his decision was going to be based on the law and the facts of the case as he understood them. This is the influence I hope Judge Peeples would have on me as judge. I know that I will be faced with tough decisions, but I will always do what I believe the law requires, even if I am not happy about the result. Judges should apply the law, not seek to change it.

Many other judges have influenced the demeanor I would hope to have on the bench. Judge Thomas W. Cooper of Manning is the ultimate "lawyer's judge" to me. He commands control of the courtroom without anger or intimidation. He is fair to all litigants and lawyers. He makes informed, timely decisions without unnecessarily commenting on the matters before him. He is always kind and courteous to everyone. I have had the opportunity to appear before dozens of circuit court judges during my time as a solicitor and in private practice. The best of them have similarities I would hope to emulate.

My desire to serve on the Circuit Court bench is driven by my desire to improve the judicial system in South Carolina. I have always tried to emulate the best attributes of the lawyers and judges I have known. Being a solicitor has allowed me to observe many judges in the courtroom. In each judge, I looked for things I would want to do if I ever served in that position. I feel I am ready to take on this challenge, and to become an example to the lawyers that will follow in my footsteps. For me, becoming a Circuit Court Judge is not "the next step" or a stepping stone. It would be the culmination of a career as a trial attorney. That does not mean I do not believe I have room to grow. It simply means I have never been and do not seek to be

an appellate lawyer or judge. I want to be the best circuit court judge in South Carolina and to serve in a way that makes my fellow citizens proud.

(11) Commission Members' Comments:
The Commission was impressed with the demeanor, passion, and work ethic of Mr. Miller. Mr. Miller has broad experience in the circuit court, representing both plaintiffs and defendants in civil matters. He also has extensive experience in General Sessions Court, defending and prosecuting hundreds of criminal matters, including death penalty cases.

(12) Conclusion:
The Commission found Mr. Miller qualified and nominated him for election to the Circuit Court, Second Circuit, Seat 1.

Courtney Clyburn Pope
Circuit Court, Second Circuit, Seat 1
Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Ms. Pope meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Pope was born in 1979. She is 39 years old and a resident of Aiken, South Carolina. Ms. Pope provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Pope.

Ms. Pope demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Pope reported that she has spent $246.32 in campaign expenditures.

Ms. Pope testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Pope testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Pope to be intelligent and knowledgeable.

Ms. Pope reported that she has not taught any law-related courses:

Ms. Pope reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Pope did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Pope did not indicate any evidence of a disqualifying financial status.

The Commission also noted that Ms. Pope was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Pope reported that she is not rated by any legal organization.

Ms. Pope reported she has not served in the military.

Ms. Pope reported that she has never held public office.

(6) Physical Health:
Ms. Pope appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Ms. Pope appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Ms. Pope was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

(a) From August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie LLC. I was not involved with administrative or financial management with this law firm.

(b) From January 2010 to March 2016, I was in private practice at my law firm Clyburn Pope & Price, LLC, where I was the managing partner. My primary area of practice was family law and criminal defense. I also drafted numerous wills, trusts, and prenuptial agreements. Workers Compensation was a minor area of practice as well as civil claims that included motor vehicle accidents and defamation. Further, I assisted my partner briefly in canine litigation. I managed all aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared these duties in equal parts with my then law partner, Jason M. Price.

(c) From March 2016 to the present time, I have been employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecute all Municipal level charges. As a part of my duties as Staff Attorney, I review and negotiate various contracts on behalf of the City, handle all Freedom of Information Act requests, handle tax litigation on behalf of the City, as well as write Orders for various Boards. Additionally,

> I work with department heads and the City manager to navigate through various legal issues concerning certain employee matters, contract matters, and policies. I am one of the few solicitors in the state of South Carolina to attend all Administrative hearings on behalf of the municipality's police officers.

Ms. Pope further reported regarding her experience with the Circuit Court practice area:

To summarize my experience, I have had the opportunity in my career to practice criminal defense for several years in private practice as well as serve as a City Solicitor for the City of Aiken. During my years as a private practitioner, I handled a variety of criminal cases in Circuit Court. For example, I represented clients charged with Safecracking, Attempted Murder, Breaking and Entering, etc. During that time, I handled all cases from beginning to end, to include argument of motions for bond, motions to be relieved, motions for reconsideration, preliminary hearings, and other various types of motions. I implemented research skills to further educate myself as well as my clients. I have not conducted a trial in Circuit Court. My clients' charges were either dismissed or a plea negotiation resolved my Circuit Court cases. My first chair trial experience has been limited to Municipal and Magistrate Court. For that reason, when the opportunity arose, I took the position as City Solicitor and Staff Attorney to gain further trial experience. My experience over the last few years has been very valuable. Often times, I am required to handle bench trials without notice or to argue motions with little to no time given. This is due to the fast paced nature of Municipal Court. I have conducted various types of criminal trials as a City Solicitor. With regard to civil court, all of my civil litigation settled successfully before a trial was necessary. While representing client in a defamation and harassment case, I had the opportunity to appear and argue several motions. I do not think that my experience as a young attorney is unique with regard to the opportunity to conduct a trial in either General Sessions or Common Pleas. I have a tremendous love of the law. It is my belief that through both study and the use of mentors that I would prove to be an individual whom is well qualified to serve as Circuit Court Judge. In my career, I have had the

opportunity to argue before the Workers Compensation Commission, appear in Probate Court, Family Court, Administrative Law Court, General Sessions, and in Common Pleas. I have argued before the Master in Equity as well as resolve tax issues and various governmental issues. I believe that this diversified experience would only help to enrich the Circuit Court.

Ms. Pope reported the frequency of her court appearances during the past five years as follows:

(a)	Federal:	0%
(b)	State:	100%

Ms. Pope reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:

(a)	Civil:	15%
(b)	Criminal:	30%
(c)	Domestic:	45%
(d)	Other:	10%

Ms. Pope reported the percentage of her practice in trial court during the past five years as follows:

(a)	Jury:	5%
(b)	Non-jury:	95%

Ms. Pope provided that she has most often served as sole counsel.

Ms. Pope provided the following list of her most significant orders or opinions:

I believe that every case I handle is significant and certainly important in its own right. While I understand that criminal cases are of public record, I am respectfully requesting that the names I provide are not published. Aiken is a very small municipality. I would like to spare both clients and victims of the mentioned cases embarrassment, if at all possible.

(a) State v. [redacted]. The case was significant to me because this client testified against his father in his Murder Trial.

I prepped my client for trial, testimony and negotiated a plea agreement on his behalf. My client's father was later found guilty of Murder.

(b) State v. [redacted]: In my career, this case was significant because it was the first time I handled a safecracking case,

(c) State v. [redacted] was significant to me because this was my first DUI case that I tried in Magistrate Court.

(d) [redacted] is a defamation case that I filed on behalf of my client. The significance of this case is that it allowed me my first opportunity to litigate in civil court.

(e) [redacted] is a case that I served as guardian ad litem. Though I was not the lead in this case, this was a family case that was litigated over the course of several years. It was significant because the ward was suffering from an undiagnosed mental illness. This case was my first chance to see first hand the impact that mental illness has on family situations. I also greatly admired the Judge for her constant professionalism and insistence on treating all parties fairly.

Ms. Pope reported that she not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Pope's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Ms. Pope to be "Well Qualified" in the evaluative criteria of ethical fitness, character, reputation, and judicial temperament; "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Unqualified" in the evaluative criteria of professional and academic ability, and experience. Finally, the Citizens Committee noted, "Unfortunately the committee had to find her unqualified because of lack of experience and not being well versed in procedural and evidentiary issues. She made a very impressive presentation and appearance. One comment of a committee member was that she would have to have 'on the job training.' She admitted that while

serving on the bench she would often have to consult with other sitting judges for advice. With more experience in the future the committee felt she would well qualified to be a circuit court judge."

The Commission questioned Ms. Pope extensively about her experience and legal knowledge. Her testimony at the public hearing convinced the Commission that her lack of experience in the circuit court is outweighed by the experience and legal knowledge she has gained throughout her legal career.

Ms. Pope is married to George Washington Pope, III. She has two children.

Ms. Pope reported that she was a member of the following Bar and professional associations:
(a) SC Bar Association
(b) Aiken County Bar Association
(c) Municipal Association of South Carolina

Ms. Pope provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Delta Sigma Theta, Incorporated
(b) Aiken Chapter of the Links, Incorporated: Recording Secretary and Christmas Gala Committee Chairwoman
(c) Cumberland A.M.E Church, YPDers youth leader (Young People's Department)
(d) Second Baptist Christian Preparatory School Board
(e) Boys and Girls Club Board Member
(f) University of South Carolina-Aiken's School of Nursing Advisory Board
(g) Community Medical Clinic of Aiken County Board Member
(h) Sky is the Limit Foundation Board Member

Ms. Pope further reported:

I believe that my parents influenced and guided me to always act in accordance to the highest standard of morality. I credit the ability to make decisions based on what I think is the right thing to do versus what outside influences insist I do to them. I have

several strong figures who have served as mentors and role models to me in the legal community. Those individuals have guided me down a path of encouragement and initiative. I believe that I possess both the integrity and the temperament necessary to be a Circuit Court Judge. During my law career, I have always held civility in and out of the courtroom in the highest regard. This too, I attribute to the strong Christian values that my parents instilled in me. Further, having a diverse legal career has implemented me with a more comprehensive viewpoint of legal proceedings and transactions.

Public service is something that I have always been a part of from a young child to the adult that I am now. My husband and I have always tried to teach tolerance, the importance of education, and the value in being a good ethical person to our children. My hope is that I will be given the opportunity to serve a Circuit Court Judge. The opportunity to serve as a part of the SC Judiciary is one that I would not take lightly. It is the chance to make a difference and a positive impact in my community.

(11) Commission Members' Comments:
The Commission was impressed with Ms. Pope's temperament and poise at the public hearing. While concerns were raised as to her actual trial experience in the Circuit Court, Ms. Pope has trial experience in municipal, magistrates and other courts. The Commission is confident that her intelligence, temperament, demeanor, and breadth of legal experience will assist her to perform the duties of a circuit court judge.

(12) Conclusion:
The Commission found Ms. Pope qualified and nominated her for election to the Circuit Court, Second Circuit, Seat 1.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

CIRCUIT COURT
SECOND JUDICIAL CIRCUIT, SEAT 1
The Honorable M. Anderson Griffith
David W. Miller

THURSDAY, APRIL 18, 2019

Courtney Clyburn Pope

The Honorable M. Anderson Griffith, Aiken SC
Second Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Griffith's candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

David W. Miller, Aiken SC
Second Jucial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Miller's candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified

Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

Courtney Clyburn Pope, Aiken SC
Second Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Pope's candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified*
Judicial Temperament	Qualified

*Concerns were raised as to the candidate's experience.

Respectfully Submitted,

/s/Senator Luke Rankin	/s/Representative G. Murrell Smith, Jr.
/s/Senator Ronnie A. Sabb	/s/Representative J. Todd Rutherford
/s/Senator Tom Young, Jr.	/s/Representative Chris Murphy
/s/Ms. Hope Blackley	/s/Mr. Andrew N. Safran
/s/Mr. J.P. "Pete" Strom Jr.	/s/Ms. Lucy Grey McIver

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Monday, April 22, 2019
(Local 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 ACTING PRESIDENT, Senator SETZLER.

HOUSE BILL RETURNED

The following House Joint Resolution was read the third time and ordered returned to the House with amendments:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator LEATHERMAN.

ADJOURNMENT

At 11:03 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet tomorrow at 2:00 P.M.

***

Tuesday, April 23, 2019
(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:

Isaiah 40:1

"Comfort, comfort my people, says your God."

Let us pray. Gracious God as we begin another week in Session, we do so with the Easter message still fresh on our minds. We are reminded of the great sacrifice that You, O Lord, were willing to make on our behalf.

Yesterday at a planned luncheon meeting by Senator Shealy and supported by Senator Bennett, all guests were reminded of the sacrifice of three brave South Carolina soldiers who recently gave their lives for what they believed. Sergeant First Class Jeremiah Jackson, Sergeant First Class Christopher Celiz and Specialist Javion Sullivan were honored as heroes who were willing to serve in harms way so that we all could continue to live in peace and enjoy the freedoms of this great country.

May we all be instruments of Your grace and hope, O God, to comfort and support the family members of these three brave men and indeed the families of all fallen soldiers who died in the line of duty on our behalf. Through the power of Your Holy Spirit we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:03 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Cromer	Davis
Goldfinch	Gregory	Grooms
Harpootlian	Leatherman	Malloy
Martin	Massey	Nicholson
Peeler	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	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:

Statewide Appointments

The following appointment was transmitted by the South Carolina Conservation Bank Board:

Initial Appointment, Executive Director of the South Carolina Conservation Bank, to serve at the pleasure of the Conservation Bank Board:

Raleigh West, 1209 Buist Ave., North Charleston, S.C. 29405

Referred to the Committee on Agriculture and Natural Resources

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Mortgage Lending:

Charles Henry Stuart, 2191 Andover Way, Mt. Pleasant, SC 29466-7077 *VICE* Rhonda B. Marcum

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2017, and to expire June 30, 2021

Banking:

John F. Windley, 322 Wateree Avenue, Columbia, SC 29205-3045

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

General Public:

Robert J. Wolff, 104 Cyclamen Court, Columbia, SC 29212-2052 *VICE* James E. Mallory

Referred to the Committee on Medical Affairs.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4876
Agency: Secretary of State
Chapter: 113
Statutory Authority: 1976 Code Sections 30-6-10 et seq.
SUBJECT: Electronic Transmissions
Received by Lieutenant Governor April 23, 2019
Referred to the Committee on Judiciary

Doctor of the Day

Senator KIMPSON introduced Dr. Thaddeus John Bell of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GROOMS, at 2:14 P.M., Senator VERDIN was granted a leave of absence until 4:00 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 18 Sen. Johnson
S. 757 Sen. J. Matthews

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 444 Sen. M.B. Matthews

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 778 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE SARAH HEATON STAFFORD ON THE OCCASION OF HER EIGHTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 779 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MRS. FLORA M. RILEY UPON THE OCCASION OF HER RETIREMENT FROM THE OCONEE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, TO COMMEND HER FOR HER ALMOST THIRTY-THREE YEARS OF CONTINUOUS SERVICE TO OCONEE COUNTY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 780 -- Senator Hutto: A BILL TO AMEND SECTION 12-28-2920 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF TOLL ROADS, TO PROVIDE THAT THE DEPARTMENT SHALL REVIEW HIGHWAY AND BRIDGE PROJECTS FOR THE POSSIBILITY OF FINANCING THE PROJECTS WITH TOLLS AND TO PROVIDE THAT A TOLL MAY BE USED TO PAY FOR CERTAIN EXPENSES; TO AMEND SECTION 57-5-1330(2) OF THE 1976 CODE, RELATING TO TURNPIKE FACILITIES AND FEASIBILITY STUDIES, TO PROVIDE EXCEPTIONS FOR THE CONSIDERATION OF THE CONSTRUCTION OF A TURNPIKE FACILITY AND TO PROVIDE FOR THE FUNDING OF FEASIBILITY STUDIES FROM EXISTING DEPARTMENT OF TRANSPORTATION FUNDS; AND TO REPEAL SECTION 57-3-615 OF THE 1976 CODE, RELATING TO HIGHWAY TOLLS.
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Read the first time and, on motion of Senator GROOMS, with unanimous consent, S. 780 was ordered placed on the Calendar without reference.

S. 781 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION AND SELF-CARE AND TO DECLARE MAY 2, 2019, AS "PEACE, HARMONY & WELLNESS DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

The Senate proceeded to the consideration of the Bill.

Senator CAMPBELL explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Young

Total--36

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

The Senate proceeded to the consideration of the Bill.

Senator CAMPBELL explained the Bill.
Senator CAMPSEN explained the Bill.
Senator GOLDFINCH explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Young	

Total--38

NAYS

Matthews, Margie

Total--1

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

The Senate proceeded to the consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (DG\3700C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking Section 48-39-290(B)(2)(a)(ii) and inserting:

/ (ii) shoreline perpendicular wingwalls that extend landward at a 90 degree angle from the ends of existing erosion control structures or devices that are consistent in height and composition with the existing erosion control structures to which they are attached, subject to any special conditions imposed by the department." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 506 -- Senator Jackson: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 31 OF THE 1976 CODE, RELATING TO CITY HOUSING AUTHORITIES, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A COUNTY LEGISLATIVE DELEGATION MAY DECLARE A STATE OF EMERGENCY, TO PROVIDE THAT A STATE OF EMERGENCY RESULTS IN THE SUSPENSION OF HOUSING AUTHORITY COMMISSIONERS, TO PROVIDE FOR A REVIEW OF THE SUSPENSION BY THE MAYOR OF THE MUNICIPALITY IN WHICH THE HOUSING AUTHORITY EXISTS, TO PROVIDE FOR THE PERMANENT REMOVAL FROM OFFICE OF THE COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR NEW COMMISSIONERS WHEN NECESSARY.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (506R002.KMM.TCA), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 5, Chapter 3, Title 31 of the 1976 Code is amended by adding:

"Section 31-3-375. (A)(1) The county legislative delegation may adopt a resolution declaring that there exists a state of emergency with regard to a municipal housing authority located within the delegation's jurisdiction if, to the satisfaction of a majority of the legislative delegation, there is convincing evidence that the housing authority has taken action, or failed to take an action, resulting in any or all of the housing authority's residents being systemically subjected to unreasonably hazardous conditions or being subjected to conditions that led to the death of one or more residents.

(2) If the municipal housing authority referred to in item (1) has projects in multiple counties, then the county legislative delegations of all counties in which the projects are located shall comprise the appropriate 'county legislative delegation' for the purposes of this section.

(B) Upon the adoption of a resolution as provided in subsection (A), all commissioners and the executive director are immediately suspended from office for pending investigation by the appropriate law enforcement authority. If there is no active law enforcement investigation, then the county legislative delegation may request that one be initiated. During this period of suspension, the mayor of the municipality that created the housing authority pursuant to Section 31-3-320, or the mayor's designee, shall appoint an interim executive director of the housing authority.

(C) If, at the conclusion of the investigation by the appropriate law enforcement authority, the county legislative delegation finds that the housing authority took an action, or failed to take an action, resulting in the residents being subjected to unreasonably hazardous conditions or being subjected to conditions that led to the death of one or more residents, then the commissioners are immediately removed from office. The provisions contained in Section 31-3-370 do not apply for removal from office under this section.

(D) Upon the removal from office of the commissioners pursuant to subsection (C), the council of the municipality that created the housing authority pursuant to Section 31-3-320 shall appoint new commissioners, none of whom may be a commissioner who was removed from office."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Senn	Setzler
Shealy	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and MASSEY proposed the following amendment (JUD3951.001), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 23-11-110(A) of the 1976 Code is amended to read:

"(A) All sheriffs and candidates for sheriff in this State must have the following qualifications:

(1) be a citizen of the United States;

(2) be a resident of the county in which he seeks the office of sheriff for at least one year immediately preceding the date of the election for sheriff;

(3) be a registered voter;

(4) have attained the age of at least twenty-one years prior to the date of his qualifying for election to the office;

(5) have:

(a) obtained a high school diploma, its recognized equivalent in educational training as established by the State Department of Education, and have at least five years experience as a Class 1 certified law enforcement officer; or

(b) obtained a two-year associate degree and three years experience as a Class 1 certified law enforcement officer; or

(c) obtained a four-year baccalaureate degree and one year~~s~~ experience as a Class 1 certified law enforcement officer; or

(d) served as a summary court judge for at least ten years.

For purposes of this section, a 'Class 1 certified law enforcement officer' is a person who has been issued a certificate as a Class 1 law enforcement officer ~~pursuant to Section 23-23-10~~ by the South Carolina Law Enforcement Training Council. A sheriff holding office on the effective date of this section is not required to have obtained the necessary experience as a certified law enforcement officer in this State;

(6) have not been convicted of or pled guilty to a violation of Section 56-1-460 or 56-5-2930, or both, within the past ten years or a felony in this State or another state; ~~and~~

(7) have not been convicted of or pled guilty to a felony or a crime of moral turpitude in this State or another state;

(8) be fingerprinted and have the State Law Enforcement Division make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law

enforcement agency and must be made available to SLED no later than one hundred thirty days prior to the general election. The results of the records search are to be filed with the county executive committee of the person's political party. A person seeking nomination by petition must file the records search with the county election commission in the county of his residence; and

(9) be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. A sheriff holding office on the effective date of this section is exempt from the provisions in this subsection."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Senn	Setzler
Shealy	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.

The Senate proceeded to the 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 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese

Rice	Senn	Setzler
Shealy	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

On motion of Senator MARTIN, the Bill was carried over.

ADOPTED

S. 654 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER AS "HUNGER ACTION MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

S. 623 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 25 THROUGH MARCH 3, 2019, AS "EATING DISORDERS AWARENESS WEEK" IN THE STATE OF SOUTH CAROLINA, TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK, AND TO RECOGNIZE

FRIDAY, MARCH 1, 2019, AS "EATING DISORDERS AWARENESS DAY" IN SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

H. 4236 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF COIT STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH SUMTER STREET TO ITS INTERSECTION WITH DARLINGTON STREET "REVEREND DR. WILLIAM EDWARD CHANEY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4291 -- Reps. Martin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE THAT MAMMOGRAPHY PROVIDES IN THE EARLY DETECTION OF BREAST CANCER AND TO DECLARE MONDAY, OCTOBER 7, 2019, "MAMMOGRAM AWARENESS DAY" IN SOUTH CAROLINA.

The Resolution was adopted, ordered returned to the House.

H. 3572 -- Reps. Felder, Pope, B. Newton, Ligon, Bryant, King and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED

STATES HIGHWAY 21 AND SOUTH CAROLINA HIGHWAY 160 IN YORK COUNTY "KARSON BAILEY WHITESELL MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:54 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to the consideration of the Resolution.

Senator LEATHERMAN spoke on the Resolution.

Amendment No. P1

Senator SETZLER proposed the following amendment (JUD0678.002), which was withdrawn:

PERFECTING AMENDMENT

To amend the committee report, as and if amended, by striking lines 14-17 on page [678-2] and inserting:

/ (B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and reviewing management agreement proposals. The department may procure necessary professional services; provided, however, that the department must not utilize the professional services of an entity with whom the House of Representatives, the Senate, or the Governor has previously engaged to consider the possible sale of Santee Cooper. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the perfecting amendment.

On motion of Senator SETZLER, with unanimous consent, the perfecting amendment was withdrawn.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST

BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 5:35 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Wednesday, April 24, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 40:31

"…those who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint."

Let us pray. Gracious God, we begin this day with joyful hearts for the sheer delight of being alive and having the privilege of serving You. We are thankful for all that was accomplished last week through Your grace and the hard work and tenacity of our Senators. You have all power, O God, but You have chosen to work through these Senators to serve our State. Continue to inspire them with a positive attitude toward their work. Saturate their minds with Your wisdom and strengthen their wills with high resolve to trust that You will use them honorably and effectively to write another important page in our state's history. Through our Lord and Savior we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Corbin	Cromer
Davis	Grooms	Leatherman
Martin	Massey	*Matthews, Margie*
McLeod	Nicholson	Peeler
Rice	Scott	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Dillon County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Andrew Bethea, 1062 Highway 917 W., Latta, SC 29565-4731 *VICE* James F. Rogers

Doctor of the Day

Senator NICHOLSON introduced Dr. Dan Robinson of Greenwood, S.C., Doctor of the Day.

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32 Sen. Campbell
S. 719 Sen. Fanning
S. 757 Sen. Fanning

RECALLED

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

Senator YOUNG 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.

WEDNESDAY, APRIL 24, 2019

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 782 -- Senator Bennett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DOROTHY BROWN GLOVER FOR THE ENDURING AND ARTISTIC DESIGNS OF HER TRADITIONAL QUILTS AND TO CONGRATULATE HER UPON RECEIVING THE SOUTH CAROLINA ARTS COMMISSION'S 2019 FOLK HERITAGE AWARD.
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The Senate Resolution was adopted.

S. 783 -- Senator Nicholson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DEACON BRANSON JULIAN ROBINSON OF GREENWOOD AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 784 -- Senator Malloy: A SENATE RESOLUTION TO RECOGNIZE AN INCREDIBLE GROUP OF SOUTH CAROLINA CITIZENS FROM DARLINGTON COUNTY FOR THEIR ROLE IN THE FIGHT FOR DESEGREGATION AND FOR THEIR OUTSTANDING RESILIENCY IN THE FACE OF TRAUMA.
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The Senate Resolution was adopted.

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE

GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.
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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 786 -- Senator Davis: A SENATE RESOLUTION TO DECLARE THE WEEK OF MAY 6 THROUGH MAY 12, 2019, AS NATIONAL NURSES WEEK IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN IN SHOWING APPRECIATION FOR THE NATION'S REGISTERED NURSES, IN HONORING THEM AS THEY CARE FOR THEIR PATIENTS, AND IN CELEBRATING THE ACCOMPLISHMENTS OF REGISTERED NURSES AND THEIR EFFORTS TO IMPROVE THE HEALTHCARE SYSTEM.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 787 -- Senators Gambrell and Cash: A SENATE RESOLUTION TO HONOR THE TIMKEN COMPANY'S HONEA PATH PLANT AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY, TO CONGRATULATE THE PLANT ON A HALF-CENTURY OF OUTSTANDING ENTREPRENEURIAL ENDEAVORS, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN THE YEARS TO COME.
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The Senate Resolution was adopted.

H. 4256 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICE WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; TO AMEND SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; TO AMEND SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; TO AMEND SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; TO AMEND SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; TO AMEND SECTION 40-19-10, RELATING TO THE COMPOSITION OF THE BOARD, SO AS TO REQUIRE SEVEN OF THE NINE LICENSEE MEMBERS BE APPOINTED ONE FROM EACH CONGRESSIONAL DISTRICT, AND TO PROVIDE FOR THE GRADUAL IMPLEMENTATION OF THIS PROVISION AS THE TERMS OF CURRENT MEMBERS EXPIRE ON A STAGGERED BASIS; TO AMEND SECTION 40-19-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICE, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICE INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS,

PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; TO AMEND SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; TO AMEND SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; TO AMEND SECTION 40-19-110, AS AMENDED, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; TO AMEND SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; TO AMEND SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND TO AMEND SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS

INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4332 -- Reps. G. M. Smith, Stavrinakis, Gilliard and Simrill: A BILL TO AMEND SECTIONS 11-41-20, 11-41-30, AND 11-41-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO PROVIDE FURTHER FINDINGS, TO PROVIDE FOR STRATEGIC INFRASTRUCTURE PROJECTS AS ECONOMIC DEVELOPMENT PROJECTS, AND TO ALLOW FOR FREIGHT TRANSPORTATION AS INFRASTRUCTURE.

Read the first time and referred to the Committee on Finance.

H. 4470 -- Rep. Ridgeway: A CONCURRENT RESOLUTION TO WELCOME THE MARCH OF DIMES TO THE STATE HOUSE AND DECLARE WEDNESDAY, MAY 1, 2019, AS "SOUTH CAROLINA HEALTHY MOTHER'S DAY."

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DRIVERS FOR A CURE” SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 656 -- Senator Grooms: A BILL TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES AND THE DISPOSITION OF PROCEEDS, TO PROVIDE FOR THE TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER OR RECYCLER OR

SECONDARY METALS RECYCLER FOR DEMOLITION, WRECKING, OR DISMANTLING; TO AMEND SECTION 56-5-5670 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-5-5945 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-19-480(A) OF THE 1976 CODE, RELATING TO THE TRANSFER AND SURRENDER OF THE CERTIFICATES, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-1380 OF THE 1976 CODE, RELATING TO THE RETURN OF A REGISTRATION CARD AND LICENSE PLATES FOR A WRECKED OR DISMANTLED VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 16-17-680(D), (E), AND (J)(1)(e) OF THE 1976 CODE, RELATING TO A SECONDARY METALS RECYCLER PERMIT TO PURCHASE NONFERROUS METALS AND A PERMIT TO TRANSPORT AND SELL NONFERROUS METALS, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons,

Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE

MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN

COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Committee on Judiciary submitted a favorable with amendment report on:

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, May 1, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATIONS OF CONVENIENCE STORES**

Wednesday, May 1, 2019 - 8:00am-10:00am
Members Only, Breakfast, Palmetto Club, by the **SOUTH CAROLINA FAITH AND FREEDOM COALITION**

Wednesday, May 1, 2019 - 11:30am-2:00pm
Members and Staff, Luncheon, SC State House Grounds, by the **SOUTH CAROLINA TIRE MANUFACTURERS COUNCIL**

Thursday, May 2, 2019 - 8:00am-10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA INSURANCE ASSOCIATION**

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a report without recommendation on:

Statewide Appointment

Initial Appointment, South Carolina Department on Aging, with term coterminous with Governor

Director:

Stephen F. Morris, 320 Country Club Drive, Columbia, SC 29296-3202

Received as information.

HOUSE CONCURRENCE

S. 623 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 25 THROUGH MARCH 3, 2019, AS "EATING DISORDERS AWARENESS WEEK" IN THE STATE OF SOUTH CAROLINA, TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK, AND TO RECOGNIZE FRIDAY, MARCH 1, 2019, AS "EATING DISORDERS AWARENESS DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

Motion to Ratify Adopted

At 12:18 P.M., Senator MASSEY made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

WEDNESDAY, APRIL 24, 2019

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to a consideration of the Joint Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY

EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

Point of Quorum

At 12:47 P.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator MASSEY moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch

Gregory	Grooms	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	McElveen	Peeler
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Williams	Young

A quorum being present, the Senate resumed.

Senator SETZLER resumed speaking on the amendment.
Senator HUTTO spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator ALEXANDER assumed the Chair.

Senator DAVIS spoke on the amendment.

Point of Quorum

At 3:22 P.M., Senator MARTIN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator DAVIS resumed speaking on the amendment.

PRESIDENT PRESIDES

At 3:26 P.M., the PRESIDENT assumed the Chair.

Point of Quorum

At 3:26 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	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch

Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Senator DAVIS resumed speaking on the amendment.

Motion Adopted

On motion of Senator DAVIS, with unanimous consent and with Senator DAVIS retaining the floor on S. 678, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Dillon County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Andrew Bethea, 1062 Highway 917 W., Latta, SC 29565-4731 *VICE* James F. Rogers

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:13 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 25, 2019
(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:

1 Thessalonians 1:2

"We give thanks to God always for all of you, constantly mentioning you in our prayers."

Let us pray. Gracious God we begin our prayer this day by remembering those who labor alongside our Senators and their staff. We are thankful for those who greet visitors, those who conduct tours, those who coordinate and provide security, those who keep the facilities clean and those who maintain the grounds. We depend each day on those who record the work of the Senate and those who provide information technology.

All of these people are not just employees but a vital part of the State House family that faithfully serve the people of South Carolina. May we take no one here for granted and continually seek to communicate our high esteem and deep appreciation for each and every person who works here. Through our Lord and Savior 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 CROMER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator CROMER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Climer	Corbin	Cromer
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Loftis	Malloy	Martin

Massey	*Matthews, John*	Peeler
Reese	Rice	Sabb
Senn	Setzler	Shealy
Turner	Williams	Young

A quorum being present, the Senate resumed.

Recorded Presence

Senator TALLEY recorded his presence subsequent to the Call of the Senate.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4848
Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board
Chapter: 29
Statutory Authority: 1976 Code Section 40-11-60
SUBJECT: Contractor's Licensing Board
Received by Lieutenant Governor January 8, 2019
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2019
Withdrawn and Resubmitted April 25, 2019

Leave of Absence

On motion of Senator MARTIN, at 11:08 A.M., Senator MARTIN was granted a leave of absence from 1:07 P.M. until Tuesday, April 30, 2019, at 2:00 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 497 Sen. Loftis

RECALLED

S. 781 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION AND SELF-CARE AND TO DECLARE MAY 2, 2019, AS "PEACE, HARMONY & WELLNESS DAY" IN SOUTH CAROLINA.

Senator McLEOD asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 788 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE LYNN CONNOR SUMMER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE TO BROOKLAND-CAYCE HIGH SCHOOL, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.
l:\s-res\ngs\015lynn.kmm.ngs.docx

The Senate Resolution was adopted.

S. 789 -- Senator Kimpson: A SENATE RESOLUTION TO COMMEMORATE THE GULLAH SOCIETY'S ANCESTRAL REINTERMENT OF THIRTY-SIX INDIVIDUALS AND TO CELEBRATE AND HONOR THE LIVES OF THESE INDIVIDUALS AND THE CITY OF CHARLESTON'S SHARED PAST.
l:\s-res\mek\011gull.kmm.mek.docx

The Senate Resolution was adopted.

H. 3020 -- Reps. McCravy, Bennett, Burns, Chumley, B. Cox, Erickson, Gilliam, Hayes, Hiott, Huggins, Johnson, Jordan, Loftis, Long, Magnuson, Martin, Morgan, D. C. Moss, V. S. Moss, G. R. Smith, Thayer, Toole, Trantham, West, Willis, Wooten, Yow, Allison, Atkinson, Ballentine, Bannister, Bryant, Caskey, Clemmons, Collins, Elliott, Forrest, Fry, Gagnon, Herbkersman, Hixon, Hyde, Lowe, Pope, Sandifer, Simrill, G. M. Smith, Spires, White, Young, Lucas, B. Newton, Bailey, Hewitt, Crawford, Davis, W. Newton, Tallon, Taylor, Stringer and Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT PROTECTION FROM ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN AND TO PROHIBIT THE PERFORMANCE OF AN ABORTION WHEN A FETAL HEARTBEAT IS DETECTED, BOTH WITH MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY

PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460, RELATING TO REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN PREGNANCY INFORMATION, SO AS TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

Read the first time and referred to the Committee on Medical Affairs.

H. 4356 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4869, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT “DYLAN’S LAW”; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3174 -- Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND

SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3263 -- Reps. G.M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS

REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY

WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING

PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Ordered for consideration tomorrow.

THURSDAY, APRIL 25, 2019

Appointments Reported

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Commission on Consumer Affairs, with the term to commence September 30, 2018, and to expire September 30, 2022

At-Large:

John L. (Jack) Pressly, 4001 Kenilworth Rd., Columbia, SC 29205-1541 *VICE* Linda C. Gamble

Received as information.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Cooperative Credit Unions:

Billy D. Byrd II, 2119 Bobwhite Lane, Hartsville, SC 29550-2871 *VICE* Hansel B. Hart

Received as information.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Mortgage Lending:

Charles Henry Stuart, 2191 Andover Way, Mt. Pleasant, SC 29466-7077 *VICE* Rhonda B. Marcum

Received as information.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2017, and to expire June 30, 2021

Banking:

John F. Windley, 322 Wateree Avenue, Columbia, SC 29205-3045

Received as information.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

3rd Congressional District:

Karl Derek Wessinger, 1046 Jeremiah Dr., Gray Court, SC 29645-4764 *VICE* Brent Roy Goodson

Received as information.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director of Employment and Workforce, with term coterminous with Governor

George Daniel Ellzey, 4028 Claremont Drive, Columbia, SC 29205

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 25, 2019, at 1:15 P.M. and the following Acts and Joint Resolution were ratified:

(R32, S. 205) -- Senators Young, Martin, Setzler and Shealy: AN ACT TO AMEND SECTION 44-36-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER, SO AS TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.
L:\COUNCIL\ACTS\205VR19.DOCX

(R33, S. 214) -- Senators Kimpson, Sheheen, Gregory, Campsen and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO

SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.
L:\COUNCIL\ACTS\214DG19.DOCX

(R34, S. 514) -- Senators Alexander and Peeler: AN ACT TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE ISSUANCE OF "CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.
L:\COUNCIL\ACTS\514CM19.DOCX

(R35, S. 735) -- Senator Johnson: AN ACT TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION; TO AMEND ACT 593 OF 1986, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 AND SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY, SO AS TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY; AND TO REPEAL CERTAIN LOCAL PROVISIONS INCONSISTENT WITH THIS ACT.
L:\COUNCIL\ACTS\735ZW19.DOCX

(R36, H. 3180) -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO

AUTHORIZE A SERVICEMEMBER, THE DEPENDENT OF A SERVICEMEMBER, OR THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.
L:\COUNCIL\ACTS\3180ZW19.DOCX

(R37, H. 3398) -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: AN ACT TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.
L:\COUNCIL\ACTS\3398WAB19.DOCX

(R38, H. 3420) -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: AN ACT TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO STRENGTHEN AGE VERIFICATION REQUIREMENTS FOR THE INTERNET SALE OF TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS, TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL SUCH PRODUCTS, WITH EXCEPTIONS, AND TO CREATE RELATED CRIMINAL PENALTIES; TO AMEND SECTION 16-17-501, RELATING TO TERMS DEFINED IN THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO CHANGE THE DEFINITION FOR "ALTERNATIVE NICOTINE PRODUCT" AND BY ADDING A DEFINITION FOR "ELECTRONIC SMOKING DEVICE", "E-LIQUID", AND "VAPOR PRODUCT"; BY ADDING SECTION 59-1-380 SO AS TO REQUIRE LOCAL SCHOOL DISTRICTS TO ADOPT, IMPLEMENT, AND ENFORCE A WRITTEN POLICY PROHIBITING THE USE OF TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS ON SCHOOL CAMPUSES AND AT SCHOOL EVENTS; TO AMEND SECTION 44-95-20, RELATING TO THE CLEAN INDOOR AIR ACT'S PROHIBITION OF SMOKING IN SCHOOLS, SO AS TO ELIMINATE THE EXCLUSION FOR PRIVATE OFFICES AND TEACHERS LOUNGES; BY ADDING SECTION 16-17-506 SO AS

TO ESTABLISH LIMITATIONS ON THE SALE OF E-LIQUID CONTAINERS AND CREATE CRIMINAL PENALTIES; AND FOR OTHER PURPOSES.
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(R39, H. 3438) -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: AN ACT TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, SO AS TO INCLUDE THE DEPARTMENT OF VETERANS' AFFAIRS; BY ADDING SECTION 1-30-130 SO AS TO ENUMERATE THE ASSETS, RIGHTS, AND OBLIGATIONS OF THE FORMER DIVISION OF VETERANS' AFFAIRS TRANSFERRED TO THE DEPARTMENT OF VETERANS' AFFAIRS; TO AMEND CHAPTER 11, TITLE 25, RELATING TO THE DIVISION OF VETERANS' AFFAIRS, SO AS TO, AMONG OTHER THINGS, REDESIGNATE THE DIVISION OF VETERANS' AFFAIRS AS THE DEPARTMENT OF VETERANS' AFFAIRS; TO ESTABLISH THE DEPARTMENT OF VETERANS' AFFAIRS WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT; TO PROVIDE THAT THE GOVERNOR SHALL APPOINT A SECRETARY OF THE DEPARTMENT OF VETERANS' AFFAIRS WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO ENUMERATE THE SECRETARY'S POWERS, DUTIES, AND RESPONSIBILITIES; TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO PROVIDE ADMINISTRATIVE SUPPORT TO THE DEPARTMENT OF VETERANS' AFFAIRS; TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS' AFFAIRS OFFICERS, AND TO PROVIDE THAT A COUNTY VETERANS' AFFAIRS OFFICER IS AN AT-WILL EMPLOYEE OF THE DEPARTMENT WHO MAY BE REMOVED FOR CAUSE AT ANY TIME BY THE DEPARTMENT SECRETARY, A MAJORITY OF THE SENATORS REPRESENTING THE COUNTY, AND A MAJORITY OF THE HOUSE MEMBERS REPRESENTING THE COUNTY; TO MAKE CONFORMING CHANGES THROUGHOUT THE CHAPTER; TO ESTABLISH THE SOUTH CAROLINA MILITARY BASE TASK FORCE, AND TO PROVIDE FOR THE TASK FORCE'S COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES; AND TO PROVIDE COORDINATING INSTRUCTIONS RELATING

TO THE REDESIGNATION OF THE DIVISION OF VETERANS' AFFAIRS AS THE DEPARTMENT OF VETERANS' AFFAIRS.
L:\COUNCIL\ACTS\3438ZW19.DOCX

(R40, H. 3483) -- Reps. Hiott, Clary, Collins, Forrest and Caskey: AN ACT TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.
L:\COUNCIL\ACTS\3483ZW19.DOCX

(R41, H. 3819) -- Reps. Gagnon and West: AN ACT TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.
L:\COUNCIL\ACTS\3819ZW19.DOCX

(R42, H. 3929) -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR, LOCAL SCHOOL DISTRICTS MAY WAIVE MAKEUP DAYS IN ADDITION TO THE THREE DAYS FORGIVEN PURSUANT TO SECTION 59-1-425 BY THE LOCAL SCHOOL DISTRICT FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE; AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW THAT REQUIRES SCHOOL DISTRICTS TO REQUEST A WAIVER FROM THE STATE BOARD OF EDUCATION.
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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE

OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such

professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to

review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

Senator CAMPSEN spoke on the amendment.

Senator RANKIN spoke on the amendment.

Senator GROOMS spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator GROOMS spoke on the amendment.

Motion Adopted

On motion of Senator GROOMS, with unanimous consent and with Senator GROOMS retaining the floor on S. 678, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

ADJOURNMENT

At 1:22 P.M., on motion of Senator GROOMS, 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.

* * *

Friday, April 26, 2019
(Local 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 ACTING PRESIDENT, Senator McELVEEN.

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 636 Sen. Young

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, April 30, 2019, at 2:00 P.M.

* * *

Tuesday, April 30, 2019
(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:

Romans 12:16-18

"Live in harmony with each other...Never pay back evil with more evil. Do things in such a way that everyone can see you are honorable. Do all that you can to live in peace with everyone."

Let us pray. Gracious and loving God, it is with a great sense of national sadness that we have witnessed yet another attack on a synagogue. This overt hatred of the Jewish people borne out of deep seeded prejudice is wholly against all that we stand for as a nation. The end result of such radical prejudice and hate in Nazi Germany was genocide. Now we are seeing some of that same evil rear its ugly head right here in our country. Help us, O God, to tone down the hate rhetoric we hear each day in the media and bring us back to the values that unify and reconcile our nation. Now more than ever, may our leaders exemplify civility, graciousness and oneness in this our beloved nation. 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 2:05 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	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Grooms
Harpootlian	Hembree	Hutto

Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	Nicholson
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CROMER introduced Dr. John Schaberg of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HEMBREE, at 2:51 P.M., Senator HEMBREE was granted a leave of absence for Wednesday, May 1, 2019.

Expression of Personal Interest

Senator HEMBREE rose for an Expression of Personal Interest.

Remarks by Senator HEMBREE

Thank you Mr. PRESIDENT. My fellow Senators, South Carolina has some of the best K-12 teachers in the nation. They get up every day of the school week, get dressed and get to work on time, and are ready to face a classroom full of students. They do it because they genuinely care about their students; they care about their student's education; they care about their growth as people; they care about their general health and welfare; in short, they love their students, and they put their students first.

These dedicated professionals have chosen a career in public service. Like law enforcement officers, firefighters and other public servants, they know that by choosing public service, they are giving up other opportunities, opportunities to make higher private sector salaries, or the opportunity to build their own business with their own working conditions and rules. When they enter this form of public service, they pledge to put their students first.

In this "Year of Education," I have learned many lessons. I have spoken to hundreds of teachers and other education professionals. I have read countless emails, letters, reports and tweets. I have visited

classrooms and talked with parents and students. Our Senate Education Reform Subcommittee has met 15 times, taking testimony at nearly every meeting, including four, after hours, town hall meetings, so that teachers could attend without missing school, and could put their students first.

One lesson that I have learned is that there is a profound misunderstanding of the General Assembly's role in our K-12 education system among our citizens, among teachers and among some members of the General Assembly. First and foremost, the General Assembly is a funding authority. We require and collect taxes from our citizens and others, and we redistribute those taxes back to the local school districts, based on a Frankenstein monster of funding formula -- a formula that must be reformed! That said, at distributing a vast amount of public money, we are very good. South Carolina provides 47.7% of the local districts school revenue; which is 25th in the United States and above the national average of 45.6% -- not bad for a state ranked 40th in wages. When we measure total school revenue against personal income, we rank 9th in the nation.

The General Assembly also creates the political subdivision known as the local school district. Like other political subdivisions of the State (cities and counties), the General Assembly provides for a locally elected school board, and gives home rule in most matters to the local board. The General Assembly does not hire a single superintendent. The General Assembly does not craft a single local budget. The General Assembly does not decide how much money individual schools receive. The General Assembly does not choose a single local curriculum. The General Assembly does not hire a single principal. The General Assembly does not hire a teacher. The General Assembly does not, does not teach a single student. These are, appropriately, all functions of the local school board. The debate about public education in South Carolina has raged for over 100 years, and it will rage on until all debates end. But as this debate moves forward, it is essential for us to understand what we do and what we do not do.

Finally, it is critical to remember that the General Assembly has a constitutional responsibility to provide the opportunity for an education to all South Carolinians. Although we have devolved most of our authority to local school boards, it is ultimately our responsibility, and as we consider reform, we must be more aggressive in holding accountable local boards that are failing our students, and taking decisive actions that put students first.

2019 should be remembered as the year major 21st century education reform began. This year, both the House of Representatives and the Senate have worked diligently on K-12 education. Let me share a few of the highlights from the budget and the proposed reform Bills:

- Raised starting teacher salaries by nearly 10%, bringing them above the Southeastern average;
- Raised all teacher salaries 4% (Along with step increases, this is an approximate 6% increase for all teachers with up to 23 years' experience.) representing the largest single teacher pay increase since 1984 and bringing salaries above the Southeastern average;
- Eliminated three standardized, state mandated tests that teachers requested;
- Eliminated legislatively mandated teacher literacy training that teachers requested;
- Provided a duty free lunch break period that teachers requested;
- Provided for travel reimbursement for teachers living more than 25 miles away;
- Provided more mental health counselors that teachers requested;
- Eliminated the 0-20 committee and education czar from the reform Bill that teachers requested;
- Passed the "Let Teachers Teach" Bill in February, that is designed to eliminate clutter and bureaucracy from the classroom that teachers requested;
- Passed "Teacher Appreciation Accounts" last year, that allow local districts to give teachers compensation for unused leave days.

2019 could be characterized as the year the General Assembly put teachers first.

In spite of these diligent and sometimes hard fought battles on behalf of teachers, that continue as we speak, on Wednesday, pressure will be put on students, on families, and on the vast majority of South Carolina's 52,000 teachers that remain with their students back home. A small fraction of South Carolina's teachers will be leaving their students behind to an empty classroom, at this critical stage in the academic semester. How we, as members of the General Assembly, respond to this action is now our choice.

Mr. PRESIDENT, I choose to stand with those teachers that are committed to the growth and development of their students by teaching on Wednesday. And that is why, I hereby request unanimous consent for leave on Wednesday, May 1, so that I may return home and serve as a substitute Social Studies teacher in an Horry County school. Thank you for your patience and attention.

On motion of Senator BENNETT, with unanimous consent, the remarks of Senator HEMBREE, were ordered printed in the Journal.

RECALLED

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G.M. Smith, G.R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Simmons and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

Senator JACKSON asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

TUESDAY, APRIL 30, 2019

RECALLED

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

Senator CAMPBELL asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 767 -- Senator Shealy: A CONCURRENT RESOLUTION TO WELCOME THE MARCH OF DIMES TO THE STATE HOUSE AND RECOGNIZE WEDNESDAY, MAY 1, 2019, AS "SOUTH CAROLINA HEALTHY MOTHER'S DAY."

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

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.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator MALLOY, the Privilege of the Chamber, to that area behind the rail, was extended to Rev. Dr. David Lunn, Edward Lunn, Clarence Brunson, Ronald Bacoats, Woodrow Wilson and the late Sally Wilds of Darlington County in honor of their outstanding resiliency during desegregation in 1970.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 790 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE ROSA PALMER ROGERS OF HEMINGWAY ON THE OCCASION OF HER ONE HUNDRED SECOND BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 791 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE FOOTHILLS YMCA UPON THE OCCASION OF ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 792 -- Senators Campsen, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE ALVIN A. TAYLOR UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES, TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 793 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE R. MAC BURDETTE, EXECUTIVE DIRECTOR OF PATRIOTS POINT DEVELOPMENT AUTHORITY, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 794 -- Senator Hembree: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2019 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 795 -- Senator Jackson: A SENATE RESOLUTION TO HONOR THE REVEREND BLAKELY N. SCOTT, PASTOR OF FIRST NAZARETH BAPTIST CHURCH IN COLUMBIA, ON THE OCCASION OF HIS FORTIETH ANNIVERSARY OF GOSPEL

MINISTRY AT FIRST NAZARETH AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.
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The Senate Resolution was adopted.

S. 796 -- Senator Alexander: A BILL TO AMEND SECTION 6-9-40(A) OF THE 1976 CODE, RELATING TO BUILDING CODE ADOPTION PROCEDURES, TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL IS AUTHORIZED TO REVIEW, ADOPT, MODIFY, OR DENY AND PROMULGATE THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIMEFRAME, TO PROVIDE THAT THE COUNCIL MAY MODIFY, AMEND, OR DENY THE STUDY COMMITTEE'S REPORT OF RECOMMENDATIONS UNDER CERTAIN CIRCUMSTANCES.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 797 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR THE ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR AND REPORTING REQUIREMENTS AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATION, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY A QUALIFIED INDEPENDENT EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE

CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND PAYMENT AND COSTS FOR A QUALIFIED INDEPENDENT EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF

RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO RE-ENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 798 -- Senators Peeler and Harpootlian: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REDUCE THE SIZE OF THE BOARD AND THE AREAS FROM WHICH ELECTED MEMBERS ARE SELECTED; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2020; TO AMEND SECTION 57-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO FURTHER PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.
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Read the first time and referred to the Committee on Education.

S. 799 -- Senator Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF INTERSTATE-85 IN ANDERSON AND OCONEE COUNTIES "CHRISTINA ADAMS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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On motion of Senator ALEXANDER, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 800 -- Senators Williams, Leatherman, Hutto, Jackson and Johnson: A BILL TO AMEND SECTION 8-13-1314, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CAMPAIGN CONTRIBUTION LIMITS AND RESTRICTIONS, SO

AS TO ADJUST SOUTH CAROLINA'S INDIVIDUAL CAMPAIGN CONTRIBUTION LIMITS BY LINKING THEM TO THE CURRENT FEDERAL CAMPAIGN CONTRIBUTION LIMIT AS MOST RECENTLY INDEXED FOR INFLATION BY THE FEDERAL ELECTION COMMISSION.
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Read the first time and referred to the Committee on Judiciary.

S. 801 -- Senators Sabb, Leatherman, Johnson and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE UNITED STATES HIGHWAY 378 BYPASS OVER UNITED STATES HIGHWAY 52 IN LAKE CITY "FARRAH TURNER MEMORIAL BYPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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On motion of Senator SABB, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
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On motion of Senator SABB, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 803 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE ROGER E. STEVENSON, M.D., CO-FOUNDER AND SENIOR CLINICAL GENETICIST OF GREENWOOD GENETIC CENTER, ON RECEIVING THE PRESTIGIOUS AMERICAN COLLEGE OF MEDICAL GENETICS AND GENOMICS FOUNDATION DAVID L. RIMOIN LIFETIME ACHIEVEMENT AWARD IN MEDICAL GENETICS.
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The Senate Resolution was adopted.

S. 804 -- Senator Scott: A SENATE RESOLUTION TO RECOGNIZE AND HONOR NATHANIEL FULTON, SR., FOR MORE THAN SIXTY YEARS OF QUARTET MINISTRY IN COLUMBIA AND TO DECLARE JUNE 29, 2019, AS NATHANIEL FULTON, SR., DAY IN SOUTH CAROLINA.
l:\council\bills\gm\24207vr19.docx

The Senate Resolution was adopted.

S. 805 -- Senator Gambrell: A SENATE RESOLUTION TO HONOR AND CONGRATULATE DR. CHARLES MASON GARY OF BELTON, SOUTH CAROLINA, ON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS DEDICATED TO EXPANDING THE MINDS OF THE CHILDREN OF THE PALMETTO STATE AND TO WISH HIM MUCH CONTINUED HAPPINESS IN HIS WELL-DESERVED RETIREMENT.
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The Senate Resolution was adopted.

S. 806 -- Senator Campbell: A BILL TO AMEND SECTION 39-25-210 OF THE 1976 CODE, RELATING TO PERSONS ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, OR PACKAGING FOOD WHO ARE SUBJECT TO INSPECTION BY THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT A PERSON WHO ENGAGES IN THE BUSINESS OF MANUFACTURING, PROCESSING, WAREHOUSING, OR PACKAGING FOOD MUST BE ISSUED A REGISTRATION VERIFICATION CERTIFICATE BY THE DEPARTMENT OF AGRICULTURE, AND TO PROVIDE FOR ANNUAL RENEWALS AND FEES ASSOCIATED WITH THE CERTIFICATES.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 807 -- Senator Turner: A SENATE RESOLUTION TO HONOR AND CONGRATULATE YOUNG MARTIAL ARTIST BRANDON YOUNG OF SIMPSONVILLE ON CAPTURING THE WORLD CHAMPION TITLE IN HIS DIVISION AT THE 2018 AMERICAN TAEKWONDO ASSOCIATION KARATE WORLD EXPO TOURNAMENT OF CHAMPIONS.
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The Senate Resolution was adopted.

S. 808 -- Senator Climer: A SENATE RESOLUTION TO CONGRATULATE JOSH MYERS OF YORK COUNTY ON CAPTURING FOUR MEDALS IN POWERLIFTING AT THE 2019 SPECIAL OLYMPICS WORLD GAMES ABU DHABI AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 809 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE SCOTT ROHRER OF YORK COUNTY ON CAPTURING THE BRONZE MEDAL IN GOLF AT THE 2019 SPECIAL OLYMPICS WORLD GAMES ABU DHABI AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 810 -- Senators Nicholson and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. DARRELL JOHNSON, SUPERINTENDENT OF GREENWOOD SCHOOL DISTRICT 50, UPON THE OCCASION OF HIS RETIREMENT ON JUNE 30, 2019, AFTER THIRTEEN YEARS OF SERVICE TO THE DISTRICT, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

H. 4152 -- Reps. Hixon, Kirby, Hewitt, Bailey, Hiott, Martin, Loftis, Forrest, Magnuson, Chumley, Burns, Long, Elliott, Jefferson, R. Williams, Clyburn, Cobb-Hunter, Henegan and B. Newton: A BILL TO AMEND SECTION 44-96-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOLID WASTE POLICY AND MANAGEMENT, SO AS TO PROVIDE THAT POST-USE POLYMERS AND RECOVERABLE FEEDSTOCKS USED IN PYROLYSIS AND GASIFICATION PROCESSES ARE "RECOVERED MATERIALS" AND ARE NOT "SOLID WASTE" FOR THE PURPOSES OF REGULATION BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.
Read the first time and referred to the Committee on Medical Affairs.

H. 4471 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 29, 2019, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Resolution was adopted.

H. 4481 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE THOUSANDS OF SOUTH CAROLINIANS

WHO VOLUNTEER THEIR TIME THROUGH THE ADOPT-A-HIGHWAY PROGRAM TO KEEP MILES OF STATE ROADS LITTER FREE AND TO PROCLAIM THE MONTH OF MAY 2019 AS ADOPT-A-HIGHWAY MONTH IN THE STATE OF SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Operations and Management polled out S. 365 favorable:

S. 365 -- Senators Jackson, Setzler, Peeler, Leatherman, Massey, Reese, Hutto, Malloy, Sheheen, Williams, Nicholson, Scott, Allen, Johnson, McElveen, Kimpson, Sabb, M.B. Matthews, Fanning, McLeod, Harpootlian, Alexander, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Martin, Rankin, Rice, Senn, Shealy, Talley, Turner, Verdin and Young: A SENATE RESOLUTION TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT TO BE PLACED IN THE SENATE CHAMBER OF THE HONORABLE JOHN WESLEY MATTHEWS, JR., OF BOWMAN IN ORANGEBURG COUNTY, A SELFLESS AND DEDICATED SENATOR FROM THE THIRTY-NINTH SENATORIAL DISTRICT AND A DISTINGUISHED STATESMAN DESERVING PROPER RECOGNITION BY THE SENATE AND THE STATE OF SOUTH CAROLINA.

Poll of the Committee on Operations and Management
Polled 8; Ayes 8; Nays 0

AYES

Peeler	Leatherman	Setzler
Rankin	Malloy	Massey
Shealy	Turner	

Total--8

NAYS

Total--0

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL

DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION

TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 4413 -- Reps. G.M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

4th Congressional District:

Karen W. McGill, 150 Cheek Road, Spartanburg, SC 29303-4311

Received as information.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Juwan X. Ayers, 22 Routhland Court, Columbia, SC 29209-3084 *VICE* Eddie Clay Guess

Received as information.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

At-Large:

Andrea C. Sancho-Baker, 2612 Sheryl Lane, Columbia, SC 29204-2253 *VICE* Louis C. Chavis

Received as information.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Kenneth D. McKellar, 108 Haywain Dr., Chapin, SC 29036-9713 *VICE* Kimberly H. Frederick

Received as information.

Initial Appointment, Director of State Accident Fund, with a term to commence June 11, 2016, and to expire June 11, 2022.

Director:

Amy Virginia Cofield, 121 Driftwood Drive, Lexington, SC 29072-9729 *VICE* Harry Gregory

Received as information.

Senator RANKIN from the Committee on Judiciary submitted an unfavorable report on:

Statewide Appointment

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2018, and to expire May 19, 2025

Chairman:

Charles M. Condon, 835 Middle Street, Sullivan's Island, SC 29482 *VICE* W. Leighton Lord

Received as information.

Message from the House

Columbia, S.C., April 30, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Appointment, Abbeville County Master-in-Equity, with term to commence June 30, 2019, and to expire June 30, 2025:

Mr. Roy Robinson Hemphill, 917 Olde Pucketts Ferry Road, Greenwood, S.C. 29649
VICE Curtis G. Clark
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., April 30, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Appointment, Kershaw Country Master-in-Equity, with term to commence July 1, 2019, and to expire July 1, 2025:

Mr. Jeffrey M. Tzerman, 702 Walnut Street, Camden, S.C. 29020
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., April 30, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.015, S. 504 by a vote of 80 to 5:

(R15, S504) -- Senators Hutto and M.B. Matthews: AN ACT TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.
Very respectfully,
Speaker of the House
Received as information.

TUESDAY, APRIL 30, 2019

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2017, and to expire June 30, 2021

General Public:

Frederick M. G. Evans, 214 Alderston Way, Columbia, SC 29229

On motion of Senator ALEXANDER, the question was confirmation of Frederick M. G. Evans.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The appointment of Frederick M. G. Evans was confirmed.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2019, and to expire March 30, 2023

Barber:

Christopher L. Javis, 128 Southlake Court, Columbia, SC 29223-5925 *VICE* Patricia Durkin

On motion of Senator ALEXANDER, the question was confirmation of Christopher L. Javis.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The appointment of Christopher L. Javis was confirmed.

Initial Appointment, Director of Employment and Workforce, with term coterminous with Governor

George Daniel Ellzey, 4028 Claremont Drive, Columbia, SC 29205

On motion of Senator ALEXANDER, the question was confirmation of George Daniel Ellzey.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 10

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Grooms	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	McLeod
Nicholson	Peeler	Reese
Rice	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	

Total--35

NAYS

Total--0

ABSTAIN

Davis	Goldfinch	Hutto
Malloy	*Matthews, Margie*	McElveen
Rankin	Sabb	Senn
Young		

Total--10

The appointment of George Daniel Ellzey was confirmed.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2018, and to expire June 30, 2022

Master Haircare Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118

On motion of Senator ALEXANDER, the question was confirmation of Paul E. Robinson, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The appointment of Paul E. Robinson, Jr. was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2019, and to expire June 30, 2025
5th Congressional District:
Heather C. Harris, 137 Setzler Road, Pomaria, SC 29126-8951 *VICE* Marvin A. Hyatt, Sr.

On motion of Senator VERDIN, the question was confirmation of Heather C. Harris.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 44; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Cromer

Total--1

The appointment of Heather C. Harris was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

1st Congressional District:

Julius Belden Kinney, Jr., 2-B Eugenia Ave., Johns Island, SC 29455-5609 *VICE* Richard K. Toomey

On motion of Senator VERDIN, the question was confirmation of Julius Belden Kinney, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 6

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Campsen	Davis	Goldfinch
Hutto	Senn	Setzler

Total--6

The appointment of Julius Belden Kinney, Jr. was confirmed.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2017, and to expire June 30, 2021

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634 *VICE* Christopher Glenn Neeley

On motion of Senator VERDIN, the question was confirmation of Robin B. Blackwood.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The appointment of Robin B. Blackwood was confirmed.

Having received a report without recommendation from the Family and Veterans' Services Committee, the following appointment was rejected in open session:

Initial Appointment, South Carolina Department on Aging, with term coterminous with Governor

Director:

Stephen F. Morris, 320 Country Club Drive, Columbia, SC 29206-3202

On motion of Senator SHEALY, the question was confirmation of Stephen F. Morris.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 2; Nays 41; Abstain 1

AYES

Fanning	Verdin

Total--2

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod

Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Williams	Young	

Total--41

ABSTAIN

Harpootlian

Total--1

The appointment of Stephen F. Morris was rejected.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:45 A.M. tomorrow, for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will stand in recess for one hour.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator SHEALY assumed the Chair.

Senator GROOMS continued speaking on the amendment.

PRESIDENT PRESIDES

At 5:29 P.M., the PRESIDENT assumed the Chair.

Senator GROOMS continued speaking on the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator GROOMS, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators JOHNSON and SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of The Honorable James Dingle of Manning, S.C. Judge Dingle attended Midlands Technical College and South Carolina State University. He was an educator for more than 30 years with C.E. Murray High School as football coach, athletics director, industrial arts teacher and assistant principal. Judge Dingle was the first African American magistrate appointed in Clarendon County in 1983. He served as both a municipal and magistrate judge. Judge Dingle served his community well and will be dearly missed.

TUESDAY, APRIL 30, 2019

ADJOURNMENT

At 5:40 P.M., on motion of Senator GROOMS, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, May 1, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 41:13

"For I am the Lord Your God who takes hold of your right hand and says to you, do not fear; I will help you."

Loving God, in times of trouble, You are the rock upon which we stand. In times of despair, You are the assurance of a new tomorrow. In times of rejection, You are the love that accepts us and motivates us to never quit. And in times when we lose our way, You are the forgiveness that redeems us, renews us and makes us whole again.

Lord God, fill this Chamber with Your unconditional love for all those who call upon you. Today we lift up to you in prayer Buster Lawson from Enoree, S.C. who is a personal friend of Senators Martin and Verdin. May he feel the presence of Your peace and Your right hand of help in the days to come. Through the power of Your Holy Spirit we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RECESS

At 11:50 A.M., the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE

AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.

Election to the Board of Trustees for the Wil Lou Gray Opportunity School Three At-Large Seats

The PRESIDENT announced that nominations were in order to elect a successor to positions on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Deborah S. Blalock, Robert N. Collar and Dan A. Dobson had been screened and found qualified to serve and placed their names in nomination.

Representative Whitmire, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Deborah S. Blalock, Robert N. Collar and Dan A. Dobson were elected to the positions on the Board of Trustees for the Wil Lou Gray Opportunity School, three at-large seats for the term to expire June 30, 2023.

Election to an At-Large Position on the Board of Trustees for The Citadel

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for The Citadel.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that L. Eugene Pinson had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable L. Eugene Pinson was elected to the position on the Board of Trustees for The Citadel, at-large for the term to expire June 30, 2025.

Election to the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat 1.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that George E. Mullen had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George E. Mullen was elected to the position on the Board of Trustees for Coastal Carolina University, 1st Congressional District, Seat 1 for the term to expire June 30, 2023.

Election to the Board of Trustees for Coastal Carolina University, 3rd Congressional District, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 3rd Congressional District, Seat 3.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that William S.

Biggs had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William S. Biggs was elected to the position on the Board of Trustees for Coastal Carolina University, 3rd Congressional District, Seat 3 for the term to expire June 30, 2023.

Election to the Board of Trustees for
Coastal Carolina University, 5th Congressional District, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 5th Congressional District, Seat 5.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Charles E. Lewis had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles E. Lewis was elected to the position on the Board of Trustees for Coastal Carolina University, 5th Congressional District, Seat 5 for the term to expire June 30, 2023.

Election to the Board of Trustees for
Coastal Carolina University, 7th Congressional District, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 7th Congressional District, Seat 7.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Natasha M. Hanna had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Natasha M. Hanna was elected to the position on the Board of Trustees for

Coastal Carolina University, 7th Congressional District, Seat 7 for the term to expire June 30, 2023.

Election to the Board of Trustees for Coastal Carolina University, At-Large, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 9.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Eugene C. Spivey had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene C. Spivey was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 9 for the term to expire June 30, 2023.

Election to the Board of Trustees for Coastal Carolina University, At-Large, Seat 11

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 11.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that William E. Turner III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William E. Turner III was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 11 for the term to expire June 30, 2023.

Election to the Board of Trustees for
Coastal Carolina University, At-Large, Seat 13

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 13.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Lee A. Belcher had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Lee A. Belcher was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 13 for the term to expire June 30, 2023.

Election to the Board of Trustees for the
Medical University of South Carolina
4th Congressional District, Medical Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 4th Congressional District, medical seat.

Representative Whitmire, Vice-Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that H. Frederick Butehorn III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Frederick Butehorn was elected to the position on the Board of Trustees for the Medical University of South Carolina, 4th Congressional District, medical seat for the term to expire June 30, 2020.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:23 P.M., the Senate resumed.

WEDNESDAY, MAY 1, 2019

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

New Seat:

Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

Motion Adopted

On motion of Senator CAMPBELL, with unanimous consent, Senators DAVIS, RANKIN, HUTTO, GROOMS, SETZLER, LEATHERMAN, MASSEY and MALLOY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Doctor of the Day

Senator TALLEY introduced Dr. Jerome AYA-ay of Spartanburg, S.C., Doctor of the Day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 112 Sen. Campbell
S. 125 Sen. Campbell

RECALLED

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Senator BENNETT asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3784 -- Rep. Herbkersman: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

Senator DAVIS 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. 4106 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH HOPEWELL ROAD TO ITS INTERSECTION WITH ZEIGLER STREET "VIRGIN JOHNSON, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 676 -- Senator M.B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 811 -- Senator Talley: A SENATE RESOLUTION TO HONOR AND RECOGNIZE ROBERT "BOB" SCHERER FOR HIS TWENTY-THREE YEARS OF SIGNIFICANT CONTRIBUTIONS TO THE AMERICAN LEGION AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 812 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE CAYCE FARMER'S MARKET UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND TO COMMEND THE BUSINESS FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY.
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The Senate Resolution was adopted.

S. 813 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE SUSAN BERRY FOR HER FIFTY YEARS OF SERVICE TO THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 814 -- Senators Nicholson and Gambrell: A SENATE RESOLUTION TO CONGRATULATE ROGER E. STEVENSON, M.D., CO-FOUNDER AND SENIOR CLINICAL GENETICIST OF GREENWOOD GENETIC CENTER, ON RECEIVING THE PRESTIGIOUS AMERICAN COLLEGE OF MEDICAL GENETICS AND GENOMICS FOUNDATION DAVID L. RIMOIN LIFETIME ACHIEVEMENT AWARD IN MEDICAL GENETICS.
l:\council\bills\bh\7204ahb19.docx

The Senate Resolution was adopted.

S. 815 -- Senator Scott: A CONCURRENT RESOLUTION TO CONGRATULATE REV. DR. MICHAEL ROSS UPON THE OCCASION OF HIS THIRTIETH ANNIVERSARY AS PASTOR OF NEW EBENEZER BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF COLUMBIA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 816 -- Senator J. Matthews: A SENATE RESOLUTION TO RECOGNIZE DR. DAVID LONGSHORE, JR., FORMER SUPERINTENDENT OF ORANGEBURG COUNTY CONSOLIDATED SCHOOL DISTRICT THREE, AND TO CONGRATULATE HIM ON THE RENAMING OF THE LAKE MARION HIGH SCHOOL GYMNASIUM IN HIS HONOR.
l:\council\bills\gm\24203sd19.docx

The Senate Resolution was adopted.

H. 4497 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO ENCOURAGE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO TAKE ACTION TO INCREASE AWARENESS OF SHINGLES AND SHINGLES PREVENTION.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 493 -- Senators Senn, Talley, Sabb, Sheheen, Kimpson, McElveen, Allen, Gregory, McLeod, Harpootlian and Hembree: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE IS A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INJURY OR DAMAGE WAS CAUSED BY THE UNKNOWN VEHICLE, OR THE INSURED CAN PROVE THAT THE INJURY OR DAMAGE WAS CAUSED BY AN UNKNOWN

VEHICLE BY AN ELECTRONIC OR OTHER RECORDING OR OTHER CLEAR AND CONVINCING EVIDENCE.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4019 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4021 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF SWIMMING OR USE OF CABINS AT STATE PARKS, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 51-3-50, RELATING TO THE POWER OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM TO OPEN PARKS TO NORMAL PUBLIC USE, SO AS TO REMOVE A LIMITATION ON THE DEPARTMENT'S POWER; TO REPEAL SECTION 51-3-20 RELATING TO LIMITATIONS ON THE FACILITIES AT STATE PARKS; TO REPEAL SECTION 51-3-30 RELATING TO PENALTIES FOR USING CABINS OR SWIMMING AT A STATE

PARK; AND TO REPEAL SECTION 51-3-40 RELATING TO THE LIMITATIONS ON THE OPERATIONS OF CERTAIN STATE PARKS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF “SERVICE CONTRACT” AND “WARRANTY” AND TO DEFINE THE TERMS “ROAD HAZARD”, “THEFT PROTECTION PROGRAM”, AND “THEFT PROTECTION PROGRAM WARRANTY”; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

Ordered for consideration tomorrow.

WEDNESDAY, MAY 1, 2019

Appointment Reported

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Conservation Bank, Executive Director:

Raleigh West, 1209 Buist Ave., North Charleston, SC 29405

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

READ THE SECOND TIME

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD

THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH spoke on the amendment.

WEDNESDAY, MAY 1, 2019

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Senator GOLDFINCH continued speaking on the amendment.

PRESIDENT PRESIDES

At 2:28 P.M., the PRESIDENT assumed the Chair.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, and Senator GOLDFINCH retaining the floor, the Senate agreed to go into Executive Session.

Senator GOLDFINCH spoke on the amendment.
Senator MASSEY spoke on the amendment.

Motion Adopted

Senator MASSEY asked unanimous consent, to make a motion to give S. 678 second reading, carry over all amendments, waive the provisions of Rule 26B in order to allow amendments to be considered on third reading, and that the Resolution retain masthead status.
There was no objection.

The Resolution was read the second time, passed and ordered to a third reading.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
New Seat:
Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

WEDNESDAY, MAY 1, 2019

ADJOURNMENT

At 3:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 2, 2019
(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:

Deuteronomy 26:11

"So you shall rejoice in every good thing which the Lord your God has given you."

Let us pray. Blessed be the Lord our God; King of both heaven and earth, and giver of our unalienable rights, to life, liberty and the pursuit of happiness. We ask that You would give us courage, wisdom and strength; that we might rise to the challenge of our day, and prevail over evil in our time, that Thy kingdom will come to this world, and Thy will be done on earth as it is in heaven.

We offer our prayers at this time, for the millions of people who now live under systems that do not allow them to worship Thee without fear of persecution from their fellow men. We ask that You would be with them and comfort them, and give them peace in their times of terrible suffering. And we ask that You would give us the courage to make the sacrifices that we must now make, in order to even be worthy of being spared the same type of fate. Blessed be the name of God, our only King, in heaven or on earth. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Doctor of the Day

Senator NICHOLSON introduced Dr. Robert Bryant of Greenwood, S.C., Doctor of the Day.

THURSDAY, MAY 2, 2019

Leave of Absence

On motion of Senator CORBIN, at 12:12 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SHEHEEN at 12:24 P.M., Senator SHEHEEN was granted a leave of absence until Tuesday, May 7, 2019.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 112 Sen. Cromer
S. 125 Sens. Cromer and Peeler
S. 534 Sen. Senn
S. 799 Sens. Gambrell and Cash

RECALLED

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

Senator GREGORY asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

H. 4481 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan,

D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G.M. Smith, G.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE THOUSANDS OF SOUTH CAROLINIANS WHO VOLUNTEER THEIR TIME THROUGH THE ADOPT-A-HIGHWAY PROGRAM TO KEEP MILES OF STATE ROADS LITTER FREE AND TO PROCLAIM THE MONTH OF MAY 2019 AS ADOPT-A-HIGHWAY MONTH IN THE STATE OF SOUTH CAROLINA.

Senator YOUNG asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator YOUNG 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.

On motion of Senator YOUNG, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 4276 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY'S MILL PRECINCT AND TO 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.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO 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.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO 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.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO 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.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3012 -- Reps. McDaniel, S. Williams, Moore, Brawley and Gilliard: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT THE SCHOOLS AND SCHOOL DISTRICTS OF THIS STATE SHOULD UTILIZE THE EDUCATION RATE PROGRAM OF THE FEDERAL COMMUNICATIONS COMMISSION (E-RATE) ESTABLISHED BY THE TELECOMMUNICATIONS ACT OF 1996 WHICH PROVIDES DISCOUNTS ON INTERNET ACCESS AND TELECOMMUNICATIONS SERVICES FOR SCHOOLS AND SCHOOL DISTRICTS WITH HIGHER POVERTY LEVELS IN THEIR STUDENT POPULATION THAT WOULD BE OF GREAT BENEFIT TO THESE STUDENTS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Education.

The Concurrent Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

Senator JOHNSON asked unanimous consent that the veto of the Governor regarding S. 735 be taken up for consideration.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

May 1, 2019

The Honorable Harvey S. Peeler, Jr.
President of the Senate
State House, Second Floor

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-35, S. 735, which seeks to abolish the Clarendon County Board of Education and alter the manner in which certain members are appointed to the Boards of Trustees of Clarendon County School District Nos. 1 and 2. For the reasons set forth below, I must veto S. 735.

The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" and "where a general law can be made applicable." S.C. Const. art. VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted when local legislation relates to the General Assembly's article XI authority to establish, organize, and support a system of public schools, I believe that S. 735 is problematic for reasons unrelated to this threshold constitutional inquiry. For example, Section 1 of S. 735 purports to abolish the Clarendon County Board of Education; yet, Section 2 of the Bill refers to the terms of office of "the members [of the Board of Trustees of Clarendon County School District No. 1] appointed by the county board of education."

To the extent that S. 735 is intended to increase accountability and advance the conversation regarding school district consolidation in Clarendon County, I applaud this effort. However, such legislation should be free of internal inconsistencies and should take care to avoid unnecessary legislative entanglement in the affairs of local schools. Moreover, I encourage the General Assembly to begin addressing such matters by passing laws of uniform, statewide application, rather than by repeatedly resorting to local or special legislation.

For the foregoing reasons, I am respectfully vetoing R-35, S. 735 and returning the same without my signature.

Yours very truly,

Henry McMaster

VETO OVERRIDDEN

(R35, S735) -- Senator Johnson: AN ACT TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION; TO AMEND ACT 593 OF 1986, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 AND SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY, SO AS TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES

OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY; AND TO REPEAL CERTAIN LOCAL PROVISIONS INCONSISTENT WITH THIS ACT.

The veto of the Governor was taken up for immediate consideration.

Senator JOHNSON moved that the veto of the Governor be overridden.

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 34; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Young		

Total--34

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.

THURSDAY, MAY 2, 2019

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator SETZLER, the Privilege of the Chamber, to that area behind the rail, was extended to Dr. and Mrs. Harris Pastides in recognition of his retirement from the University of South Carolina and to honor the numerous contributions he has made to our community and State.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator NICHOLSON, the Privilege of the Chamber, to that area behind the rail, was extended to Brigadier General Farris “Carlos” Hill in honor and recognition of his retirement from the United States Air Force.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator McLEOD, the Privilege of the Chamber, to that area behind the rail, was extended to Hima Dalal in recognition of “Peace, Harmony and Wellness Day” in South Carolina.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 817 -- Senator Reese: A BILL TO AMEND SECTION 50-25-1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT DUCK HUNTING IN A CERTAIN AREA OF THE LAKE.
l:\council\bills\nbd\11291cz19.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 818 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH THE ORANGEBURG/DORCHESTER COUNTY LINE TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 "COUNCILMAN WILLIE RICHARD DAVIS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
l:\council\bills\gt\5724cm19.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 819 -- Senator Alexander: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE, SO AS TO PROVIDE THE FEE FOR REGISTERING AN ITEM IN THIS STATE THAT WAS FIRST REGISTERED IN ANOTHER STATE DOES NOT APPLY IF THE OWNER WAS PREVIOUSLY A RESIDENT OF THIS STATE AND REGISTERED ITEMS OTHERWISE SUBJECT TO THE FEE.
l:\council\bills\nbd\11270dg19.docx

Read the first time and referred to the Committee on Transportation.

S. 820 -- Senator Reese: A BILL TO AMEND SECTION 50-25-1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, THE GOVERNING BODY OF A MUNICIPALITY, COUNTY, SPECIAL PURPOSE DISTRICT, OR ANY POLITICAL SUBDIVISION THEREOF MAY NOT ENACT OR ENFORCE ANY ORDINANCE, RESOLUTION, OR REGULATION THAT LIMITS, RESTRICTS, OR CURTAILS THE RIGHTS OF LAKE BOWEN ADJOINING PROPERTY OWNERS TO BOAT, FISH, ACT AS CARETAKERS OF CERTAIN PROPERTY, OR OTHERWISE ENJOY MAXIMUM RECREATIONAL OPPORTUNITIES THAT DO NOT CONFLICT WITH STATE OR FEDERAL LAW.
l:\council\bills\cc\15594zw19.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 821 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 8, 2019, AS "LISSENCEPHALY AWARENESS DAY" IN SOUTH CAROLINA AND TO URGE ALL CITIZENS OF THIS STATE TO SUPPORT THE SEARCH FOR A CURE AND ASSIST THOSE INDIVIDUALS AND FAMILIES WHO DEAL WITH THE CONDITION ON A DAILY BASIS.
l:\s-res\dbv\010we a.kmm.dbv.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 822 -- Senators M. B. Matthews and Davis: A SENATE RESOLUTION TO CONGRATULATE GRAYS GIRLS FROM RIDGELAND FOR BEING NAMED ADOPT-A-HIGHWAY DISTRICT SIX GROUP OF THE YEAR AND STATE GROUP OF THE YEAR AND TO COMMEND THE GROUP FOR ITS SIGNIFICANT CONTRIBUTIONS TO REDUCING LITTER THROUGHOUT THE PALMETTO STATE.
l:\s-res\mbm\015gray.kmm.mbm.docx

The Senate Resolution was adopted.

S. 823 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE CHERYL H. FRALICK OF LEXINGTON COUNTY ON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER YEARS OF DEDICATED SERVICE TO THE CHILDREN OF SOUTH CAROLINA AS AN EDUCATOR AND ADMINISTRATOR, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
l:\council\bills\agm\19614wab19.docx

The Concurrent Resolution was adopted, ordered sent to the House.

H. 3915 -- Reps. Kimmons, Davis, Mace, Murphy, Rutherford, Trantham, Rose, Caskey, Felder, Simmons, Ott, Weeks, Erickson, Henegan, Norrell, Gilliard, S. Williams and Bannister: A BILL TO AMEND SECTIONS 63-7-10 AND 63-7-1620, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRINCIPLES OF THE STATE'S CHILD WELFARE SYSTEM AND LEGAL REPRESENTATION OF THE DEPARTMENT OF SOCIAL SERVICES IN CHILD ABUSE AND NEGLECT PROCEEDINGS, RESPECTIVELY, SO AS TO CLARIFY THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT MUST ENSURE THAT CHILD WELFARE AND SAFETY ARE THE SOLE BASIS OF DEPARTMENT RECOMMENDATIONS AND DECISIONS IN SUCH PROCEEDINGS AND THAT THE LEGAL REPRESENTATIVES HAVE THE SOLE DISCRETION ON BEHALF OF THE DEPARTMENT OVER ANY DECISIONS PERTAINING TO SUCH PROCEEDINGS.

Read the first time and referred to the Committee on Judiciary.

H. 3970 -- Reps. Finlay and Rutherford: A BILL TO AMEND ACT 613 OF 1986, AS AMENDED, RELATING TO SCHOOL DISTRICTS IN RICHLAND COUNTY, SO AS TO REASSIGN TO RICHLAND COUNTY SCHOOL DISTRICT ONE CERTAIN PARCELS OF RICHLAND COUNTY REAL PROPERTY PRESENTLY ZONED FOR RICHLAND COUNTY SCHOOL DISTRICT TWO; AND TO REAPPORTION THE FOUR SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE TRUSTEES OF RICHLAND COUNTY SCHOOL DISTRICT ONE ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4105 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 3 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE HAMPTON/JASPER COUNTY LINE "CHARLIE I. CREWS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4107 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF S-25-345 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 TO THE HAMPTON/JASPER COUNTY LINE "DEACON WILLINGHAM COHEN, SR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4428 -- Rep. Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 48 IN RICHLAND COUNTY FROM ITS INTERSECTION WITH AVALON STREET TO ITS INTERSECTION WITH PINEVIEW ROAD "REVEREND JAMES JEFFCOAT MEMORIAL HIGHWAY" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4456 -- Reps. Howard, Bernstein, Bales, Ballentine, Brawley, Finlay, Garvin, Hart, McDaniel, Rutherford, Rose, Thigpen and Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ALPINE ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH POLO ROAD TO ITS INTERSECTION WITH JACKSON CREEK "JACQUALINE KASPROWSKI WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4515 -- Reps. Brown, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR REVEREND ROBERT JAMES

STOKES, PASTOR OF MT. HORR AFRICAN METHODIST EPISCOPAL CHURCH ON YONGES ISLAND, AS HE RETIRES AFTER YEARS OF EXEMPLARY MINISTRY AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Operations and Management polled out S. 785 favorable:

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Poll of the Operations and Management Committee
Polled 7; Ayes 7; Nays 0; Not Voting 2

AYES

Peeler	Leatherman	Setzler

Malloy Massey Shealy
Turner

Total--7

NAYS

Total--0

NOT VOTING

Reese Rankin

Total--2

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out H. 3621 favorable:

H. 3621 -- Reps. V.S. Moss, D.C. Moss, Erickson and W. Cox: A BILL TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100, RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.

Poll of the Medical Affairs Committee
Polled 15; Ayes 14; Nays 1

AYES

Verdin	Peeler	Jackson
Nicholson	Scott	Alexander
Davis	Johnson	Campbell
Kimpson	*Margie Matthews*	Gambrell
Senn	Cash	

Total--14

NAYS

Martin

Total--1

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION

HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4119 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO GENERAL LICENSING PROVISIONS; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4858, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4120 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF OCCUPATIONAL THERAPY, RELATING TO REACTIVATION OF INACTIVE OR LAPSED LICENSES; AND CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4854, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4121 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO REQUIREMENTS TO TAKE STEP 3 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION, DESIGNATED AS

REGULATION DOCUMENT NUMBER 4853, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4123 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO LONG TERM HEALTH CARE ADMINISTRATORS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4844, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4124 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4822, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4841, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4370 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING CRISIS STABILIZATION UNIT FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4809, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Linda C. Stern, 2134 Bermuda Hills Rd., Columbia, SC 29223-6733 *VICE* Charles R. Pate, Jr.

Received as information.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Gary J. Coleman, 1230 Highway 187 S, Anderson, SC 29626-5630 *VICE* Steven Lieze

Received as information.

Reappointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Alton O. Smith, Jr., 164 Cardinal Court, Chesnee, SC 29323-9686

Received as information.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

General Public:

Robert J. Wolff, 104 Cyclamen Court, Columbia, SC 29212-2052 *VICE* James E. Mallory

Received as information.

Call of the Senate

Senator GROOMS moved that a Call of the Senate be made. The following Senators answered the Call:

Bennett	Campbell	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gregory	Grooms	Harpootlian
Hutto	Kimpson	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Young

A quorum being present, the Senate resumed.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS

COMMITTEE AMENDMENT WITHDRAWN
AMENDED, CARRIED OVER
DISCHARGED FROM SPECIAL ORDER STATUS

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF

SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP), which was withdrawn:

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper"). The department shall procure such professional services, including, but not limited to, financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's complete defeasement of all of Santee Cooper's bonds and other indebtedness;

(3) the bidder's agreement to provide meaningful short-term and long-term rate relief for all customer classes;

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives

shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

On motion of Senator SETZLER, with unanimous consent, the amendment was withdrawn.

Amendment No. 9

Senators GROOMS, RANKIN, GOLDFINCH and McELVEEN proposed the following amendment (678R031.SP.LKG), which was tabled:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. The Department of Administration shall conduct an evaluation of the Public Service Authority ("Santee Cooper"), including, but not limited to, Santee Cooper's executive management, rate structure, operations, bonded indebtedness, and board structure, and shall conduct a performance audit. The evaluation shall also include an assessment of privatization of Santee Cooper in part or in whole. The department shall conduct a valuation of Santee Cooper's customer base and assets, including, but not limited to, its transmission, generation, and distribution assets. In addition, the department shall study the value of the components of V.C. Summer Nuclear Units 2 and 3 and the feasibility of restarting the project. The department shall procure such professional services as are necessary to conduct the evaluation and performance audit. These professional services shall include, but may

not be limited to, financial institutions, legal counsel, and industry consultants. Santee Cooper is directed to provide any and all resources necessary to conduct the evaluation. At the conclusion of its evaluation, and no later than December 31, 2019, the department shall present its findings to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee.

SECTION 2. This joint resolution takes effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator DAVIS assumed the Chair.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, Senators HUTTO, CLIMER and GOLDFINCH were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator GROOMS continued speaking on the amendment.

PRESIDENT PRESIDES

At 2:04 P.M., the PRESIDENT assumed the Chair.

Senator GROOMS continued speaking on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 10

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*

McLeod	Nicholson	Peeler
Reese	Rice	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--33

NAYS

Campbell	Goldfinch	Grooms
Hembree	*Matthews, John*	McElveen
Rankin	Sabb	Scott
Williams		

Total--10

The amendment was laid on the table.

Amendment No. 10A

Senators SETZLER, LEATHERMAN, RANKIN, HUTTO, MALLOY, CAMPSEN, MASSEY, DAVIS and McELVEEN proposed the following amendment (JUD0678.018), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. (A)(1) The Department of Administration shall establish a process to conduct a competitive bidding process for the sale of some or all of the electric utility portion of the Public Service Authority "Santee Cooper" and to receive management proposals that do not involve a sale of Santee Cooper but are designed to improve the efficiency and cost-effectiveness of Santee Cooper's electric operations, including, but not limited to, a management arrangement, joint venture or alternative arrangement. This process shall not be limited to the individuals or entities that responded to ICF's Requests for Expressions of Interest for its February 1, 2019, report to the Public Service Authority Evaluation and Recommendation Committee. Santee Cooper shall also submit a proposal to the department, as an alternative to a sale or management proposal, setting forth its plans for reform, restructuring, and changes in operation. This process must be established in accordance with commercially reasonable terms that are customary in connection with bids and proposals of this type. Nothing in this joint resolution precludes the department, through its professional services experts, from

negotiating with entities offering bids, management proposals, or Santee Cooper to improve their proposal.

The department shall determine the date when the bids and proposals must be received; however, the process to receive bids, management proposals, and Santee Cooper's proposal shall be concurrent.

(2)(a) The department shall procure such professional services that are necessary to qualify bids and proposals; conduct a sale; evaluate bids received for a sale, management proposals, and Santee Cooper's proposal; and, negotiate contracts for the consummation of a sale or a management proposal, and related activities. These professional services shall include, but may not be limited to, financial institutions, investment bankers, legal counsel, industry consultants, and utility consultants.

(b) The department must not utilize the professional services of an entity with whom the House of Representatives, the Senate, or the Governor has previously engaged to consider the possible sale of Santee Cooper. In addition, the department must not utilize the professional services of an individual or entity that would have a financial interest in the outcome of this process, nor may the department contract or otherwise employ an individual or entity based upon a contingency fee due to the outcome of this process.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and reviewing management proposals and procuring necessary professional services.

(C) Santee Cooper is directed to provide any and all resources necessary to assist in the process for competitive bids and management proposals, as well as the evaluation of the bids and management agreement proposals received by the department. The department shall have the authority to consult with Santee Cooper's bondholders, underwriters, financial institutions, and any other advisors to gather information to assist the department in carrying out its responsibilities, and Santee Cooper shall be cooperative in providing the department with access to the bondholders, underwriters, financial institutions, and other advisors. Santee Cooper shall ensure that the bidders have full access to due diligence materials and fair opportunity for access to Santee Cooper staff, and shall ensure that its responses to any inquiries are timely.

SECTION 2. (A) The department shall conduct a thorough evaluation of all bids for the sale of Santee Cooper received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's plan to address Santee Cooper's bonds and other indebtedness, to include, but not be limited to:

(a) satisfaction of any or all of Santee Cooper's existing debt, to include an opinion letter from a bond attorney as to whether or not the bidder's plan to satisfy the existing debt would violate any bond provisions or otherwise impact the State;

(b) issuance of new bonds and plans to finance other indebtedness;

(c) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and

(d) the bidder's projected capital to debt ratio for the five years following the acquisition of Santee Cooper.

(3) consideration, in cash, to be paid by the bidder to the State for the benefit of South Carolina and its taxpayers.

(4) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next 20 years and plans demonstrating how these rates can be achieved, and the bidder's willingness to contractually agree to those rates;

(5) the bidder's plans for generation, power purchases, and other resources over the next 20 years, including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to Santee Cooper's retail customers; and

(d) the assumptions underlying its plans, including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(6) the bidder's plans for transmission investment over the next 20 years, including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to Santee Cooper's retail customers; and

(c) the assumptions underlying those plans, including but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(7) a wholesale market power analysis for Santee Cooper's current wholesale customers, applying the methodology currently prescribed by the Federal Energy Regulatory Commission;

(8) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(9) a projection of the jobs the bidder expects to eliminate within five years if it acquires Santee Cooper;

(10) the bidder's proposed location for its headquarters post-acquisition;

(11) the bidder's agreement that the bid excludes the assets collectively included under FERC License 199, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper. Each bidder shall provide for revenue streams, including the purchase of hydroelectric power generated from Project 199, to provide for the continued operation of Lakes Marion and Moultrie with no loss of quality or access;

(12) the bidder's capacity and willingness to partner with the State for future economic development projects;

(13) a comparison of the bidder's service territory in South Carolina, if the bid is successful, with investor-owned utilities serving South Carolina; and

(14) any terms or conditions the bidder would require to complete the purchase of Santee Cooper.

The bidder must also submit its regulatory filings within the past seven years from each state where the bidder provides electric service that are related to the bidder's forecasts for electric generation, transmission, and distribution; requests for generation and/or transmission projects; electric rate requests made by the bidder; and requests to acquire, merge with, or manage another electric utility, and the final disposition of each request.

(B) The department must:

(1) verify the information provided by the bidder, to the extent possible, and may request additional information from the bidder if needed to conduct its verification;

(2) establish a list of items that would be excluded from the sale of Santee Cooper's electric utility assets, including, but not limited to, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper;

(3) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the sale of Santee Cooper, either in whole or in part. This analysis must include, but is not limited to, the loss of tax-exempt status of a buyer, impact on economic development, and whether the bid would preclude South Carolina from recovering the full value of Santee Cooper;

(4) compare the bidder's financing options for anticipated projects with the financing options currently available to Santee Cooper;

(5) require that the bidder's projected ratebase for all of Santee Cooper's retail customers exclude any portion of debt attributed to V.C. Summer nuclear units 2 and 3 that is not considered to be used and useful, as determined by the professional services experts and the Office of Regulatory Staff;

(6) consider if the bidder is committed to keeping its headquarters in South Carolina post-acquisition; and

(7) consider if the bidder intends to, and has the capability to, provide electric services in South Carolina for at least 20 years.

SECTION 3. (A) The department shall conduct a thorough evaluation of all management proposals for Santee Cooper. The evaluation must take into account at least the following:

(1) terms and conditions of the proposal, including the proposed time period for the management proposal;

(2) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next 20 years and plans demonstrating how these rates can be achieved;

(3) fees and costs to be paid by Santee Cooper retail customers for the management proposal, as well as any other benefits to that entity resulting from the proposal;

(4) projected needs for generation, transmission, and distribution during the period of the proposal and how those needs would be met;

(5) an opinion letter from a bond attorney that the management proposal would neither violate nor alter the terms of Santee Cooper's bonds and other indebtedness;

(6) an opinion letter from a tax attorney that the proposal would not impact Santee Cooper's current tax status;

(7) the proposer's experience with the type of arrangement as proposed with an investor-owned utility and a publicly-owned utility;

(8) the impact the management proposal would have on Santee Cooper's employees, including, but not limited to, any projected elimination of positions within the next five years, if any;

(9) the financial capability of the entity offering the proposal;

(10) a comparison of the service territory in South Carolina of the entity offering the proposal, if the proposal is successful, with investor-owned utilities serving South Carolina; and

(11) an agreement that if the management proposal is awarded, the entity offering the proposal will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the management plan, including, but not limited to, plans for the next calendar year and accomplishments and challenges for the prior calendar year.

(B) The department must:

(1) verify the information provided by the entity submitting the management proposal, to the extent possible, and may request additional information if needed to conduct its verification;

(2) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the management proposal;

(3) compare the proposing entity's financing options for anticipated projects with the financing options currently available to Santee Cooper; and

(4) consider if the proposing entity offers to pay a franchise fee or another form of consideration to the State of South Carolina as a condition of the management proposal.

SECTION 4. Santee Cooper must submit a proposal to the department for reform, restructuring, and changes in operation that must include, but is not limited to:

(1) its plans for generation, power purchases, and other resources over the next 20 years, including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to all customer classes of ratepayers; and

(d) the assumptions underlying its plans, including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(2) its plans for transmission investment over the next 20 years, including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to all classes of its retail customers; and

(c) the assumptions underlying those plans, including, but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(3) its plans to address the V.C. Summer debt and the projected impact to all customer classes of its ratepayers;

(4) a proposal for Santee Cooper reform, restructuring, and operational changes; and

(5) any other information Santee Cooper deems relevant as to future operations as a state asset.

The department must verify the information provided by Santee Cooper, to the extent possible, and may request additional information if needed to conduct its verification. The department must also conduct an analysis to determine if the proposal is feasible.

SECTION 5. The department shall establish a process in which its professional services experts conduct confidential negotiations between Central Electric Power Cooperative, Inc. "Central" and each entity that submitted a bid or proposal after all the bids and proposals have been submitted. No negotiations or any form of discussion regarding potential terms or conditions for an agreement with Central can occur outside of the process established by the department. The department shall require that the parties enter into a contract to negotiate in good faith, as well as any other conditions for negotiation as determined by the department. Each entity that submitted a bid or proposal, including Santee Cooper, must individually negotiate with Central to determine terms for a binding contract between Central and that entity in the event the entity's bid or proposal is successful. If the professional services experts conducting the negotiations determine that one or more parties, including Central, is not negotiating in good faith, that negotiation shall be terminated and the professional services experts may submit terms they determine to be reasonable and in the best interests of Santee Cooper's customers and of the State of South Carolina and its taxpayers to the General Assembly. The General Assembly may consider a party's failure to negotiate in good faith as a disqualification of the bid or proposal.

SECTION 6. During the negotiations described in SECTION 5 and upon completion thereof, the Office of Regulatory Staff shall provide commentary as to the impact on the retail customer for each bid and proposal. This commentary shall be submitted to the department and its

professional services experts, and must be considered in the recommendation to be made to the General Assembly.

SECTION 7. To protect the integrity of the process, information received during this process and ensuing negotiations must be confidential prior to the department providing its professional services experts' recommendations to the General Assembly. Each individual and entity involved in the process shall handle the information with sufficient care to prevent disclosure of information submitted, received, or reviewed during the process. After the department has provided its professional services experts' recommendations to the General Assembly, only information regarding those recommendations shall be released in accordance with the provisions of the Freedom of Information Act, provided that information described in Section 30-4-40 must not be released without the written permission of the entity whose bid or proposal was recommended. In order to effectuate the purposes of this section, the department shall require non-disclosure agreements which must be entered into by each individual or entity involved in the process, including, but not limited to, an individual or entity that submits a bid or proposal, or receives or reviews any part of the submission. The non-disclosure agreement must also contain a provision in which the signer agrees to not advocate for or against, directly or indirectly, a recommendation provided by the department to the General Assembly pursuant to SECTION 8. Members of the General Assembly, the Governor, and their respective staff must not be provided with, or have access by any means to, the information obtained during this process except as provided in this section.

SECTION 8. (A)(1) At the conclusion of the evaluation of the bids and proposals, and negotiations, as required by this joint resolution, the department shall concurrently present a recommendation by its professional service experts of one bid for sale and one management proposal that the professional service experts consider to be in the best interests of the State, its taxpayers, and the customers of Santee Cooper, as well as the recommendation for Santee Cooper's proposal. Each recommendation must include justifications for the recommendation; also, the recommendations in regard to the sale and management proposals must include a contract for each recommended bidder obligating the bidder to comply with terms of its bid in the event it is approved by the General Assembly, along with a proposed contract to execute the sale or management proposal, and any supporting documents. The proposed contracts must include covenants that the bidder will abide by the terms of its bid for sale or its proposal, as

applicable. The department must also present a full evaluation of each recommendation and for Santee Cooper's proposal. An evaluation must include, but not be limited to: (a) a description of each item listed in SECTIONS 2, 3, or 4, as applicable, along with a copy of an opinion letter submitted by a bond attorney and/or tax attorney; (b) a proposed contract with Central Power Electric Cooperative, Inc., including a statement from the professional service experts involved in the negotiations that each party did or did not negotiate in good faith; (c) the Office of Regulatory Staff's commentary; (d) any recommendations or concerns from the department's professional services; and (e) any supporting documents.

(2) The department must enter into a contract with each entity that submitted a bid for sale or management proposal that establishes penalties for failure to proceed with finalizing the sale or management proposal in the event the bid or proposal is selected by the General Assembly. This contract must include, but is not limited to, earnest money to be paid upon a recommendation of that entity being made to the General Assembly and penalties for failure to finalize the terms of the bid or proposal upon selection by the General Assembly.

(B) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee the documents described in (A). The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review each recommendation presented by the department. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House shall convene their respective bodies to consider any legislation to effectuate the sale or management agreement proposal or to implement reform, restructuring, and changes in operation at Santee Cooper.

(C)(1) In the event that the General Assembly approves the sale of Santee Cooper, the department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

(2) In the event that the General Assembly approves a management agreement proposal, the department must execute any documents necessary in order to effectuate the proposal upon the enactment of a joint resolution approving the proposal.

SECTION 9. The provisions of the Consolidated Procurement Code in Chapter 35, Title 11 of the 1976 Code and any other provisions of the

general law of this State in conflict with the provisions of this act, are hereby suspended.

SECTION 10. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

Senator CAMPSEN spoke on the amendment.

Senator RANKIN spoke on the amendment.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

Motion Adopted

Senator SETZLER asked unanimous consent to withdraw the committee amendment.

There was no objection.

Amendment No. 8

Senator HARPOOTLIAN proposed the following amendment (678R007.KMM.RAH), which was carried over and subsequently withdrawn:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. (A) In the event that Santee Cooper is sold, the Governor, the Lieutenant Governor, any other statewide constitutional officer, a member of the General Assembly, a director or deputy director of a state department appointed by the Governor, and a member of the immediate family of any of these public officials may not be employed by Santee Cooper's purchaser and may not serve on the purchaser's board of directors for five years after the sale is closed.

(B) The five-year prohibition on employment and service on the board of directors contained in subsection (A) also applies to employees of the Governor, Lieutenant Governor, any statewide constitutional officer, and the General Assembly. (C) The five-year prohibition does not apply to former Santee Cooper employees retained by the purchaser.

(D) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be punished by imprisonment for not more than ten years, a fine of not more than ten thousand dollars, or both./

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

The amendment was carried over.

Motion Adopted

Senator HARPOOTLIAN asked unanimous consent to withdraw Amendment No. 8.

Amendment No. 11

Senator GOLDFINCH, RANKIN, HEMBREE and GROOMS proposed the following amendment (JUD0678.020), which was adopted:

Amend the joint resolution, as and if amended, by adding a SECTION before SECTION 6 to read:

/ SECTION _. Following the negotiations between Central and each entity which submitted a bid or proposal, the professional services experts shall review the projected financial impact on Santee Cooper's retail customers to ensure that any increases or decreases to current rates for the retail and wholesale customers are initially proportionate. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH spoke on the amendment.

The amendment was adopted.

Amendment No. 7

Senator BENNETT proposed the following amendment (678R022.KMM.SMB), which was tabled:

Amend the joint resolution, as and if amended, by striking SECTION 6 in its entirety and inserting:

/SECTION 6. (A) If the General Assembly fails to enact a joint resolution approving the department's recommendation, then Santee Cooper's property and business is transferred to the South Carolina retirement systems, with the exclusive authority to manage Santee Cooper's property and business as an asset of the retirement systems vested in the South Carolina Retirement System Investment Commission ("RSIC"), upon RSIC's written certification to the Department of Administration of the following:

(1) that Santee Cooper's property and business may be held as an asset of the retirement systems in a manner and structure that does not impact the tax exempt status of Santee Cooper's property and outstanding bonded indebtedness, or Santee Cooper's ability to continue to issue tax exempt debt;

(2) that Santee Cooper's property and business may be held as an asset of the retirement systems in a manner and structure that does not impact the tax exempt status of the South Carolina Retirement Systems Group Trust and in a manner and structure by which Santee Cooper's outstanding and future bonded indebtedness continues to be secured by Santee Cooper's revenue and does not become a liability of the retirement systems;

(3) that the transfer of Santee Cooper's property and business to the retirement systems will positively impact the systems' unfunded liability;

(4) that RSIC's management of Santee Cooper's property and business will result in meaningful short-term and long-term rate relief for all electric service customer classes;

(5) that Santee Cooper's employees will continue to be eligible to participate in the South Carolina Retirement System and the State Health Plan or that reasonable financial and other protections for Santee Cooper employees will be provided in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(6) that RSIC's management of Santee Cooper will comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) that under RSIC's management, Santee Cooper will continue to partner with the State for future economic development projects.

(B) RSIC's written certification required by subsection (A) must include a detailed description of:

(1) the means, methods, terms, and conditions by which RSIC will manage Santee Cooper's property and business to meet the certification requirements of subsection (A);

(2) Santee Cooper's governance structure, as well as the nature and extent to which RSIC intends to enter into a management or partnership agreement with any third-party entity to ensure that the

requirements of subsection (A) are complied with and that Santee Cooper is professionally managed in conformity with the highest levels of best practice; and

(3) the rate-setting policy by which the requirement of providing meaningful short-term and long-term rate relief for all customer classes is met, and the means by which the policy will provide for enhanced transparency and greater customer participation in the rate-setting process.

(C) RSIC's exclusive authority to manage Santee Cooper's property and business specifically includes the authority to sell, lease, or dispose of any portion of Santee Cooper's property and business. If any sale, lease, or disposal of any portion of Santee Cooper's property or business would impair Santee Cooper's ability to pay the principal of and interest on any portion of its notes, bonds, evidences of indebtedness, or other obligations, then a corresponding portion of Santee Cooper's bonds and other indebtedness must be defeased to the extent necessary to ensure that Santee Cooper's ability to pay the principal of and interest on any remaining bonds or other indebtedness is not impaired. Any sale of all or a controlling interest in Santee Cooper's property or business must not only comply with the requirements of this subsection, but also with subsection (A)(4) through (7).

(D) The portion of Santee Cooper's property held and managed as an asset of the retirement systems shall continue to be exempt from taxation and assessment, however, the corresponding portion of any fee in lieu of payments required by Article 1, Chapter 31, Title 58 on any exempt property must continue in accordance with the provisions of Article 1, Chapter 31, Title 58.

(E) The Department of Administration must execute any documents necessary to effectuate a transfer upon receipt of RSIC's certification pursuant to subsection (A).

(F) Santee Cooper is directed to provide any and all resources necessary to effectuate the transfer required herein.

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT spoke on the amendment.

Point of Order

Senator GROOMS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 12

Senators DAVIS, CAMPSEN and RANKIN proposed the following amendment (JUD0678.021), which was adopted:

Amend the joint resolution, as and if amended, by striking the last 4 lines in SECTION 7 on page 8 and inserting:

/ agreement must also contain a provision in which the signer agrees that neither it nor its agents, servants, officers, directors, or employees shall advocate for or against, directly or indirectly, a recommendation provided by the department to the General Assembly pursuant to SECTION 8. Members of the General Assembly, the Governor, and their respective staff must not be provided with, or have access by any means to, the information obtained during this process except as provided in this section. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

On motion of Senator SETZLER, with unanimous consent, the Resolution was carried over and the Special Order status was discharged.

AMENDED, READ THE SECOND TIME

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO

EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

On motion of Senator SETZLER, with unanimous consent, the Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

Amendment No. 2

Senators SETZLER, LEATHERMAN, RANKIN, HUTTO, MALLOY, CAMPSEN, MASSEY, DAVIS and McELVEEN proposed the following amendment (JUD4287.002), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting language:

/ SECTION 1. (A)(1) The Department of Administration shall establish a process to conduct a competitive bidding process for the sale of some or all of the electric utility portion of the Public Service Authority "Santee Cooper" and to receive management proposals that do not involve a sale of Santee Cooper but are designed to improve the efficiency and cost-effectiveness of Santee Cooper's electric operations, including, but not limited to, a management arrangement, joint venture, or alternative arrangement. This process shall not be limited to the individuals or entities that responded to ICF's Requests for Expressions of Interest for its February 1, 2019, report to the Public Service Authority Evaluation and Recommendation Committee. Santee Cooper shall also submit a proposal to the department, as an alternative to a sale or management proposal, setting forth its plans for reform, restructuring, and changes in operation. This process must be established in accordance with commercially reasonable terms that are customary in connection with bids and proposals of this type. Nothing in this joint resolution precludes the department, through its professional services experts, from negotiating with entities offering bids, management proposals, or Santee Cooper to improve their proposal. The department shall determine the

date when the bids and proposals must be received; however, the process to receive bids, management proposals, and Santee Cooper's proposal shall be concurrent.

(2)(a) The department shall procure such professional services that are necessary to qualify bids and proposals; conduct a sale; evaluate bids received for a sale, management proposals, and Santee Cooper's proposal; and, negotiate contracts for the consummation of a sale or a management proposal, and related activities. These professional services shall include, but may not be limited to, financial institutions, investment bankers, legal counsel, industry consultants and utility consultants.

(b) The department must not utilize the professional services of an entity with whom the House of Representatives, the Senate, or the Governor has previously engaged to consider the possible sale of Santee Cooper. In addition, the department must not utilize the professional services of an individual or entity that would have a financial interest in the outcome of this process, nor may the department contract or otherwise employ an individual or entity based upon a contingency fee due to the outcome of this process.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and reviewing management proposals and procuring necessary professional services.

(C) Santee Cooper is directed to provide any and all resources necessary to assist in the process for competitive bids and management proposals, as well as the evaluation of the bids and management proposals received by the department. The department shall have the authority to consult with Santee Cooper's bondholders, underwriters, financial institutions, and any other advisors to gather information to assist the department in carrying out its responsibilities, and Santee Cooper shall be cooperative in providing the department with access to the bondholders, underwriters, financial institutions, and other advisors. Santee Cooper shall ensure that the bidders have full access to due diligence materials and fair opportunity for access to Santee Cooper staff, and shall ensure that its responses to any inquiries are timely.

SECTION 2. (A) The department shall conduct a thorough evaluation of all bids for the sale of Santee Cooper received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's plan to address Santee Cooper's bonds and other indebtedness, to include, but not be limited to:

(a) satisfaction of any or all of Santee Cooper's existing debt, to include an opinion letter from a bond attorney as to whether or not the bidder's plan to satisfy the existing debt would violate any bond provisions or otherwise impact the State;

(b) issuance of new bonds and plans to finance other indebtedness;

(c) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and

(d) the bidder's projected capital to debt ratio for the five years following the acquisition of Santee Cooper.

(3) consideration, in cash, to be paid by the bidder to the State for the benefit of South Carolina and its taxpayers.

(4) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next 20 years and plans demonstrating how these rates can be achieved, and the bidder's willingness to contractually agree to those rates;

(5) the bidder's plans for generation, power purchases, and other resources over the next 20 years, including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to Santee Cooper's retail customers; and

(d) the assumptions underlying its plans, including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(6) the bidder's plans for transmission investment over the next 20 years, including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to Santee Cooper's retail customers; and

(c) the assumptions underlying those plans, including, but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(7) a wholesale market power analysis for Santee Cooper's current wholesale customers, applying the methodology currently prescribed by the Federal Energy Regulatory Commission;

(8) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(9) a projection of the jobs the bidder expects to eliminate within five years if it acquires Santee Cooper;

(10) the bidder's proposed location for its headquarters post-acquisition;

(11) the bidder's agreement that the bid excludes the assets collectively included under FERC License 199, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper. Each bidder shall provide for revenue streams, including the purchase of hydroelectric power generated from Project 199, to provide for the continued operation of Lakes Marion and Moultrie with no loss of quality or access;

(12) the bidder's capacity and willingness to partner with the State for future economic development projects;

(13) a comparison of the bidder's service territory in South Carolina, if the bid is successful, with investor-owned utilities serving South Carolina; and

(14) any terms or conditions the bidder would require to complete the purchase of Santee Cooper.

The bidder must also submit its regulatory filings within the past seven years from each state where the bidder provides electric service that are related to the bidder's forecasts for electric generation, transmission, and distribution; requests for generation and/or transmission projects; electric rate requests made by the bidder; and requests to acquire, merge with, or manage another electric utility, and the final disposition of each request.

(B) The department must:

(1) verify the information provided by the bidder, to the extent possible, and may request additional information from the bidder if needed to conduct its verification;

(2) establish a list of items that would be excluded from the sale of Santee Cooper's electric utility assets, including, but not limited to, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper;

(3) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the sale of Santee Cooper, either in whole or in part. This analysis must include, but is not limited to, the loss of tax-exempt status of a buyer, impact on economic development, and whether the bid would preclude South Carolina from recovering the full value of Santee Cooper;

(4) compare the bidder's financing options for anticipated projects with the financing options currently available to Santee Cooper;

(5) require that the bidder's projected ratebase for all of Santee Cooper's retail customers exclude any portion of debt attributed to V.C. Summer nuclear units 2 and 3 that is not considered to be used and useful, as determined by the professional services experts and the Office of Regulatory Staff;

(6) consider if the bidder is committed to keeping its headquarters in South Carolina post-acquisition; and

(7) consider if the bidder intends to, and has the capability to, provide electric services in South Carolina for at least 20 years.

SECTION 3. (A) The department shall conduct a thorough evaluation of all management proposals for Santee Cooper. The evaluation must take into account at least the following:

(1) terms and conditions of the proposal, including the proposed time period for the management proposal;

(2) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next 20 years and plans demonstrating how these rates can be achieved;

(3) fees and costs to be paid by Santee Cooper retail customers for the management proposal, as well as any other benefits to that entity resulting from the proposal;

(4) projected needs for generation, transmission, and distribution during the period of the proposal and how those needs would be met;

(5) an opinion letter from a bond attorney that the management proposal would neither violate nor alter the terms of Santee Cooper's bonds and other indebtedness;

(6) an opinion letter from a tax attorney that the proposal would not impact Santee Cooper's current tax status;

(7) the proposer's experience with the type of arrangement as proposed with an investor-owned utility and a publicly-owned utility;

(8) the impact the management proposal would have on Santee Cooper's employees, including, but not limited to, any projected elimination of positions within the next five years, if any;

(9) the financial capability of the entity offering the proposal;

(10) a comparison of the service territory in South Carolina of the entity offering the proposal, if the proposal is successful, with investor-owned utilities serving South Carolina; and

(11) an agreement that if the management proposal is awarded, the entity offering the proposal will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the management plan, including, but not limited to, plans for the next calendar year and accomplishments and challenges for the prior calendar year.

(B) The department must:

(1) verify the information provided by the entity submitting the management proposal, to the extent possible, and may request additional information if needed to conduct its verification;

(2) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the management proposal;

(3) compare the proposing entity's financing options for anticipated projects with the financing options currently available to Santee Cooper; and

(4) consider if the proposing entity offers to pay a franchise fee or another form of consideration to the State of South Carolina as a condition of the management proposal.

SECTION 4. Santee Cooper must submit a proposal to the department for reform, restructuring, and changes in operation that must include, but is not limited to:

(1) its plans for generation, power purchases, and other resources over the next 20 years, including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to all customer classes of ratepayers; and

(d) the assumptions underlying its plans, including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(2) its plans for transmission investment over the next 20 years, including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to all classes of its retail customers; and

(c) the assumptions underlying those plans, including, but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(3) its plans to address the V.C. Summer debt and the projected impact to all customer classes of its ratepayers;

(4) a proposal for Santee Cooper reform, restructuring, and operational changes; and

(5) any other information Santee Cooper deems relevant as to future operations as a state asset.

The department must verify the information provided by Santee Cooper, to the extent possible, and may request additional information if needed to conduct its verification. The department must also conduct an analysis to determine if the proposal is feasible.

SECTION 5. The department shall establish a process in which its professional services experts conduct confidential negotiations between Central Electric Power Cooperative, Inc. "Central" and each entity that submitted a bid or proposal after all the bids and proposals have been submitted. No negotiations or any form of discussion regarding potential terms or conditions for an agreement with Central can occur outside of the process established by the department. The department shall require that the parties enter into a contract to negotiate in good faith, as well as any other conditions for negotiation as determined by the department. Each entity that submitted a bid or proposal, including Santee Cooper, must individually negotiate with Central to determine terms for a binding contract between Central and that entity in the event the entity's bid or proposal is successful. If the professional services experts conducting the negotiations determine that one or more parties, including Central, is not negotiating in good faith, that negotiation shall be terminated and the professional services experts may submit terms they determine to be reasonable and in the best interests of Santee Cooper's customers and of the State of South Carolina and its taxpayers to the General Assembly. The General Assembly may consider a party's failure to negotiate in good faith as a disqualification of the bid or proposal.

SECTION 6. During the negotiations described in SECTION 5 and upon completion thereof, the Office of Regulatory Staff shall provide commentary as to the impact on the retail customer for each bid and proposal. This commentary shall be submitted to the department and its

professional services experts, and must be considered in the recommendation to be made to the General Assembly.

SECTION 7. Following the negotiations between Central and each entity which submitted a bid or proposal, the professional services experts shall review the projected financial impact on Santee Cooper's retail customers to ensure that any increases or decreases to current rates for the retail and wholesale customers are initially proportionate.

SECTION 8. To protect the integrity of the process, information received during this process and ensuing negotiations must be confidential prior to the department providing its professional services experts' recommendations to the General Assembly. Each individual and entity involved in the process shall handle the information with sufficient care to prevent disclosure of information submitted, received, or reviewed during the process. After the department has provided its professional services experts' recommendations to the General Assembly, only information regarding those recommendations shall be released in accordance with the provisions of the Freedom of Information Act, provided that information described in Section 30-4-40 must not be released without the written permission of the entity whose bid or proposal was recommended. In order to effectuate the purposes of this section, the department shall require non-disclosure agreements which must be entered into by each individual or entity involved in the process, including, but not limited to, an individual or entity that submits a bid or proposal, or receives or reviews any part of the submission. The non-disclosure agreement must also contain a provision in which the signer agrees that neither it nor its agents, servants, officers, directors, or employees shall advocate for or against, directly or indirectly, a recommendation provided by the department to the General Assembly pursuant to SECTION 9. Members of the General Assembly, the Governor, and their respective staff must not be provided with, or have access by any means to, the information obtained during this process except as provided in this section.

SECTION 9. (A)(1) At the conclusion of the evaluation of the bids and proposals, and negotiations, as required by this joint resolution, the department shall concurrently present a recommendation by its professional service experts of one bid for sale and one management proposal that the professional service experts consider to be in the best interests of the State, its taxpayers, and the customers of Santee Cooper, as well as the recommendation for Santee Cooper's proposal. Each recommendation must include justifications for the recommendation; also, the recommendations in regard to the sale and management

proposal must include a contract for each recommended bidder obligating the bidder to comply with terms of its bid in the event it is approved by the General Assembly, along with a proposed contract to execute the sale or management proposal, and any supporting documents. The proposed contracts must include covenants that the bidder will abide by the terms of its bid for sale or its proposal, as applicable. The department must also present a full evaluation of each recommendation and for Santee Cooper's proposal. An evaluation must include, but not be limited to: (a) a description of each item listed in SECTIONS 2, 3, or 4, as applicable, along with a copy of an opinion letter submitted by a bond attorney and/or tax attorney; (b) a proposed contract with Central Power Electric Cooperative, Inc., including a statement from the professional service experts involved in the negotiations that each party did or did not negotiate in good faith; (c) the Office of Regulatory Staff's commentary; (d) any recommendations or concerns from the department's professional services; and (e) any supporting documents.

(2) The department must enter into a contract with each entity that submitted a bid for sale or management proposal that establishes penalties for failure to proceed with finalizing the sale or management proposal in the event the bid or proposal is selected by the General Assembly. This contract must include, but is not limited to, earnest money to be paid upon a recommendation of that entity being made to the General Assembly and penalties for failure to finalize the terms of the bid or proposal upon selection by the General Assembly.

(B) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee the documents described in (A). The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review each recommendation presented by the department. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House shall convene their respective bodies to consider any legislation to effectuate the sale or management proposal or to implement reform, restructuring, and changes in operation at Santee Cooper.

(C)(1) In the event that the General Assembly approves the sale of Santee Cooper, the department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

(2) In the event that the General Assembly approves a management proposal, the department must execute any documents necessary in order to effectuate the proposal upon the enactment of a joint resolution approving the proposal.

SECTION 10. The provisions of the Consolidated Procurement Code in Chapter 35, Title 11 of the 1976 Code and any other provisions of the general law of this State in conflict with the provisions of this act are hereby suspended with regard to the activities undertaken pursuant to this joint resolution.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then was second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey

Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Grooms

Total--1

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

Recorded Vote

Senator GAMBRELL desired to be recorded as voting in favor of the third reading of the Resolution.

H. 4287--Ordered to a Third Reading

On motion of Senator SETZLER, with unanimous consent, H. 4287 was ordered to receive a third reading on Friday, May 3, 2019.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 3346 -- Reps. Yow, Lucas and Henegan: A BILL TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY.

On motion of Senator SHEHEEN.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice, Bennett and Senn: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO

PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator MALLOY, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 506 -- Senator Jackson: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 31 OF THE 1976 CODE, RELATING TO CITY HOUSING AUTHORITIES, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A COUNTY LEGISLATIVE DELEGATION MAY DECLARE A STATE OF EMERGENCY, TO PROVIDE THAT A STATE OF EMERGENCY RESULTS IN THE SUSPENSION OF HOUSING AUTHORITY COMMISSIONERS, TO PROVIDE FOR A REVIEW OF THE SUSPENSION BY THE MAYOR OF THE MUNICIPALITY IN WHICH THE HOUSING AUTHORITY EXISTS, TO PROVIDE FOR THE PERMANENT REMOVAL FROM OFFICE OF THE COMMISSIONERS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR NEW COMMISSIONERS WHEN NECESSARY.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

The Senate proceeded to the consideration of the Bill.

Senators HUTTO and MALLOY proposed the following amendment (3951R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, line 31, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 23-11-40 of the 1976 Code is amended to read:

"Section 23-11-40. (A) If any vacancy occurs in the office of sheriff in any county of this State less than one year prior to the next general election for county sheriffs, the Governor may appoint some suitable person who must be an elector of the county and who, upon qualifying

and upon the advice and consent of the Senate, according to law, is entitled to enter upon and hold the office until a sheriff is elected and qualifies in the election and is subject to all the duties and liabilities incident to the officer during the term of his service in the office.

(B) If any vacancy occurs in the office more than one year prior to the next general election for county sheriffs, the Governor shall appoint some suitable person as provided in subsection (A) until a special election is held to elect a sheriff to hold the office until a sheriff is elected and qualifies in the next general election for county sheriffs.

(C) If any vacancy occurs in the office at any time and is created by suspension by the Governor upon any sheriff's indictment, the Governor shall appoint some suitable person, as provided for in subsection (A), to hold the office until the suspended sheriff is acquitted, or the indictment is otherwise disposed of, or until a sheriff is elected and qualifies in the next general election for county sheriffs, whichever event occurs first.

(D) The chief deputy or second-in-command of the sheriff's office shall act as sheriff until the vacancy is filled, except in the case when a vacancy occurs as a result of an indictment, where the vacancy will be filled as provided in Section 23-11-50. While acting as sheriff, the chief deputy or second-in-command is subject to the duties and liabilities incident to the office of sheriff.

(E) In the event that a vacancy occurs in the office of sheriff in any county of this State during the interim period between legislative sessions, the office may be filled by an interim appointment pursuant to Section 1-3-210."

SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May

following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION

UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.

READ THE SECOND TIME

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION

SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

Motion under Rule 26B

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 781 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION AND SELF-CARE AND TO DECLARE MAY 2, 2019, AS "PEACE, HARMONY & WELLNESS DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

Recorded Vote

Senators GOLDFINCH, CLIMER, MARTIN, CORBIN and LOFTIS desired to be recorded as voting against the adoption of the Resolution.

ADOPTED

S. 365 -- Senators Jackson, Setzler, Peeler, Leatherman, Massey, Reese, Hutto, Malloy, Sheheen, Williams, Nicholson, Scott, Allen, Johnson, McElveen, Kimpson, Sabb, M.B. Matthews, Fanning, McLeod, Harpootlian, Alexander, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Martin, Rankin, Rice, Senn, Shealy, Talley, Turner, Verdin and Young: A SENATE RESOLUTION TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT TO BE PLACED IN THE SENATE CHAMBER OF THE HONORABLE JOHN WESLEY MATTHEWS, JR., OF BOWMAN IN ORANGEBURG COUNTY, A SELFLESS AND DEDICATED SENATOR FROM THE THIRTY-NINTH SENATORIAL DISTRICT AND A DISTINGUISHED STATESMAN DESERVING PROPER RECOGNITION BY THE SENATE AND THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

AMENDED, ADOPTED

S. 799 -- Senators Alexander, Gambrell and Cash: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF INTERSTATE-85 IN ANDERSON AND OCONEE COUNTIES "CHRISTINA ADAMS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Senate proceeded to the consideration of the Resolution.

Senator ALEXANDER proposed the following amendment (799R001.SP.TCA), which was adopted:

Amend the concurrent resolution, as and if amended, page 1, by striking lines 12 through 13 and inserting:

/TRANSPORTATION NAME TWO MILES ON INTERSTATE-85 IN ANDERSON COUNTY AND TWO MILES ON INTERSTATE-85 IN OCONEE COUNTY FROM THE ANDERSON-OCONEE COUNTY LINE "CHRISTINA /

Amend the concurrent resolution further, as and if amended, page 2, by striking lines 29 through 30 and inserting:

/resolution, request that the Department of Transportation name two miles on Interstate-85 in Anderson County and two miles on Interstate-85 in Oconee County from the Anderson-Oconee County line "Christina/

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

There being no further amendments, the Resolution, as amended, was adopted, ordered sent to the House.

ADOPTED

S. 801 -- Senators Sabb, Leatherman, Johnson and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE UNITED STATES HIGHWAY 378 BYPASS OVER UNITED STATES HIGHWAY 52 IN LAKE CITY "FARRAH TURNER MEMORIAL BYPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 676 -- Senator M.B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 4106 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH HOPEWELL ROAD TO ITS INTERSECTION WITH ZEIGLER STREET "VIRGIN JOHNSON, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, May 7, 2019, at Noon.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Rivers Lynch of Myrtle Beach, S.C. Rivers graduated from Appalachian State University with a degree in physical education. He coached many sports including basketball, volleyball, track, baseball and tennis. Rivers was inducted into the National Athletic Coaches Association Hall of Fame in 2007. Rivers was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:50 P.M., on motion of Senator MASSEY, 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.

***

Friday, May 3, 2019
(Local 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 ACTING PRESIDENT, Senator MASSEY.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 798 Sen. Jackson

HOUSE RESOLUTION RETURNED

The following House Resolution was read the third time and ordered returned to the House with amendments:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

On motion of Senator SETZLER.

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Alice Thraine of Greeleyville, S.C. Alice was a member of St. Luke Missionary Baptist Church. She loved cooking and was a huge Cleveland sports fan. Alice was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, May 7, 2019, at 12:00 Noon.

* * *

Tuesday, May 7, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

2 Corinthians 9:12

"This service that you perform is not only supplying the needs of the Lord's people but is also overflowing in many expressions of thanks to God."

Let us pray. We praise you, O God, as the source of all that we have and all that we are. Who among us in this Chamber could have imagined in our formative years, that we would be serving our State in this capacity.

We are grateful for work to do, challenges that make us depend on You more, and the opportunities beyond our abilities that compel us to trust You for wisdom and guidance. Help us to always appreciate the never to be repeated miracle of each personality here.

Loving God we pray that You will renew our enthusiasm, reinvigorate our vision, revitalize our gratitude and replenish our strength. In the name of our Lord and Savior, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 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	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Harpootlian	Hembree	Hutto

Johnson	Leatherman	Martin
Massey	*Matthews, John*	McElveen
Nicholson	Peeler	Rice
Sabb	Scott	Setzler
Shealy	Talley	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 Appointment

Initial Appointment, Department of Children's Advocacy, with the term to commence July 1, 2019, and to expire July 1, 2025

State Child Advocate:

Amanda F. Whittle, 1072 Eastwood Court, Aiken, SC 29801-8106

Referred to the Committee on Family and Veterans' Services.

Local Appointment

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James McKenzie, 7 Gillette Place, Murrells Inlet, SC 29576-5238 *VICE* John C. Benso

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor

May 6, 2019

The Honorable Harvey S. Peeler, Jr.
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I write to withdraw my January 23, 2019, formal appointment of former Attorney General Charles M. Condon to serve a full term as

Chairman of the Board of Directors of the South Carolina Public Service Authority ("Santee Cooper").

Given the General Assembly's progress towards establishing a comprehensive, competitive process for determining Santee Cooper's future, requiring a confirmation vote by the full Senate may be wholly unnecessary and a distraction from changing the status quo at the state-owned utility.

I believe the General Assembly's recent progress is a direct result of General Condon's brief tenure as chairman, during which he distinguished himself as a principled leader and public servant of the highest order, acting as a critical change agent and attempting to bring much needed transparency, oversight, and accountability to the board and to the executive leadership of Santee Cooper.

General Condon has limited Santee Cooper's long-standing custom of lengthy executive sessions and ended the practice of allowing directors personal use of the Wampee Conference Center. He vocally opposed decisions and actions taken in secret without public discussion or formal action by the board, such as paying for criminal defense attorneys for current and former employees, hiring a political consultant to assist with "targeted messaging" and retaining a search firm to identify candidates for a new chief executive officer.

I remain convinced that a corporate culture of false privilege and institutional arrogance exists among board members and executive leadership at Santee Cooper, fostering a rogue governance structure that has left transparency and accountability in very short supply, all at the expense of the utility's ratepayers, retirees, and hardworking employees and linemen.

The ratepayers and taxpayers of South Carolina must have confidence that their elected leaders are willing to ask tough questions and demand answers and solutions from the board and executive leadership of Santee Cooper. I believe that General Condon has demonstrated a commitment to maintaining not only the public's trust, but the trust of the General Assembly during the most difficult of times and circumstances.

I applaud the General Assembly for their commitment to finalizing a process in the last few days of the session to determine the future of Santee Cooper, a proposition that likely would not be occurring but for the principled and transformative leadership of former Attorney General Charlie Condon.

Yours very truly,

Henry McMaster

TUESDAY, MAY 7, 2019

Withdrawal of Statewide Appointment

On motion of Senator RANKIN, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

Statewide Appointment

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2018, and to expire May 19, 2025

Chairman:

Charles M. Condon, 835 Middle Street, Sullivan's Island, SC 29482
VICE W. Leighton Lord

Received as information.

Doctor of the Day

Senator SCOTT introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MARTIN at 12:08 P.M., Senator MALLOY was granted a leave of absence until 3:31 P.M.

Leave of Absence

At 4:53 P.M., Senator SENN requested a leave of absence for the balance of the day.

Leave of Absence

At 5:09 P.M., Senator HEMBREE requested a leave of absence until 6:00 P.M.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Remarks by Senator HARPOOTLIAN

Thank you, Mr. PRESIDENT. I have been a member of this Body for a little over four months now, and I am impressed with how deliberate and how focused we are on most issues. As one of the Senators here pointed out to me, we are the deliberative Body. We are the Body that is supposed to give extreme attention to detail and analysis. Not to

denigrate our friends across the Chamber, but they pass Bills, we pass laws. Maybe I did mean to denigrate the folks across the hall.

In that vein, I must admit that when they call it the Panthers Bill, the word "panther" is not in it. It is a Bill that would dramatically expand the economic largesse of the State of South Carolina to professional athletic teams. The most immediate beneficiary of that would be the Panthers. But remember now, once this Bill is approved, Mr. Hitt, the Department of Commerce and the Governor will have wide discretion--unlimited discretion, unfettered discretion, unreviewed discretion -- to give away our money. And I find it extraordinary bothersome in this case, as I've handed out to you my remarks in writing. I'm trying to keep it to those remarks in writing so there's no misunderstanding. I want to know that we do not have a copy of a single written document that would evidence an agreement between the Panthers and the State of South Carolina -- No promises in writing by us or them. I would further note and ask after the House passes this Bill in three weeks, what's the rush? The last time I know of that this Body got into a rush was the Base Load Review Act. It breezed through, the consequences of which we are still dealing with. We're not cleaning up the mess, we're minimizing the mess. We're not necessarily fixing the mess. We're trying to limit the number of victims to the mess. So what's the rush?

No other state is competing with this project. I talked to their lawyer and he indicated North Carolina is not attempting to compete. And as I just said, I thought the General Assembly would have learned the perils of precipitous action in light of the Base Load Review Act. There's been no meaningful debate in committee or subcommittee on this Bill. I find this particularly amazing in light of the fact that earlier in this session I participated in a committee meeting that gave more time to whether miniature horses ought to be included in the definition of a service animal than we have spent scrutinizing the finer points of S. 655. Have we learned nothing from the Base Load Review Act -- from the need to scrutinize such overt special interest legislation to ensure it serves the public interest? Is there some reason this deal has to be signed this year based on this incomplete record and the lack of information?

Now, let me talk a little bit about the details. The operative provision in S. 665 is an amendment to the definition of the statutory term "new jobs" and "full-time jobs". Presently a new job is that: a new job. Current law also makes it clear the term "new job" does "not include a job created when an employee has shifted from an existing location in the State to a new or expanded facility". This Bill adds that definition, adding a special exemption for professional sports teams. However, and

I quote, "for a professional sports team, a new job means all jobs located in the professional sports team park regardless of whether an employee previously worked in an existing location of the State before 2/19 as an employee of the professional sports team". Of course, this provision is essential to the Panthers because for the last 24 years they've held summer practice sessions at Wofford college in Spartanburg.

S. 655 also changes the very benchmark of success by creating a new category of "full-time job" unique to sports franchises. While current law defines a full-time job as a 35 hour week, this Bill declares a full time job on a professional team as a 180 day work year, at least 80% of which -- 144 days are spent at the team facility. This accommodation recognizes that the considerable time a franchise spends on the road during which they pay income taxes to states in away locations consistent with the wages earned there. This is known as the "jock tax". Of course, whatever accommodations might be justified in anticipation of taxing wages earned during the season are absent here, for the Panthers never play in South Carolina. Where we rightly prohibit incentives from companies shifting facilities from one county to another, are we prepared to authorize the Panthers or any other professional sports team to do precisely that? Are we prepared to take an exception with the incentive model that works for every other industry in this State as deemed worthy of support? If you make the car I drive or the airplane I fly in one standard, if you entertain me for two hours on a Sunday afternoon, we'll write a standard just for you. So understand while this may be the first sports franchise package, it will not be the last -- just the last time this Body has an opportunity to scrutinize such a massive public expenditure and tax giveaway to a private corporation.

The current statute was designed to give commerce the tools to recruit BMW, Boeing and Volvo. Are you prepared today to dramatically redefine the statutory scheme -- to fundamentally change its purpose? And to what end? Under current law, Commerce routinely engages private corporations in economic incentive deals to entice them into our State without bringing the deal into the General Assembly. We never see them. We get the press release like everybody else. The only reason this question is before the Senate is because the Panthers' deal requires a change in law. So ask yourself, are you on board with all future sports franchise incentive packages? Because the Panthers will not be the last and a vote for this Bill is consent for all future deals.

Now with respect to the particulars of the Panther's deal, my hope was that we would have an opportunity to debate the nuances of such a proposal, or perhaps spar over differing economic models. That is one

of the reasons I retained an economist to help me to help all of us scrutinize the limited information we were given. I assume there must be volumes of data, economic analyses, term sheets, confidential communications, and other papers that better define the contours of this deal and its punitive benefits. Thanks in large part to Dr. Rebecca Gunnlaugsson's assistance and correspondence with the Governor's office, I have come to the more troubling conclusion that the Panthers' proposal is as precisely as ill-defined as has been represented to us and rests on a series of flawed assumptions. I've handed out to you a copy of these remarks, and in addition some attachments, and those attachments are the specifics that we received from the Governor's office and our response to them.

And you'll see a letter on April 8 from Governor McMaster in a two-page letter, with a two-page cost-benefit analysis, touting the merits of the deal, with an economic impact exceeding 3.788 billion. This purported benefit was expected notwithstanding the 40 million dollar cost the State would incur to build a new I-77 exchange in proximity to the Panthers' facility. On April 10, I wrote the Governor noting I had placed the Bill on the Contested Calendar until the Senate received sufficient information to make an informed judgement about the possible merit of the proposal. I noted that my objections stemmed from insufficient information, and that after sufficient information was disclosed I would remove my objection and allow the Bill to proceed in debate and a vote, even if I concluded it was a Bill I could not support… which is what I'm going to do today, by the way. I promised the Governor, Senator CLIMER, the PRESIDENT, and the Chairman of Senate Finance I would do that. I highlighted the absence of deal-specific records and furnished a preliminary report by Dr. Gunnlaugsson that observed based on publicly available information that the department's net impact was overstated by at least 2.6 billion. The expected job creation was 200 jobs, not 5,700. The department's figures appear to rely on a series of flawed assumptions by assuming all 150 players, coaches and staff will relocate to South Carolina, assuming those individuals will spend all of their wages in our State, and assuming all construction and equipment purchases will be made in South Carolina.

Let me make a couple observations about Dr. Gunnlaugsson. First, she is someone with a doctorate in economics and previously served in state government as the economist for the Department of Commerce. She is a subject matter expert -- has firsthand experience. She knows better than anyone in this Chamber what a commerce deal should look like and what

due diligence should have been done. Second, I would be remiss not to correct the record concerning her conclusion or rather, the characterization of her conclusion by the department. Ms. Gunnlauggsson did not conclude that the commerce figures were overstated by $2.6 billion, but that there would be an economic impact of $1.1 billion. She did not state that, even though Mr. Hitt has stated that and other supporters have stated, well, "It's still going to be a billion dollars." She concludes that the commerce's economic impact figures are overstated by *at least* $2,684 billion, but possibly more. Her adjustments are based on the information available. If additional numbers were furnished, she believes those numbers would come down further. On April 11, I received a letter from commerce secretary Bobby Hitt with observations in response to Dr. Gunnlaugsson, and he said, "It's a good deal for the State and York County," noting that even if you assume the doctor's calculations are correct and every point is valid, the benefit to the State is still projected to be $1.1 billion. *Wrong. Misstated. Distorted. Hyperbolized,* as I just explained that is not accurate.

Nevertheless, Secretary Hitt's response raised further questions still; for example, in response to the observation that this deal largely shifts economic activity, Secretary Hitt replied that the true scope of that shift cannot be ascertained, an implicit concession that at least the premise was correct. That is, we're shifting jobs, not creating new jobs. Further, Secretary Hitt opined that this deal would spur new economic clusters, like a sports medicine facility, but there is no evidence to support the contention that a new sports medicine facility would open in York instead of Charlotte. Secretary Hitt conceded a foundational assumption underpinning the deal by acknowledging that all Panthers' players, coaches and staff "may not move initially to South Carolina." Other discrepancies became apparent; for example, while Secretary Hitt's response noted that the department only assumed 20% of construction-related purchase would occur in South Carolina, that assumption is inconsistent with the $224 million construction and equipment benefit anticipated by Commerce's figures. The sum exceeds the 200 million-dollar capital investment and the 20%. Those aren't South Carolina construction jobs. It's more likely they'll come out of Charlotte. Also, while Secretary Hitt acknowledged that expected job creation could fall short of 5,700, I am informed by Dr. Gunnlaugsson that the updated calculation provided by Commerce relies on non-standard assumptions inconsistent with the facts.

None of these questions have been resolved, and the administration's response has been focused on obscuring the facts, not clarifying them.

For example, we received a recent copy of a letter from the Department of Transportation Secretary Christie Hall to the Governor assuring him that the $40 million interchange the State plans to build, an interchange to cut player drive time to and from work, "will not be funded with SCDOT funds and will not interfere with any other SCDOT projects". No explanation has been offered as to where the money will come from. I wrote the Governor and said, "If it's not DOT money, where is the money coming from?" That was 10 days ago. Not a word. Now, it's rumored some of it will be federal. Some will come from York. Some will come from the Governor's discretionary fund. But we don't know. Assume Secretary Hall is correct and the 40 million dollar interchange can be funded from some other pot of money. Is that really the best use of these funds? Is there no other road in this State in need of fixing, no other highway in need of a new interchange? I know many of my constituents spend hours of their week commuting to and from work sitting in traffic on congested highways. That's purely wasted time that creates no economic value and diminishes the time they spend with family. How many of your constituents do the same?

And if this interchange isn't being built with state money, where will the funds come from? Does the Governor plan to spend federal tax dollars -- in whole or in part -- to build the Panthers' interchange? Surely this cannot be his intention, because the Governor has a philosophical commitment to the notion that we cannot and should not to seek to justify a massive public expenditure simply because the federal government will pick up the tab. Governor McMaster and Governor Haley before him refused to expand health insurance coverage for an estimated 170,000 poor children even though the federal government would pay 90% of the cost. Never mind that this expanded insurance coverage would have broadly benefitted doctors and hospitals, a significant economic sector that carries the financial weight of treating uninsured patients in emergency rooms. Forget any moral obligation to care for the poor. But no, philosophy trumped pragmatism and the Governor refused to take the federal money to help insure these women and children. While I am heartened to see that ideology does have its limits in this administration, it will be shocking to learn that the Governor will use federal dollars to build an interchange for David Tepper, a man worth an estimated $11.6 billion. I requested clarification on this point, but to date, the Governor's office has been silent.

Now, I do want to point out the lack of transparency surrounding this deal is shocking. The lack of transparency surrounding this deal is shocking. This State is prepared to spend 40 to 45 million dollars to

build an interchange before the Panthers turn over a single shovel's worth of dirt and give away 115 million dollars in payroll taxes without any empirical evidence that this tax giveaway will deliver the benefits promised. There are no performance benchmarks before incentives kick in, there's no callback provision. Well, if what we're being asked to do here is to trust the professional judgement of Commerce that this is a good deal, the department has been unwilling to extend the same trust to this Body to provide adequate assurances the deal has merit.

I'm not insensitive to the notion that some aspects of an economic incentive deal might be needed to shield from public view in order to protect our competitive advantage. But here I spoke with the Panthers' lawyer who, I reiterate, said there's no other state competing. Still in an effort to address what might be an ongoing negotiation, I proposed to the Governor in writing that he meet or his staff meet in executive session and brief us on this matter and he refused.

In attempting to examine the Panthers' deal, I've discovered the optics of this process appear routine with the commerce and its handling of other incentive deals. According to one independent watchdog organization that studies incentive deals, South Carolina is tied for 45th in the nation in transparency when it comes to the success or failure of programs such as this one. There's no accountability with respect to the performance of impact zone investment credits, the Governor's closing fun, job development, and training tax credits -- job tax credits themselves.

I'm told that on May 1, Secretary Hitt admitted in a meeting with the Senate Commerce and Legislative Oversight Committee -- I believe chaired by Majority Leader Massey -- that when it comes to public reporting by Commerce about the jobs created by any particular deal, Commerce's analysis routinely parrots the benefactor's claim that a deal would create X number of jobs by copying the corporation's press release and releasing it. This is not disclosure. This is propaganda. More troubling still is the manner in which these corporate beneficiaries manipulate the terms of the deal. I'm not going to go into a huge amount of detail; that's in my remarks. But what Secretary Hitt told us last week was that a company that promised 500 jobs might return to Commerce after creating just 250 jobs and Commerce has acceded to such demands. This strikes me as bait and switch.

Because of these reports and the process surrounding S. 655, a bipartisan group of ten members of this Chamber requested a Legislative Audit Council review of all economic incentive packages over the last ten years to examine the efficacy of our strategy based on objective facts:

the number of jobs promised versus delivered, the number of dollars actually invested, the accuracy of the department's methodology, and I'm grateful to those of you who joined in this request. With respect to economic incentives more broadly, this is our opportunity today to make an important choice about the proper role of government. Do we believe our role is creating conditions of economic success, an even playing field where all businesses succeed or fail on their own merits, or is our role to pick winners and losers? To put the considerable weight of the State and the public's money behind one market participant; in my view, that is the choice we face here.

Several studies detail the litany of broken promises by sports franchises across the country that have succeeded in fooling state and local governments into wasting spectacular sums of public money. One author's study of the practice details their findings in a book called *Field of Schemes.* Consider a few examples: Virginia's incentive package to entice the Washington Redskins. According to a public audit, the financial projections underpinning that decision proved unfeasible, and the city is suffering an annual revenue shortfall in excess of 4.5 million, and has been saddled with a 10 million dollar loan. How about the Minneapolis Vikings? When the Metrodome's roof collapsed in 2010 the owners took state and local government hostage by threatening to leave for Los Angeles. Minnesota forked over 500 million dollars to rebuild the stadium, and the total cost was 678 million, financed over thirty years.

When it comes to exploiting taxpayers and shirking obligations to the public, the Panthers do not fare much better. According to a March 13 report by the Charlotte Observer, at the same time they are pursuing tens of millions of dollars in incentives from our State, the franchise is disputing the value of the Bank of America stadium in an effort to reduce its tax obligation. Had the franchise built the stadium, that argument might carry some weight, but this is a franchise with $1 per year 100 year lease of a city-owned stadium that just six years ago received $87.5 million in public funds. And how have the Panthers repaid the city of Charlotte for its largesse? By disputing its tax bill. So today, I rise to explain why I'm removing my procedural hold on S. 655 and why I believe it's critical we call the roll and vote it up or down. As we proceed to debate and vote, let's remember what we plan to tell our constituents about this.

To my conservative friends on record extolling the virtues of the marketplace and the folly of picking winners and losers, what will you tell your constituents about this massive piece of corporate welfare to

benefit a single corporation and a billionaire? And to my liberal friends concerned about rising inequity, what will you tell your constituents about why one billionaire received a $40 million infrastructure project and $115 million in tax giveaways when so many of our most vulnerable citizens' needs remain unaddressed. Growth is exploding. Growth in Lexington is so out of hand the county is looking to rein it in before it is too late. Instead of passing this Bill we should come back next year and commit ourselves to reforming our economic incentives program to bolster the conditions that incentivize all forms of growth across our State.

I would just say this in conclusion. A couple of weeks ago we participated, all of us, in something I would call "gimmick government". We voted to give $50 back to every tax filer in a way to show our constituents we care about them. I've been out in my district since then. Let me tell you something. They're not fooled. Every one of them I've talked to thought that was a gimmick, and they wanted to know why we were giving a billionaire $200 million of our money. So I would ask that as I take my hold off, read the materials I've given you. Maybe I haven't expressed this in the most articulate fashion, but this is a bad deal for South Carolina. And I believe, like Senator CAMPSEN, that this is a great State; we shouldn't have to bribe people to come to us. Thank you.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator HARPOOTLIAN, were ordered printed in the Journal.

RECALLED AND ADOPTED

S. 786 -- Senator Davis: A SENATE RESOLUTION TO DECLARE THE WEEK OF MAY 6 THROUGH MAY 12, 2019, AS NATIONAL NURSES WEEK IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN IN SHOWING APPRECIATION FOR THE NATION'S REGISTERED NURSES, IN HONORING THEM AS THEY CARE FOR THEIR PATIENTS, AND IN CELEBRATING THE ACCOMPLISHMENTS OF REGISTERED NURSES AND THEIR EFFORTS TO IMPROVE THE HEALTHCARE SYSTEM.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN 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.

On motion of Senator VERDIN, the Resolution was adopted.

RECALLED AND ADOPTED

S. 821 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 8, 2019, AS "LISSENCEPHALY AWARENESS DAY" IN SOUTH CAROLINA AND TO URGE ALL CITIZENS OF THIS STATE TO SUPPORT THE SEARCH FOR A CURE AND ASSIST THOSE INDIVIDUALS AND FAMILIES WHO DEAL WITH THE CONDITION ON A DAILY BASIS.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN 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.

On motion of Senator VERDIN, the Resolution was adopted.

RECALLED

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.

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. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G.R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard, Blackwell, Govan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

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. 3079 -- Reps. Pope, Burns, Bryant, Clyburn, Yow, Brown, Hixon and Forrest: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

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.

OBJECTION

H. 3472 -- Reps. Murphy, Caskey, Pope, Bryant, Fry, B. Newton, McCoy, Stavrinakis, Ligon, Clemmons and Anderson: A BILL TO AMEND SECTION 23-31-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE THE ATTORNEY GENERAL AND ASSISTANT ATTORNEYS GENERAL IN THE PURVIEW OF THE STATUTE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

Senator M. B. MATTHEWS objected.

RECALLED

H. 4456 -- Reps. Howard, Bernstein, Bales, Ballentine, Brawley, Finlay, Garvin, Hart, McDaniel, Rutherford, Rose, Thigpen and Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ALPINE ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH POLO ROAD TO ITS INTERSECTION WITH JACKSON CREEK "JACQUALINE KASPROWSKI WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4105 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 3 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE HAMPTON/JASPER COUNTY LINE "CHARLIE I. CREWS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4107 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF S-25-345 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 TO THE HAMPTON/JASPER COUNTY LINE "DEACON WILLINGHAM COHEN, SR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 824 -- Senator McLeod: A SENATE RESOLUTION TO APPLAUD THE CARDINAL NEWMAN BOYS BASKETBALL TEAM, COACH, AND SCHOOL OFFICIALS FOR SECURING THE 2019 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 3A STATE CHAMPIONSHIP TITLE.
l:\council\bills\rt\17629sa19.docx

The Senate Resolution was adopted.

S. 825 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE THE CARDINAL NEWMAN GIRLS BASKETBALL TEAM, COACH, AND SCHOOL OFFICIALS FOR CLINCHING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 3A STATE CHAMPIONSHIP TITLE.
l:\council\bills\rt\17626zw19.docx

The Senate Resolution was adopted.

S. 826 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE CHAPIN HIGH SCHOOL GIRLS' LACROSSE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2019 SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS 5A CHAMPIONSHIP.
l:\s-res\rwc\007chap.kmm.rwc.docx
The Senate Resolution was adopted.

S. 827 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS SINCERE GRATITUDE TO ALL SOUTH CAROLINA TEACHERS WHO ENTHUSIASTICALLY DEDICATE THEMSELVES TO THE FUTURE AND WELL-BEING OF OUR STUDENTS, TO RECOGNIZE MAY 6 THROUGH 10, 2019, AS "TEACHER APPRECIATION WEEK", AND TO ENCOURAGE SCHOOLS AND COMMUNITIES IN THE PALMETTO STATE TO HONOR THE NUMEROUS, VITAL CONTRIBUTIONS OF OUR STATE'S OUTSTANDING TEACHERS.
l:\council\bills\rt\17628dg19.docx
The Senate Resolution was adopted.

S. 828 -- Senator Massey: A BILL TO AMEND ARTICLE 5, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO GROUP ACCIDENT AND HEALTH INSURANCE, TO PROVIDE FOR COVERAGE FOR TREATMENT FOR FUNCTIONAL DEFORMITY AND DYSFUNCTION OF THE TEMPOROMANDIBULAR JOINT, TO PROVIDE EXCEPTIONS, AND TO DEFINE NECESSARY TERMS.
l:\s-res\asm\038tmj..sp.asm.docx
Read the first time and referred to the Committee on Banking and Insurance.

S. 829 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED IN REGULATION DOCUMENT NUMBER 4860, WITH THE EXCEPTION OF REGULATION 123-204 Z., RELATING TO A PROHIBITION OF ACCESS TO CERTAIN PUBLIC TRUST LANDS, WHICH IS DISAPPROVED, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 830 -- Senator Johnson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JOHN TINDAL, SUPERINTENDENT OF CLARENDON SCHOOL DISTRICT TWO, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-FIVE YEARS OF EXEMPLARY SERVICE AS AN EDUCATOR AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

H. 4452 -- Reps. Erickson, Bradley, W. Newton and Rivers: A JOINT RESOLUTION TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THE OPENING OF THE RICHARD V. WOODS MEMORIAL BRIDGE IN DOWNTOWN BEAUFORT, SOUTH CAROLINA, AND TO CREATE THE WOODS BRIDGE STUDY COMMITTEE TO EXAMINE THE BRIDGE'S LIFESPAN AND CONDITION AND TO MAKE RECOMMENDATIONS ON POTENTIAL PLANS OR REPLACEMENT OPTIONS IN ORDER TO BEST PRESERVE THE HISTORIC LANDMARK.

Read the first time and referred to the Committee on Transportation.

H. 4499 -- Reps. Bradley, Herbkersman, Erickson, W. Newton, Rivers and S. Williams: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, MAY 7, 2019

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Linda C. Stern, 2134 Bermuda Hills Rd., Columbia, SC 29223-6733 *VICE* Elizabeth Ann Brasington-Sowards

Received as information.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2016, and to expire June 30, 2019

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223 *VICE* Charles R. Pate

Received as information.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223

Received as information.

HOUSE CONCURRENCES

S. 767 -- Senator Shealy: A CONCURRENT RESOLUTION TO WELCOME THE MARCH OF DIMES TO THE STATE HOUSE AND RECOGNIZE WEDNESDAY, MAY 1, 2019, AS "SOUTH CAROLINA HEALTHY MOTHER'S DAY."

Returned with concurrence.

Received as information.

S. 794 -- Senator Hembree: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2019 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO

CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

Returned with concurrence.

Received as information.

S. 815 -- Senator Scott: A CONCURRENT RESOLUTION TO CONGRATULATE REV. DR. MICHAEL ROSS UPON THE OCCASION OF HIS THIRTIETH ANNIVERSARY AS PASTOR OF NEW EBENEZER BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF COLUMBIA.

Returned with concurrence.

Received as information.

S. 823 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE CHERYL H. FRALICK OF LEXINGTON COUNTY ON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER YEARS OF DEDICATED SERVICE TO THE CHILDREN OF SOUTH CAROLINA AS AN EDUCATOR AND ADMINISTRATOR, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ADOPTED

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22,

2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

The Resolution was adopted, ordered sent to the House.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

The Senate proceeded to the consideration of the Bill.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY

ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO

PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

Senator MALLOY objected to further consideration of the Bill.

CARRIED OVER

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

On motion of Senator McELVEEN, the Bill was carried over.

TUESDAY, MAY 7, 2019

RECOMMITTED

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3137C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-27-30 and inserting:

/ Section 6-27-30. (A) In the annual general appropriations act, ~~an amount equal to not less than four and one-half percent of general fund revenues of the latest completed fiscal year must be appropriated~~ the General Assembly must appropriate funds to the Local Government Fund.

(B)(1) In any fiscal year in which general fund revenues are projected to increase or decrease, the appropriation to the Local Government Fund for the upcoming fiscal year must be adjusted by the same projected percentage change, but not to exceed five percent, when compared to the appropriation in the current fiscal year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the percentage adjustment in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination.

(2) The Governor shall include the appropriation required by this chapter to the Local Government Fund in the Executive Budget.

(3) The Revenue and Fiscal Affairs Office shall determine the current fiscal year's recurring general fund expenditure base, and determine any projected adjustment in general fund revenues. If a change is projected, the appropriation for the upcoming fiscal year must be adjusted accordingly.

(C) For purposes of this section:

(1) 'Recurring general fund revenue' means the forecast of recurring general fund revenues pursuant to Section 11-9-1130 after the

amount apportioned to the Trust Fund for Tax Relief, as required in Section 11-11-150, is deducted.

(2) 'Recurring general fund expenditure base' means the total recurring general fund appropriations authorized in the current general appropriations act less any reduced appropriations mandated by the General Assembly or the Executive Budget Office pursuant to Section 11-9-1140(B). /

Amend the bill further, by striking SECTION 2 and inserting:

/ SECTION 2. This act takes effect upon approval by the Governor and first applies to the annual general appropriations bill process for Fiscal Year 2020-2021. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (DG\ 3137C003.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 6-27-30(B), by adding an appropriately numbered item at the end to read:

/ ( ) Notwithstanding any other provision of this section, if general fund revenues are projected to decrease, the adjustment to the appropriation to the Local Government Fund for the upcoming fiscal year must not exceed three percent. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was withdrawn.

Senators MASSEY and SHEALY proposed the following amendment (3137R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor

with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn,

may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

On motion of Senator SHEHEEN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (DG\3703C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 40-45-230(G) and (H) of the 1976 Code is amended to read:

"(G) If an applicant fails the examination, whether or not taken in South Carolina, the applicant may take the examination ~~a second time on~~

up to six times, each time upon payment of the examination fee and completion of an official application. If the applicant fails the examination for a ~~second~~ fifth time, the applicant~~, in addition to the requirements for the previous examination,~~ must take courses the board may require and furnish evidence of completing these courses before taking the examination for the sixth time.

(H) No person may be licensed under this chapter if the person has failed the examination ~~three~~ six or more times, whether or not the exam was taken in South Carolina." /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3703R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same

vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator DAVIS spoke on the Bill.

Senator MALLOY spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 11

AYES

Alexander	Allen	Campbell
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	*Matthews, John*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin		

Total--34

NAYS

Bennett	Corbin	Kimpson
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	Rice
Williams	Young	

Total--11

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, AMENDMENT PROPOSED
CARRIED OVER

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL

SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4243R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 9, line 20, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the~~

~~original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator HARPOOTLIAN proposed the following amendment (SA\4243C002.RT.SA19), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS at the end to read:

/ SECTION ____. Section 11-9-805 of the 1976 Code, as amended by Act 246 of 2018, is further amended by adding an appropriately numbered new item to read:

"( ) 'Tax expenditure' means an amount of state revenue unavailable for general fund appropriation when the loss of revenue is attributable to a provision of the South Carolina Code of Laws which allow a special exclusion, exemption, or deduction from gross income, which provide a special credit, a preferential rate of tax, or a deferral of tax liability or which allocate or distribute state funds pursuant to an incentive program or fund."

SECTION ___. Section 11-9-830 of the 1976 Code, as last amended by Act 246 of 2018, is further amended by adding an appropriately numbered new item to read:

"( ) compile and report to the General Assembly, not later than the first day of March each year, a list of each individual tax expenditure from the prior fiscal year and the estimated tax expenditures for the current fiscal year. The report must indicate the specific enactment and program which authorized the expenditure and apply to all tax expenditures in excess of one hundred thousand dollars." /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

The amendment was adopted.

Senator HARPOOTLIAN proposed the following amendment (DG\4243C006.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Section 12-6-3360(C) of the 1976 Code is amended to read:

"(C)(1)Subject to the conditions provided in subsection (M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full-time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers that increase employment by ten or more full-time jobs, and no credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of ten. The amount of the initial job credit is as follows:

(a) ~~Eight~~ twenty-five thousand dollars for each new full-time job created in 'Tier IV' counties;

(b) ~~Four~~ twenty thousand two hundred fifty dollars for each new full-time job created in 'Tier III' counties;

(c) two thousand seven hundred fifty dollars for each new full-time job created in 'Tier II' counties;

(d) one thousand five hundred dollars for each new full-time job created in 'Tier I' counties.

(2)(a) Subject to the conditions provided in subsection (M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full-time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers with ninety-nine or fewer employees that increase employment by two or more full-time jobs, and may be received only if the gross wages of the full-time jobs created pursuant to this section amount to a minimum of one hundred twenty percent of the county's or state's average per capita income, whichever is lower. No credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of two. The amount of the initial job credit is as described in subsection (C)(1).

(b) If the taxpayer with ninety-nine or fewer employees increases employment by two or more full-time jobs but the gross wages do not amount to a minimum one hundred twenty percent of the county's or state's average per capita income, whichever is lower, then the amount of the initial job credit is ~~as follows:~~

~~(i)Four thousand dollars for each new full-time job created in "Tier IV" counties.~~

~~(ii) Two thousand one hundred twenty-five dollars for each new full-time job created in "Tier III" counties.~~

~~(iii) One thousand three hundred seventy-five dollars for each new full-time job created in "Tier II" counties.~~

~~(iv) Seven hundred fifty dollars for each new full-time job created in "Tier I" counties~~ reduced by fifty percent."/

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

The amendment was adopted.

Senator SHEHEEN proposed the following amendment (DG\ 4243C002.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Section 12-6-3360 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) If a professional sports team claims the credit allowed by this section, then the Department of Revenue shall report the net number of new full-time jobs created in this State by the professional sports team, the average cash compensation of the new full-time jobs created by the professional sports team, and the aggregated residency status of the employee or employees filling the new full-time jobs created by the professional sports team. The department shall provide the report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor beginning on May first of the year immediately following the year in which the first new full-time job is created by the professional sports team, and on May first each year thereafter. In reporting statistics pursuant to this subitem, the department must comply with the requirements of Section 12-54-240(B)(1)." /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Senator RICE proposed the following amendment (4243R004.KMM.RFR), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 12-6-3360 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

"( ) A taxpayer in tax years beginning in 2019 and after may annually claim a nonrefundable tax credit or rebate against each of the taxes enumerated in this subsection in an amount equal to twenty percent of the additional tax revenue paid by the taxpayer in regard to those taxes as determined by the department if the taxpayer has made a qualifying capital investment in the business location where the additional tax revenue was generated, if the business location is engaged primarily in the sale of tangible personal property at retail, and if the taxpayer holds

a state retail sales tax license for the business location. The taxes to which the tax credits or rebates provided by this subsection apply are:

(1) state sales and use taxes imposed by the provisions of Chapter 36, Title 12. The tax credits provided by this item also apply to local option sales and use taxes authorized by law that are collected by the department and remitted to the local jurisdictions authorized to receive the proceeds. The department in these cases shall deduct from the revenue distributed to the local jurisdiction the amount of the tax credit to which the taxpayer is entitled;

(2) ad valorem property taxes that do not include any payments required under a fee in lieu of a property tax agreement; and

(3) state income taxes imposed under Chapter 6, Title 12.

( ) For the purposes of determining the amount of sales or income taxes paid at a particular location where the qualifying capital investment pertains to the expansion of an existing business location, the ratio of the square footage of the expansion as compared to the overall square footage of the location, multiplied by the total sales or income taxes paid, is considered to be the amount of new sales or income tax revenue generated.

( ) The department may require information and submissions by the taxpayer as it considers appropriate in relation to a taxpayer's claim of entitlement to the credit. The department in implementing the tax credits or rebates authorized by this section may permit the taxpayer to claim the credit or rebate on the sales tax or income tax return or property tax payment filed by the taxpayer.

( ) The merger, consolidation, or reorganization of a corporation for which tax credits or rebates provided by this section survive does not create new eligibility in a succeeding corporation, but unused credits or rebates may be transferred and continued by the succeeding corporation. In addition, a corporation or partnership may assign its rights to its unused credit or rebate to another corporation or partnership if it transfers all, or substantially all, of the assets of the corporation or partnership or all, or substantially all, of the assets of the trade, business, operating division of the corporation, or partnership to another corporation or partnership.

( ) In regard to the rebate of ad valorem property taxes provided for by this section, a taxpayer must file a claim for a rebate with the appropriate local property tax officials after the property taxes for a particular year have been paid and once the amount of the rebate is determined. The property tax rebate under this section will be treated as though it is an exemption from the property tax.

( ) Notwithstanding the amount of the credits allowed by this section, any income tax credits, if combined with any other state income tax credits allowed to the taxpayer for a particular taxable year, cannot reduce the taxpayer's South Carolina income tax liability more than fifty percent for that year. In addition, the credits or rebates authorized by this section are in lieu of any other applicable income tax credits or rebates allowed by state law, and in the event of an overlap or conflict in available credits or rebates to a taxpayer, the taxpayer must select the credit or rebate that the taxpayer desires in the manner prescribed by the department to the extent that the credits or rebates conflict or overlap. Finally, the total amount of all tax credits or rebates allowed by this section for all years may not exceed in the aggregate the total capital investment made by the taxpayer that gave rise to the credits or rebates.

( ) Beginning with tax years that commence on or after January 1, 2019, a taxpayer may claim the tax credits or rebates authorized by this section for which qualifying capital investments were made on or after January 1, 2018.

( ) The tax credits or rebates authorized by this section expire at the end of the fifth calendar year following the year that the qualifying capital investments were made. Nothing in this section prevents new tax credits or rebates for subsequent qualifying capital investments.

( ) The credits received pursuant to this subsection cannot be used in conjunction with other credits in this section." /

Amend the bill further, as and if amended, page 7, line 8, by adding an appropriately numbered new item to read:

/ <u>( )</u> <u>'Qualifying capital investment' means an expenditure in an aggregate amount of two hundred fifty thousand dollars or more to acquire, lease, or improve real and business personal property that is used in operating a business location that holds a State of South Carolina retail sales tax license. Qualifying capital investment, however, does not include relocating an existing business in this State to another location in this State without the required additional capital investment.</u>" /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was withdrawn.

ACTING PRESIDENT PRESIDES

At 1:27 P.M., Senator TALLEY assumed the Chair.

Senator SETZLER proposed the following amendment (DG\ 4243C003.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 6, by striking lines 30-36 and inserting:

/ (17) 'Professional sports team' means a professional sports team or club included in a professional league, such as the National Football League, National Association for Stock Car Racing, or the National Basketball Association, primarily engaged in participating in live sporting events before a paying audience with an annual payroll for federal tax purposes of not less than one hundred ninety million dollars and not less than one hundred fifty full-time employees. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (DG\ 4243C001.NBD.DG19), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. A.Section 12-6-3360 of the 1976 Code is amended by adding a subsection at the end to read:

"(O) The provisions of this section that specifically apply to a professional sports team only apply to a specific professional sports team so long as that professional sports team, by July 1, 2022, creates full-time new jobs in this State that otherwise meet the requirements to claim the credit allowed by this section."

B.The provisions of Sections 4-9-30 and 5-7-30 relating to a professional sports team, and the provisions of Section 5-3-20 only apply so long as the provisions of Section 12-6-3360(O) are met by the professional sports team. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was carried over.

Senator SETZLER proposed the following amendment (DG\ 4243C004.NBD.DG19):

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Section 12-10-80(D)(2) of the 1976 Code is amended by adding an undesignated paragraph at the end to read:

"For purposes of this item, a significant business does not include a professional sports team as defined in Section 12-6-3360." /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER spoke on the Bill.

Senator GREGORY spoke on the Bill.

Senator PEELER spoke on the Bill.

Remarks by PRESIDENT PEELER

I rise to speak in favor of the legislation. Senator CLIMER and Senator GREGORY gave a good definition of why this legislation is needed from a tangible standpoint. I'd like to talk with you about the intangible benefits of this legislation. If you've spent 15 minutes with me, you've heard that I'm from Gaffney; but I'm from outside of Gaffney. I'm from Route 5 Gaffney, that's where I was born. Route 5 Gaffney, then it changed from Route 5 to Route 7 and then it changed from Route 7 to Leadmine Road. My address changed 3 times and I didn't move an inch. Gaffney is not a mill town; it's a "mills" town. We didn't have just one mill, we have several --Lowenstein, Milliken and Hamrick just to name a few. And the people in Gaffney, in the city limits of Gaffney, most of them grew up on the mill hill. Others like me grew up in the country. They had names for us -- lint heads and rednecks. We proudly wore that as a badge of honor. Looking back, I didn't realize it as much then, but now I look back and realize that the bigger cities and bigger towns looked down on us, especially the silk stocking crowd in the big cities. The way people from Gaffney showed our worth Friday nights in the fall, Senator REESE, was with the game of football. We coalesced around the game of football. When I was growing up, I was about as big -- when I was 16 -- as I am now. When I'd go into the hardware store or the barbershop they wouldn't grab my arm and say you going to be a doctor when you grow up? You going to be a lawyer when you grow up? Are you going to build cars when you grow up? Are you going to serve in the Senate when you grow up? No, they said you're going to play football when you grow up. I guarantee every one of your

children, even today, ask the same question, "Are you a Gamecock or a Tiger?" Those things you can't put a monetary value on. It's the intangible things in Gaffney. Gaffney was a football town and still is, Senator NICHOLSON. I think back to the '60s when I went to high school. Gaffney High School was where the white students went. Granard High School is where the black students went. Both of them had great football teams. Coach Willie Jeffries, Senator HUTTO, coached the Granard High School football team. I can think of names like Duane Montgomery and "Pic" Dawkins or at Gaffney High School names like Roger Harris and Billy Love. Roger Harris' number was number 10. I'm 70 years old and I can still tell you his high school number. That's how much Gaffney football meant to Gaffney. It's what football means to this area. It's something that money can't buy.

Now, let's make it germane to the Panthers. The man who started the Panthers, Senator REESE, was a man named Richardson -- Jerry Richardson. Jerry Richardson opened a Hardee's in Gaffney and when it opened up it was like the circus came to town. They were lined up for blocks waiting to buy a hamburger at Hardee's. Do you know who sold me my first Hardee's hamburger? It was Jerry Richardson. He had a little paper hat on and sold me my first hamburger. He became very, very successful. And let me tell you the connection with Jerry Richardson and Gaffney. Our coach, Coach Prevatte, coached Jerry Richardson. He is the one who brought Jerry Richardson to Wofford. He convinced Coach Snidow to take a look at Jerry Richardson. Jerry Richardson will credit Coach Prevatte for the success he has today. He felt so close to our coach. On Thursday nights it was called a light practice. A light practice in Gaffney is a tough practice everywhere else. But we would get together and Jerry Richardson would bring us Hardee's huskies and feed us out of the trunk of his car. He was that close to Coach Prevatte.

The Panthers and football mean more to Cherokee County, Gaffney and to this State than money can buy. Now using this debate also with Gaffney and comparing what Gaffney feels, the pride that Gaffney feels -- and trying to explain this in a way you can understand it. Then in the '70s our board of public works needed to build a water tank. And so our board of public works and Jack Millwood decided where and he had seen you could build a water tank in the shape of a peach. We had the "little Harpootlians" in Gaffney at that time too. Oh! It cost too much. It cost $800,000 to build that water tank. It won't make the water sweeter. It won't make the water colder. It won't make the pressure better in our pipes. Why do you want to build a peach-shaped water tank? Now look

at that peach-shaped water tank and what it means to Cherokee County, to Gaffney today -- even the "little Harpootlians" that were opposed to it then -- try to take the water tank down now -- just try to take it down. Put a price on it now. Now you can't put a price on it. So what we're asking is to build the equivalent of a peach water tank in Rock Hill. Money can't buy it. It means so much for the people of Rock Hill. It was mentioned by Senator GREGORY: Dallas, Texas; Rock Hill, South Carolina; Miami, Florida; Rock Hill, South Carolina; Atlanta, Georgia; Rock Hill, South Carolina. Give us some pride not just in Rock Hill but in the State of South Carolina. It's something that money can't buy. Everything that's been said today has merit. But I'm telling you this would mean so much to this State that 20 years from now we will wonder why in the world would someone be opposed to it.

I'll ask one more time. Mr. PRESIDENT and members of the Senate, give the Bill a second reading today, carry over all amendments to third.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator PEELER, were ordered printed in the Journal.

On motion of Senator PEELER, the Bill was carried over, as amended.

PRESIDENT PRESIDES

At 3:45 P.M., the PRESIDENT assumed the Chair.

READ THE SECOND TIME

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 656 -- Senator Grooms: A BILL TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES AND THE DISPOSITION OF PROCEEDS, TO PROVIDE FOR THE TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER OR RECYCLER OR SECONDARY METALS RECYCLER FOR DEMOLITION, WRECKING, OR DISMANTLING; TO AMEND SECTION 56-5-5670 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-5-5945 OF THE 1976 CODE, RELATING TO THE DUTIES OF DEMOLISHERS AND THE DISPOSAL OF A VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-19-480(A)

OF THE 1976 CODE, RELATING TO THE TRANSFER AND SURRENDER OF THE CERTIFICATES, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 56-3-1380 OF THE 1976 CODE, RELATING TO THE RETURN OF A REGISTRATION CARD AND LICENSE PLATES FOR A WRECKED OR DISMANTLED VEHICLE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 16-17-680(D), (E), AND (J)(1)(e) OF THE 1976 CODE, RELATING TO A SECONDARY METALS RECYCLER PERMIT TO PURCHASE NONFERROUS METALS AND A PERMIT TO TRANSPORT AND SELL NONFERROUS METALS, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Senator SENN objected to further consideration of the Bill.

READ THE SECOND TIME

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

Senator CAMPSEN explained the Bill.

Motion Adopted

On motion of Senator CAMPSEN, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE

BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3145.003), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2, beginning on line 32 on page 2 and ending on line 14 on page 3, and inserting:

/ "Section 33-49-150. The Office of Regulatory Staff under the provisions of this section is hereby vested with the authority and jurisdiction to make inspections, audits, and examinations of electric cooperatives pursuant to the provisions of Chapter 4, Title 58 relating to the compliance of electric cooperatives with the provisions of Sections 33-49-255, 33-49-280, 33-49-420, 33-49-430, 33-49-440, 33-49-450, 33-49-610, 33-49-615, 33-49-620, 33-49-625, 33-49-630, 33-49-640, 33-49-645, 33-49-1410, 33-49-1420, 33-49-1430, 33-49-1440, 58-27-820 and 58-27-840. The Office of Regulatory Staff is granted authority and jurisdiction over electric cooperatives that provide only wholesale services with regard to any of the foregoing statutory provisions to the extent that those provisions are applicable to the wholesale electric cooperatives. The Office of Regulatory Staff does not have the authority or jurisdiction to make inspections, audits, or examinations of subsidiaries of an electric cooperative provided that the subsidiary is not subsidized by, or any financial credit risk to, electric cooperative ratepayers and that the subsidiary has not taken action, on behalf of the electric cooperative, on any of the electric cooperative's duties as provided in the sections listed above. Where an electric cooperative board of trustees has exercised its business judgment in accordance with sound business and management practices and consistent with the long-term financial stability of the cooperative and the benefit of its members, the Office of Regulatory Staff is not

authorized to disturb the resulting decisions of the electric cooperative board of trustees. Upon completion of an authorized inspection, audit, or examination, the Office of Regulatory Staff must report its findings to the management and board of the electric cooperative and attempt to resolve with the management and board any compliance issues that are identified. The Public Service Commission is vested with the authority and jurisdiction to resolve any disputed issues arising from the inspections, audits, or examinations." /

Amend the bill further, as and if amended, by striking lines 1-6 on page 4 and inserting:

/ (D) ~~Any~~ A person aggrieved by a violation of this section ~~may petition the courts of this State~~ must make a complaint to the Office of Regulatory Staff for redress in accordance with applicable law ~~and notwithstanding Section 58-27-210, the Public Service Commission shall have no jurisdiction over an electric cooperative by reason of this section~~. If the matter is not resolved after making a complaint to the Office of Regulatory Staff, the person may petition the courts of this State for redress." /

Amend the bill further, as and if amended, by striking lines 16-23 on page 5 and inserting:

/ When at least one of the races for cooperative trustee is contested prior to the annual meeting, each cooperative must provide a method by which members of the cooperative may cast a ballot in an election for trustees on a day other than, and before, the annual meeting day. The method for this alternative early voting should allow for voting by cooperative members prior to and after regular working hours and should include reasonable accommodations for elderly, disabled, or infirmed members as permitted by this section." /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3145R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 18, line 15, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator M. B. MATTHEWS proposed the following amendment (JUD3145.004), which was adopted:

Amend the bill, as and if amended, by striking Section 33-49-440, lines 6-23 on page 5, and inserting:

/ "Section 33-49-440. ~~Each~~ A member is entitled to one vote on each matter submitted to a vote at a meeting. Voting must be in person ~~but, if the bylaws provide, also may be by proxy. If the bylaws provide for voting by proxy they also must prescribe the conditions under which proxy voting may be exercised. A person may not vote as proxy unless he is a member of the cooperative and may not vote as proxy for more than three members at a meeting of the members~~. For meetings that include the election of cooperative trustees, polling locations must be open for a minimum of four hours.

When at least one of the races for cooperative trustee is contested prior to the annual meeting, each cooperative must provide a method by which members of the cooperative may cast a ballot in an election for trustees on a day other than, and before, the annual meeting day. The method for this alternative early voting should allow for voting by cooperative members from the hours of 7 a.m. to 7 p.m. and should include reasonable accommodations for elderly, disabled, or infirmed members as permitted by this section." /

Amend the bill further, as and if amended, by striking Section 33-49-645, lines 4-11 on page 11, and inserting:

/ "Section 33-49-645. (A) In the conduct of an election authorized by this chapter or in the bylaws of the cooperative, including the annual election of trustees, a cooperative must prohibit advocacy or campaigning within a distance of the polling place that reasonably ensures that cooperative members are able to vote without harassment, intimidation, or interference. The polling place, for purposes of this section, is the location where votes are collected for tabulation.

(B)(1) In the conduct of the annual election of trustees, to the extent that a cooperative's bylaws provide for members to become candidates for the board of trustees by petition, the number of signatures required must not exceed one percent of the total cooperative membership.

(2) If the cooperative's bylaws providing for members to become candidates for the board of trustees by petition require the collection of more than 50 signatures of cooperative members, the cooperative bylaws must also provide for a process allowing those signatures to be collected electronically.

(C) In the conduct of the annual election of trustees, any member or district information provided to an incumbent trustee for use in campaigning for the board of trustees must be provided to all candidates for the board of trustees on the same terms and conditions." /

Renumber sections to conform.

Amend title to conform.

Senator M. B. MATTHEWS explained the amendment.

The amendment was adopted.

Senator GAMBRELL spoke on the Bill.

The question then was second reading of the Bill.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3357R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (3357R001.SP.TRY), which was adopted:

Amend the bill, as and if amended, page 1, line 36, by inserting an appropriately numbered new SECTION to read:

/SECTION __. Chapter 3, Title 56 of the 1976 Code is amended by adding:

"ARTICLE 147

'Drivers for a Cure' Special License Plates

Section 56-3-14710. (A) The Department of Motor Vehicles may issue 'Drivers for a Cure' special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56-3-630, and motorcycles, as defined in Section 56-3-20, registered in their names. Each special license plate must be issued or revalidated for a biennial period that expires twenty-four months from the month the special license plate is issued.

(B) This special license plate must be the same size and general design of regular motor vehicle license plates.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for each special license plate is thirty dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Any portion of the thirty-dollar fee in excess of the costs of production and distribution of the license plates must be distributed to the Duke Cancer Institute." /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson

Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3601R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator M.B. MATTHEWS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS

THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3662R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey

Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3789R001.SP.ASM), which was adopted:

Amend the joint resolution, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by

the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator GROOMS spoke on the Bill.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey,

Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3973.004), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 7 through 18, in Section 16-3-2210(4), as contained in SECTION 1 and inserting therein the following:

/ (4) 'Hindering the prosecution of female genital mutilation' means actions to include, but not be limited to:

(a) harboring or concealing a person who is known or believed to be planning to commit an act of female genital mutilation;

(b) warning a person who is known or believed to be planning to commit an act of female genital mutilation of impending discovery or apprehension; or

(c) suppressing any physical evidence that might aid in the discovery or apprehension of a person who is known or believed to be planning to commit an act of female genital mutilation. /

Amend the bill further, as and if amended, page 3, by striking lines 38 through 43, and page 4, by striking lines 1 through 2, as contained in Section 16-3-2240, in SECTION 1, and inserting therein the following:

/ Section 16-3-2240. The provisions of this article do not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction or occurrence as the violation of this article." /

Renumber sections to conform.

Amend title to conform.

Senator M.B. MATTHEWS explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3973R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by

the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

OBJECTION

H. 3174 -- Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS

ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Senator CORBIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED AMENDED, OBJECTION

H. 3263 -- Reps. G.M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR,

LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3263R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 40-1-630(A) of the 1976 Code is amended to read:

"Section 40-1-630. (A) A board or commission that regulates the licensure of a profession or occupation under Title 40 ~~may~~ shall issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member. Nothing in this section should be construed as requiring a board or commission to grant licensure to the spouse of an active duty member of the United States Armed Forces absent evidence that all state law requirements for licensure have been met."

SECTION 2. Section 40-1-640(A) of the 1976 Code is amended to read:

"Section 40-1-640. (A) A professional or occupational board or commission governed by this title ~~may~~ shall accept the education, training, and experience completed by an individual as a member of the Armed Forces or Reserves of the United States, National Guard of any state, the Military Reserves of any state, or the Naval Militias of any state and apply this education, training, and experience in the manner most favorable toward satisfying the qualifications for issuance of the requested license or certification or approval for license examination in this State, subject to the receipt of evidence considered satisfactory by the board or commission."

SECTION 3. Section 40-33-20(19)(a) of the 1976 Code is amended to read:

"(a) has successfully completed an advanced, organized formal CRNA education program at a minimum of the master's level accredited by the national accrediting organization of this specialty area and that is recognized by the board;"

SECTION 4. Section 40-33-34(A)(3)(b) of the 1976 Code is amended to read:

"(b) graduated before December 31, 2003, from an advanced, organized formal education program for nurse anesthetists accredited by the national accrediting organization of that specialty. CRNAs who graduate after December 31, 2003, must graduate with a minimum of a master's degree from a formal CRNA education program for nurse anesthetists accredited by the national accreditation organization of the CRNA specialty. An advanced practice registered nurse must achieve and maintain national certification, as recognized by the board, in an advanced practice registered nursing specialty;"

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3263R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator M.B. MATTHEWS objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

The Senate proceeded to the consideration of the Bill.

Senator SHEALY proposed the following amendment (3602R001.SP.KS), which was adopted:

Amend the bill, as and if amended, page 1, by striking all after the enacting words and inserting:

/SECTION 1. Section 44-66-30(A) of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

"( ) a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient's wishes but who is not a paid caregiver or a provider of health care services to the patient, if the persons included in items (1) through (9) cannot be found after the hospital or health care facility attempts to make contact. For the purposes of this item, a person with an established relationship is an adult who has exhibited special care and concern for the patient, who is generally familiar with the patient's health care views and desires, and who is willing and able to become involved in the patient's health care decisions and to act in the patient's best interest. The person with an established relationship shall sign and date a notarized acknowledgement form, provided by the hospital or other health care facility in which the patient is located, for placement in the patient's records, setting forth the nature and length of the relationship, certifying that he meets such criteria, and documenting efforts made by the health care facility or hospital to contacts the persons listed in items (1) through (9)."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3602R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may

be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator TALLEY proposed the following amendment (3602R002.SP.SFT), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. A.Title 26 of the 1976 Code is amended by adding:

"Chapter 4

South Carolina Remote Online Notarization Act

Section 26-4-10. (A) This chapter may be cited as the 'South Carolina Remote Notary Public Act'.

(B) This chapter provides procedures for the remote online notarization of documents.

Section 26-4-20. As used in this chapter:

(1) 'Appear' or 'personally appear' or 'in the presence of' means:

(a) being in the same physical location as another person and close enough to see, hear, communicate with, and exchange tangible identification credentials with that individual; or

(b) interacting with another individual by means of communication technology that complies with the provisions of this chapter.

(2) 'Communication technology' means an electronic device or process that:

(a) allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(b) when necessary and consistent with other applicable law, facilitates communication with a remotely located individual with a vision, hearing, or speech impairment.

(3) 'Credential analysis' means a process or service that meets the standards established by the Secretary of State through which a third person evaluates the authenticity of a government-issued identification credential through review of public and proprietary data sources.

(4) 'Identity proofing' means a process or service operating according to standards established by the Secretary of State through which a third person affirms the identity of an individual:

(a) by means of dynamic knowledge-based authentication such as a review of personal information from public or proprietary data sources; or

(b) by means of analysis of biometric data such as, but not limited to, facial recognition, voiceprint analysis, or fingerprint analysis.

(5) 'Outside the United States' means outside the geographic boundaries of a state or commonwealth of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

(6) 'Remote online notarial certificate' is the form of an acknowledgement, jurat, verification on oath or affirmation, or verification of witness or attestation that is completed by a remote online notary public and:

(a) contains the online notary public's electronic signature, electronic seal, title, and commission expiration date;

(b) contains other required information concerning the date and place of the remote online notarization;

(c) otherwise conforms to the requirements for an acknowledgment, jurat, verification on oath or affirmation, or verification of witness or attestation under the laws of this State; and

(d) indicates that the person making the acknowledgment, oath or affirmation appeared remotely online.

(7) 'Remote online notarization' or 'remote online notarial act' means a notarial act performed by means of communication technology that meets the standards adopted under this chapter.

(8) 'Remote online notary public' means a notary public who has been authorized by the Secretary of State to perform remote online notarizations under this chapter.

(9) 'Remote online notarization system' means a set of applications, programs, hardware, software, or technologies designed to enable a notary public to perform electronic notarizations.

(10) 'Remote presentation' means transmission to the remote online notary public through communication technology of an image of a

government-issued identification credential that is of sufficient quality to enable the remote online notary public to:

(a) identify the individual seeking the remote online notary public's services; and

(b) perform credential analysis.

(11) 'Remotely located individual' means an individual who is not in the physical presence of the notary.

Section 26-4-30. The provisions of Chapters 1 and 3 of Title 26 apply to all acts authorized pursuant to this chapter unless the provisions of Chapters 1 and 3 directly conflict with the provisions of this chapter. In that case, the provisions of this chapter control when applied to remote online notaries public and remote online notarial acts.

Section 26-4-40. (A) The Secretary of State by rule shall develop and maintain standards for credential analysis and identity proofing.

(B) In developing standards for remote online notarization, the Secretary of State may review and consider standards established by the National Association of Secretaries of State (NASS), and national standard setting bodies such as the Mortgage Industry Standards and Maintenance Organization (MISMO).

Section 26-4-50. (A) A notary public commissioned in this State may become a remote online notary public in accordance with this section. Before a notary public performs a remote online notarization, the notary public must register with the Secretary of State in accordance with rules for registration as a remote online notary public and identify the technology that the notary public intends to use, which must conform to any rules or regulations adopted by the Secretary of State. A notary public must be registered as an electronic notary public prior to submitting a registration to be a remote online notary public. A notary public intending to conduct remote electronic notarizations must file a registration with the Secretary of State on forms prescribed by the Secretary of State prior to performing an electronic notarization. The Secretary of State may charge a fee of fifty dollars for the application submitted under this section to administer this chapter.

(B) Before registering to perform remote online notarial acts, a notary public shall complete a course of instruction approved by the Secretary of State and pass an examination based on the course. The content of the course shall include notarial rules, procedures, and ethical obligations pertaining to remote online notarization or in any other law or official guideline as required by the Secretary of State. The course may be taken in conjunction with any course required by the Secretary of State for an electronic notary public.

(C) Unless terminated pursuant to this chapter, the term of registration to perform remote online notarial acts shall begin on the registration starting date set by the Secretary of State and shall continue as long as the notary public's current commission remains valid.

(D) An individual registering to perform remote online notarial acts shall submit to the Secretary of State an application in a format prescribed by the Secretary of State which includes:

(1) proof of successful completion of the course and examination required under subsection (B);

(2) disclosure of any and all license or commission revocations or other disciplinary actions against the registrant; and

(3) any other information, evidence, or declaration required by the Secretary of State.

(E) Upon the applicant's fulfillment of the requirements for registration under this chapter, the Secretary of State shall approve the registration and issue to the applicant a unique registration number.

(F) The Secretary of State may reject a registration application if the applicant fails to comply with any section of this chapter.

Section 26-4-60. (A) The following notarial acts may be performed by remote online notaries using communication technology:

(1) acknowledgments;

(2) oaths and affirmations;

(3) attestations and jurats;

(4) signature witnessing;

(5) verifications of fact;

(6) certification that a tangible copy of an electronic record is an accurate copy of the electronic record; and

(7) any other acts authorized by law.

Section 26-4-70. A commissioned remote online notary public physically located in this State may perform a remote online notarial act using communication technology in accordance with this chapter and any rules or regulations adopted by the Secretary of State for a remotely located individual who is physically located:

(1) in this State;

(2) outside of this State but within the United States; or

(3) outside of the United States if:

(a) the remote online notary public has no actual knowledge that the act of making the statement or signing the records is prohibited in the jurisdiction in which the person is located; and

(b) the person placing his or her electronic signature on the electronic record confirms to the remote online notary public that the requested remote online notarial act and the electronic record:

(i) are part of or pertain to a matter that is to be filed with or is currently before a court, governmental entity, or other entity in the United States;

(ii) relates to property located in the United States; or

(iii) relates to a transaction substantially connected to the United States.

Section 26-4-80. (A) A remote online notary public shall keep a secure electronic journal of each remote online notarial act performed by the remote online notary public. The electronic journal must contain for each remote online notarization:

(1) the date and time of the notarization;

(2) the type of notarial act;

(3) the type, the title, or a description of the electronic record or proceeding;

(4) the printed name and address of each principal involved in the transaction proceeding;

(5) evidence of identity of each principal involved in the transaction or proceeding in the form of:

(a) a statement that the person is personally known to the remote online notary public;

(b) a notation of the type of identification document provided to the remote online notary public;

(c) a record of the identity verification made under this chapter, if applicable; or

(d) if the principal is identified by one or more credible witnesses:

(i) the printed name and address of each credible witness swearing to or affirming the person's identity; and

(ii) for each credible witness not personally known to the remote online notary public, a description of the type of identification documents provided to the remote online notary public; and

(6) the fee, if any, charged for the notarization.

(B) The remote online notary public shall create an audio and video copy of the performance of the notarial act.

(C) The remote online notary public shall take reasonable steps to:

(1) ensure the integrity, security, and authenticity of remote online notarizations;

(2) maintain a backup for the electronic journal required by subsection (A) and the recording required by subsection (B); and

(3) protect the backup records from unauthorized use.

(D) The electronic journal required by subsection (A) and the recording required by subsection (B) shall be maintained for at least ten years after the date of the transaction or proceeding.

(E) The remote online notary public may designate as custodian of the recording and the electronic journal:

(1) the employer of the remote online notary public if evidenced by a record signed by the remote online notary public and the employer; or

(2) a repository meeting the standards established by the Secretary of State.

(F) The Secretary of State shall establish:

(1) standards for the retention of a video and audio copy of the performance of the notarial act;

(2) procedures for preservation of the audio and video copy and the electronic journal if the remote online notary public dies or is adjudicated incompetent or if the remote online notary public's commission or authority to perform notarial acts is otherwise terminated; and

(3) standards for third party repositories for the retention of the audio and video copy of the performance of the notarial act.

Section 26-4-90. (A) A remote online notary public shall keep the remote online notary public's electronic journal, public key certificate, and electronic seal secure. The remote online notary public may not allow another person to use the remote online notary public's electronic journal, public key certificate, or electronic seal.

(B) A remote online notary public shall attach the remote online notary public's electronic signature and seal to the remote online notarial certificate of an electronic record in a manner that renders any subsequent change or modification to the electronic record to be evident.

(C) A remote online notary public shall immediately notify an appropriate law enforcement agency and the Secretary of State of the theft or vandalism of the remote online notary public's electronic journal, electronic signature, or electronic seal. A remote online notary public shall immediately notify the Secretary of State of the loss or use by another person of the remote online notary public's electronic journal, electronic signature, or electronic seal.

Section 26-4-100. (A) A remote online notary public may perform a remote online notarization authorized under this chapter that meets the

requirements of this chapter and rules adopted under this chapter regardless of whether the principal is physically located in this State at the time of the remote online notarization.

(B) In performing a remote online notarization, a remote online notary public shall verify the identity of a person creating an electronic signature at the time that the signature is taken by using communication technology that meets the requirements of this chapter and rules adopted under this chapter. Identity may be verified by:

(1) the remote online notary public's personal knowledge of the person creating the electronic signature; or

(2) each of the following:

(a) remote presentation by the person creating the electronic signature of a government-issued identification credential, including a passport or driver's license, that contains the signature and a photograph of the person;

(b) credential analysis; and

(c) identity proofing; or

(3) oath or affirmation of a credible witness who personally knows the individual if the electronic notary public has personal knowledge of the credible witness or has reasonably verified the identity of the credible witness under item (2).

(C) The remote online notary public shall take reasonable steps to ensure that the communication technology used in a remote online notarization is secure from unauthorized interception.

(D) The remote online notarial certificate for a remote online notarization must state that the person making the acknowledgment or making the oath appeared remotely online.

(E) A remote online notarial act meeting the requirements of this chapter satisfies the requirement of any law of this State relating to a notarial act that requires a principal to appear or personally appear before a notary or that the notarial act be performed in the presence of a notary.

(F) A credible witness under subsection (B) may be a remotely located individual if the credible witness, principal, and electronic notary public communicate by means of communication technology.

(G) An electronic notary public's verification of an individual's identity under Section 26-4-100(B) constitutes satisfactory evidence of the identity of the individual and satisfies any requirement of law of this State that the notary verify the identity of the individual.

(H) For the purposes of this chapter:

(1) any requirement that an instrument be signed in the presence of two subscribing witnesses may be satisfied by witnesses being present

and electronically signing by means of communication technology, as defined in Section 26-4-20(2); and

(2) the act of witnessing an electronic signature is satisfied if a witness is present either in the physical presence of the principal or present through audio-visual communication technology at the time the principal affixes his electronic signature and sees and hears the principal make a statement acknowledging that the principal has signed the electronic record.

Section 26-4-110. (A) A remote online notarization system shall comply with this chapter and any regulations adopted by the Secretary of State pursuant to Section 26-4-180.

(B) A remote online notarization system shall require access to the system by the remote online notary public by a password or other secure means of authentication.

(C) A remote online notarization system shall enable a notary public to affix the notary's electronic signature in a manner that attributes such signature to the notary.

(D) A remote online notarization system shall render every electronic notarial act tamper-evident.

(E) Except as provided in subsection (F), when the commission of a notary public who is registered to perform remote online notarizations expires or is resigned or revoked, or when such notary public dies or is adjudicated as incompetent, the notary public or the notary public's personal representative or guardian within three months shall dispose of all or any part of a remote online notarization system that had been in the notary public's sole control whose exclusive purpose was to perform electronic notarial acts.

(F) A former notary public whose previous commission expired need not comply with subsection (E) if this individual, within three months after commission expiration, is recommissioned as a notary and reregistered to perform electronic notarial acts.

Section 26-4-120. (A) Any person or entity wishing to apply to the Secretary of State for designation as a remote online notarization system permissible for use by remote online notaries public in this State must complete and submit a registration form to the Secretary of State for review. The Secretary of State shall determine if the applicant meets the requirements of this chapter and any regulations promulgated by the authority of this chapter.

(B) A remote online notarization system must comply with all regulations adopted by the Secretary of State.

Section 26-4-130. A remote online notary public or the remote online notary public's employer may charge a fee of not more than twenty-five dollars for performance of remote online notarization.

Section 26-4-140. (A) Except as provided by subsection (B), a remote online notary public whose commission terminates shall destroy the coding, disk, certificate, card, software, or password that enables electronic affixation of the remote online notary public's official electronic signature or seal. The remote notary public shall certify compliance with this subsection to the Secretary of State.

(B) A former remote online notary public whose commission is terminated for a reason other than revocation or a denial of renewal is not required to destroy the items described by subsection (A) if the former remote online notary public is recommissioned as a remote online notary public with the same electronic signature and seal within three months after the remote online notary public's former commission is terminated.

Section 26-4-150. (A) A person who, without authorization, knowingly obtains, conceals, damages, or destroys the certificate, disk, coding, card, program, software, or hardware enabling a remote online notary public to affix an official electronic signature or seal commits a criminal offense.

(B) A person who violates the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than one year, or both.

(C) The sanctions of this chapter do not preclude other sanctions and remedies provided by law.

Section 26-4-160. In the event of a conflict between the provisions of this chapter and any other law in this State, the provisions of this chapter shall control.

Section 26-4-170. (A) If a law requires as a condition for recording that a document be an original, be on paper or another tangible medium, be in writing, or be signed, the requirement is satisfied by a paper copy of an electronic document bearing an electronic signature that a notary public has certified to be a true and correct copy of a document that was originally in electronic form and bearing an electronic signature pursuant to subsection (C).

(B) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied by a paper copy of an electronic document bearing an electronic signature of the person authorized to perform that act, and all other information required to be included, that a notary public has

certified to be a true and correct copy of a document that was originally in electronic form and bearing an electronic signature of the person pursuant to subsection (C). A physical or electronic image of a stamp, impression, or seal need not accompany an electronic signature.

(C) A recorder shall record a paper copy of a document that was originally in electronic form and that is otherwise entitled to be recorded under the laws of this State, provided that the paper copy has been certified to be a true and correct copy of the electronic original by a notary public duly commissioned under the laws of this State as evidenced by a certificate attached to or made a part of the document. The certificate must:

(1) be signed and dated by the notary public, and be signed in the same manner as on file with the Secretary of State;

(2) identify the jurisdiction in which the certification is performed;

(3) contain the title of the notary public;

(4) indicate the date of expiration, if any, of the notary public's commission; and

(5) include an official stamp of the notary public affixed to or embossed on the certificate.

(D) The following form of certificate is sufficient for the purposes of this section, if completed with the information required by subsection (C):

'State of _____

County of_____

I certify that the foregoing and annexed document entitled _____ [document title], if applicable, dated _____ [document date], if applicable, and containing ___ pages is a true and correct copy of an electronic document bearing one or more electronic signatures this _____ date.

Signature of Notary Public

Stamp

_____

Notary Public

My commission expires: _____

My notary registration number is: _____'

(E) A notary public duly commissioned under the laws of this State has the authority to make the certification provided in this section.

(F) A notary public making the certification provided in this section shall:

(1) confirm that the electronic record contains an electronic signature that is capable of independent verification and renders any subsequent changes or modifications to the electronic record evident;

(2) personally print or supervise the printing of the electronic record onto paper; and

(3) not make any changes or modifications to the electronic record other than the certification described in subsection (C).

(G) If a certificate is completed with the information required by subsection (C) and is attached to or made a part of a paper document, the certificate may be conclusive evidence that the requirements of subsection (F) have been satisfied with respect to the document.

(H) A document purporting to convey or encumber real property or any interest therein that, by inadvertence or excusable neglect, has been recorded by a recorder for the jurisdiction in which the real property is located, and that has not been certified in accordance with the provisions of this section, shall impart the same notice to third persons and be effective, from the time of recording, as if the document had been certified in accordance with the provisions of this section.

(I) This section does not apply to a plat, map, or survey of real property if under another law of this State or under a rule, regulation, or ordinance applicable to a recorder:

(1) there are requirements of format or medium for the execution, creation, or recording of such plat, map, or survey beyond the requirements applicable to a deed to real property; or

(2) such plat, map, or survey must be recorded in a different location than a deed to real property.

Section 26-4-180. The Secretary of State is authorized to promulgate and enforce any regulations, policies, and procedures necessary for the administration of this chapter, including rules to facilitate remote online notarizations.

Section 26-4-190. Remote online notary public applications will not be accepted for processing until the administrative rules are in effect and vendors of technology are approved by the Secretary of State."

B. Title 26 of the 1976 Code is amended by adding:

"CHAPTER 2

South Carolina Electronic Notary Public Act

Section 26-2-305. (A) This chapter may be cited as the 'South Carolina Electronic Notary Public Act'.

(B) This chapter provides procedures and requirements for electronic notarization.

Section 26-2-310. For the purposes of this article:

(1) 'Electronic' means relating to technology and having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) 'Electronic document' or 'electronic record' means information that is created, generated, sent, communicated, received, or stored by electronic means.

(3) 'Electronic journal of notarial acts' and 'electronic journal' means a chronological electronic record of notarizations that is maintained by the electronic notary public who performed the notarizations.

(4) 'Electronic notarial act' and 'electronic notarization' means an official act by an electronic notary public that involves electronic documents.

(5) 'Electronic notarial certificate' means the part of, or attachment to, an electronic record that is completed by the electronic notary public, bears that electronic notary's electronic signature and electronic seal, and states the facts attested to by the electronic notary in an electronic notarization.

(6) 'Electronic notarization system' means a set of applications, programs, hardware, software, or technologies designed to enable an electronic notary public to perform electronic notarizations.

(7) 'Electronic notary public' and 'electronic notary' means a notary public who has registered with the Secretary of State with the capability to perform electronic notarial acts in conformance with this chapter.

(8) 'Electronic notary seal' and 'electronic seal' means information within a notarized electronic document that includes the electronic notary's name, jurisdiction, registration number, and commission expiration date and generally corresponds to data in notary seals used on paper documents.

(9) 'Electronic signature' means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the document.

(10) 'Public key certificate' means an electronic credential that is used to identify an individual who signed an electronic record with the certificate.

(11) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(12) 'Sole control' means at all times being in the direct physical custody of the electronic notary public or safeguarded by the electronic notary with a password or other secure means of authentication.

(13) 'Tamper evident' means that any change to a record shall provide evidence of the change.

(14) 'Verification of fact' means a notarial act in which a notary reviews public or vital records, or other legally accessible data, to ascertain or confirm any of the following facts:

(a) date of birth, death, marriage, or divorce;

(b) name of parent, marital partner, offspring, or sibling; or

(c) any matter authorized for verification by a notary by other law or rule of this State.

Section 26-2-320. The provisions of Chapters 1 and 3 of this title apply to all acts authorized pursuant to this chapter unless the provisions of Chapters 1 and 3 directly conflict with the provisions of this chapter. In that case, the provisions of this chapter control when applied to electronic notaries public and electronic notarial acts.

Section 26-2-330. (A) A notary public commissioned in this State may become an electronic notary public in accordance with this section. Before a notary public performs an electronic notarization, the notary public must register with the Secretary of State in accordance with rules for registration as an electronic notary public and must identify the technology that he intends to use, which must conform to any rules or regulations adopted by the Secretary of State. A registration fee of fifty dollars must be submitted to the Secretary of State with the registration form to be used by the Secretary of State to administer the provisions of this chapter.

(B) Unless terminated pursuant to Section 26-2-450, the term of registration to perform electronic notarial acts shall begin on the registration starting date set by the Secretary of State and shall continue as long as the notary public's current commission remains valid.

(C) An individual registering to perform electronic notarial acts shall submit to the Secretary of State an application in a format prescribed by the Secretary of State that includes:

(1) proof of successful completion of the course and examination required pursuant to Section 26-2-340;

(2) disclosure of any and all license or commission revocations or other disciplinary actions against the individual; and

(3) any other information, evidence, or declaration required by the Secretary of State.

(D) Upon the individual's fulfillment of the requirements for registration under this chapter, the Secretary of State shall approve the registration and issue to the individual a unique registration number.

(E) The Secretary of State may reject a registration application if the individual fails to comply with any section of this chapter.

Section 26-2-340. (A) Before performing electronic notary acts, an electronic notary public shall take a course of instruction of sufficient length to ensure that the electronic notary public understands his duties and responsibilities, as determined and approved by the Secretary of State, and shall pass an examination of this course.

(B) The content of the course and the basis of the examination must be notarial laws, procedures, technology, and ethics as they pertain to notarizations and electronic notarizations.

Section 26-2-350. (A) The following notarial acts may be performed electronically:

(1) acknowledgments;

(2) oaths and affirmations;

(3) attestations and jurats;

(4) signature witnessing;

(5) verifications of fact;

(6) certification that a tangible copy of an electronic record is an accurate copy of the electronic record; and

(7) any other acts authorized by law.

Section 26-2-360. (A) An electronic notary public shall perform an electronic notarization only if the principal:

(1) appears in person before the electronic notary public at the time of notarization; and

(2) is personally known to the electronic notary or identified by the electronic notary through satisfactory evidence as defined in Chapter 1 of this title.

(B) In performing electronic notarial acts, an electronic notary public shall adhere to all applicable rules governing notarial acts provided in Chapter 1 of this title.

Section 26-2-370. (A) When performing an electronic notarial act, an electronic notarial certificate must be attached to, or logically associated with, the electronic document by the electronic notary public and must include:

(1) the electronic notary public's name exactly as stated on the commission issued by the Secretary of State;

(2) the electronic notary public's electronic seal;

(3) the expiration date of the electronic notary public's commission;

(4) the electronic notary public's electronic signature; and

(5) completed wording appropriate to the particular electronic notarial act, as prescribed by law.

(B) All components in subsection (A)(2) through (5) must be immediately perceptible and reproducible in the electronic record to which the electronic notary public's electronic signature is attached, such that removal or alteration of a component is tamper evident and will render evidence of alteration of the document containing the electronic notarial certificate, which may invalidate the electronic notarial act. If an electronic seal is not used, then the words 'Electronic Notary Public' and the words 'State of South Carolina' must still be attached.

(C) An electronic notary public's electronic signature or electronic seal is considered to be reliable if it is:

(1) unique to the electronic notary public;

(2) capable of independent verification;

(3) retained under the electronic notary public's sole control;

(4) attached to or logically associated with the electronic document; and

(5) linked to the data in such a manner that any subsequent alterations to the underlying document or electronic notarial certificate are tamper evident and may invalidate the electronic notarial act.

(D) The electronic seal of an electronic notary public shall contain the:

(1) name of the electronic notary public exactly as it is spelled on the electronic notary public's commission;

(2) title 'Notary Public';

(3) words 'State of South Carolina';

(4) registration number indicating the electronic notary public may perform electronic notarial acts; and

(5) expiration date of the electronic notary public's commission.

(E) The electronic seal of an electronic notary public may be a digital image that appears in the likeness or representation of a traditional physical notary public seal. The electronic seal of an electronic notary public may not be used for any purpose other than performing electronic notarizations under this chapter.

(F) Only the electronic notary public whose name and registration number appear on an electronic seal shall generate that electronic seal.

Section 26-2-380. (A) An electronic notary public may charge the maximum fee for performing an electronic notarial act specified in subsection (B), charge less than the maximum fee, or waive the fee.

(B) The maximum fees that may be charged by an electronic notary public for performing electronic notarial acts are:

(1) for acknowledgments, ten dollars per signature;

(2) for oaths and affirmations, ten dollars per signature;

(3) for attestations and jurats, ten dollars per signature;

(4) for signature witnessing, ten dollars per signature;

(5) for verifications of fact, ten dollars per signature; and

(6) for any other acts authorized by law, ten dollars per signature.

(C) An electronic notary public may charge a travel fee when traveling to perform an electronic notarial act if:

(1) the electronic notary public and the person requesting the electronic notarial act agree upon the travel fee in advance of the travel; and

(2) the electronic notary public explains to the person requesting the electronic notarial act that the travel fee is both separate from the notarial fee prescribed by subsection (B) and neither specified nor mandated by law.

(D) An electronic notary public who charges fees for performing electronic notarial acts shall conspicuously display in all of the electronic notary public's places of business and Internet websites, or present to each principal or requester of fact when outside these places of business, an English-language schedule of maximum fees for electronic notarial acts, as specified in subsection (B). A notarial fee schedule may not appear or be printed in smaller than ten-point type.

Section 26-2-390. (A) The electronic notary public's electronic signature, in combination with his electronic seal, must be used only for the purpose of performing electronic notarial acts.

(B) An electronic notary public shall use an electronic notarization system that complies with this chapter and has been registered with the Secretary of State to produce the electronic notary's electronic signature and electronic seal in a manner that is capable of independent verification.

(C) An electronic notary public shall take reasonable steps to ensure that no other individual may possess or access an electronic notarization system in order to produce the electronic notary public's electronic signature or electronic seal.

(D) An electronic notary public shall keep in his sole control all or any part of an electronic notarization system for which the exclusive

purpose is to produce the electronic notary public's electronic signature and electronic seal.

(E) For the purposes of this section, 'capable of independent verification' means that any interested person may confirm through the Secretary of State that an electronic notary public who signed an electronic record in an official capacity had the authority at that time to perform electronic notarial acts.

(F) The Secretary of State shall promulgate regulations necessary to establish standards, procedures, practices, forms, and records relating to an electronic notary public's electronic signature and electronic seal. The electronic notary public's electronic seal and electronic signature must conform to all standards adopted by the Secretary of State.

Section 26-2-400. (A) An electronic notary public shall create and maintain an electronic journal of each electronic notarial act. For every electronic notarial act, the electronic notary public shall record the following information in the electronic journal:

(1) the date and time of the electronic notarial act;

(2) the type of electronic notarial act;

(3) the title or a description of the record being notarized, if any;

(4) the printed full name of each principal;

(5) if identification of the principal is based on personal knowledge, a statement to that effect;

(6) if identification of the principal is based on satisfactory evidence of identity pursuant to Section 26-1-5(17), a description of the evidence relied upon and the name of any credible witness or witnesses;

(7) the address where the notarization was performed, if not the electronic notary public's business address;

(8) if the notarial act is performed electronically, a description of the electronic notarization system used; and

(9) the fee, if any, charged by the electronic notary.

(B) An electronic notary public may not record a Social Security number in the electronic journal.

(C) An electronic notary public may not allow the electronic journal to be used by any other notary public and may not surrender the electronic journal to an employer upon termination of employment.

(D) Any party to the notarized transaction or party with a legitimate interest in the transaction may inspect or request a copy of an entry or entries in the electronic notary public's electronic journal, provided that:

(1) the party specifies the month, year, type of record, and name of the principal for the electronic notarial act, in a signed physical or electronic request;

(2) the electronic notary public does not surrender possession or control of the electronic journal;

(3) the party is shown or given a copy of only the entry or entries specified; and

(4) a separate new entry is made in the electronic journal, explaining the circumstances of the request and noting any related act of copy certification by the electronic notary public.

(E) An electronic notary public may charge a reasonable fee to recover any cost of providing a copy of an entry in the electronic journal of notarial acts. An electronic notary who has a reasonable and explainable belief that a person requesting information from the electronic notary's electronic journal has a criminal or other inappropriate purpose may deny access to any entry or entries.

(F) All electronic notarial records required by statute or regulation may be examined and copied without restriction by a law enforcement officer in the course of an official investigation, subpoenaed by court order, or surrendered at the direction of the Secretary of State.

(G) The Secretary of State will establish commercially reasonable standards for preservation of electronic journals in the event of a resignation, revocation, or expiration of an electronic notary commission, or upon the death of the electronic notary. The provisions of this subsection do not apply to a former electronic notary whose commission has expired if within three months the electronic notary commission is renewed.

Section 26-2-410. (A) An electronic notary public shall keep his electronic journal, public key certificate, and electronic seal secure. The electronic notary public may not allow another person to use his electronic journal, public key certificate, or electronic seal.

(B) An electronic notary public shall attach his public key certificate and electronic seal to the electronic notarial certificate of an electronic record in a manner that renders any subsequent change or modification to the electronic record to be evident.

(C) An electronic notary public shall immediately notify the appropriate law enforcement agency and the Secretary of State of the theft or vandalism of the electronic notary public's electronic journal, public key certificate, or electronic seal. An electronic notary public shall immediately notify the Secretary of State of the loss or use by another person of the electronic notary public's electronic journal, public key certificate, or electronic seal.

(D) Upon resignation, revocation, or expiration of an electronic notary commission or death of the electronic notary, the electronic notary

or his personal representative shall erase, delete, or destroy the coding, disk, certificate, card software, file, or program that enables electronic affixation of the electronic notary's official electronic signature. The provisions of this subsection do not apply to a former electronic notary who renews his commission within three months of the expiration of his previous commission.

Section 26-2-420. (A) An electronic notarization system shall comply with this chapter and any regulations promulgated by the Secretary of State pursuant to Section 26-2-500.

(B) An electronic notarization system shall require access to the system by a password or other secure means of authentication.

(C) An electronic notarization system shall enable an electronic notary public to affix the electronic notary public's electronic signature in a manner that attributes such signature to the electronic notary public.

(D) An electronic notarization system shall render every electronic notarial act tamper evident.

(E) Except as provided in subsection (F), when the commission of a notary public who is registered to notarize electronically expires or is resigned or revoked, or when such electronic notary dies or is adjudicated as incompetent, the electronic notary public or his personal representative or guardian shall, within three months, dispose of all or any part of an electronic notarization system that had been in the electronic notary's sole control for which the exclusive purpose was to perform electronic notarial acts.

(F) A former electronic notary public whose previous commission expired need not comply with subsection (E) if this individual, within three months after commission expiration, is recommissioned as a notary public and reregistered to perform electronic notarial acts.

Section 26-2-430. (A) Any person or entity wishing to provide an electronic notarization system to electronic notaries public in this State must complete and submit a registration form to the Secretary of State for review.

(B) An electronic notarization system shall comply with all regulations promulgated by the Secretary of State.

(C) An electronic notary solution provider must be registered with the Secretary of State pursuant to this chapter before making available to South Carolina electronic notaries public any updates or subsequent versions of the provider's electronic notarization system.

Section 26-2-440. (A) An electronic notary public shall take reasonable steps to ensure that any registered device used to create the

electronic notary public's electronic signature is current and has not been revoked or terminated by its issuing or registering authority.

(B) If the registration of the device used to create electronic signatures either expires or is changed during the electronic notary public's term of office, then the notary public shall cease performing electronic notarizations until:

(1) a new device is duly issued or registered to the electronic notary public; and

(2) an electronically signed notice is sent to the Secretary of State that includes the starting and expiration dates of any new registration term and any other new information at variance with information in the most recently executed electronic registration form.

Section 26-2-450. (A) The liability, sanctions, and remedies for the improper performance of electronic notarial acts, or for providing false or misleading information in registering to perform electronic notarial acts, by an electronic notary public are the same as provided by law for the improper performance of non-electronic notarial acts.

(B)(1) The Secretary of State may terminate an electronic notary public's registration for one or more of the following reasons:

(a) submission of an electronic registration form containing a material misstatement or omission of fact;

(b) failure to maintain the capability to perform electronic notarial acts; or

(c) official misconduct by the electronic notary public.

(2) Before terminating an electronic notary public's registration, the Secretary of State will inform the electronic notary public of the basis for the termination, and the termination will take place on a particular date unless a proper appeal is filed with the Administrative Law Court before that date.

(3) Neither resignation nor expiration of a notary commission or of an electronic notary public registration precludes or terminates an investigation by the Secretary of State into an electronic notary public's conduct. The investigation may be pursued to a conclusion, when it must be made a matter of public record whether the finding would have been grounds for termination of the electronic notary public's commission or registration.

Section 26-2-460. (A) It is unlawful for a person to knowingly:

(1) act as or otherwise impersonate an electronic notary public, if that person is not an electronic notary public;

(2) obtain, conceal, damage, or destroy the coding, disk, certificate, card, token, program, software, or hardware that is intended

exclusively to enable an electronic notary public to produce a registered electronic signature, electronic seal, or single element combining the required features of an electronic signature and electronic seal; or

(3) solicit, coerce, or in any way influence an electronic notary public to commit official misconduct.

(B) A person who violates the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars, imprisoned for not more than one year, or both.

(C) The sanctions of this chapter do not preclude other sanctions and remedies provided by law.

Section 26-2-470. The provisions contained in Chapter 1 of this title, with regard to notarial certificates, are applicable for the purposes of this chapter.

Section 26-2-480. Electronic evidence of the authenticity of the official electronic signature and electronic seal of an electronic notary public of this State, if required, must be attached to, or logically associated with, a notarized electronic document transmitted to another state or nation and must be in the form of an electronic certificate of authority signed by the Secretary of State in conformance with any current and pertinent international treaties, agreements, and conventions subscribed to by the government of the United States.

Section 26-2-490. (A) An electronic certificate of authority evidencing the authenticity of the official electronic signature and electronic seal of an electronic notary public of this State shall substantially contain the following words:

'Certificate of Authority for an Electronic Notarial Act

I, _____ (name, title, jurisdiction of commissioning official) certify that _____ (name of electronic notary), the person named as an electronic notary public in the attached or associated document, was indeed registered as an electronic notary public for the State of South Carolina and authorized to act as such at the time of the document's electronic notarization.

To verify this Certificate of Authority for an Electronic Notarial Act, I have included herewith my electronic signature this _____ day of _____, 20__.

[Electronic signature (and electronic seal) of the commissioning official]'.

(B) The Secretary of State may charge ten dollars for issuing an electronic certificate of authority.

Section 26-2-500. The Secretary of State is authorized to promulgate and enforce any regulations and create and enforce any policies and

procedures necessary for the administration of this chapter, including rules to facilitate remote online notarizations."

C. Nothing in this SECTION contravenes South Carolina law that requires a licensed South Carolina attorney to supervise a closing.

D. This SECTION does not apply to wills and trusts in South Carolina.

E. This SECTION takes effect upon approval by the Governor. Remote online notary public applications and electronic online notary public applications will not be accepted for processing until the administrative rules are in effect and vendors of technology are approved by the Secretary of State. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

On motion of Senator VERDIN, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED

NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (3821R001.SP.SRM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 32-34 and inserting:

/ (d) pronounce death and sign death certificates <u>pursuant to the provisions of Chapter 63, Title 44 and Chapter 8, Title 32</u>; /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3821R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by

the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (DG\4004C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 2, by adding two sections at the end to read:

/ Section 44-80-110. An advanced practice registered nurse (APRN) may create, execute, and sign a POST form if authorized to do so by his or her practice agreement. The POST form must be for a patient of the APRN, the physician with whom the APRN has entered into a practice agreement, or both.

Section 44-80-120. A physician assistant (PA) may create, execute, and sign a POST form if authorized to do so by his or her scope of practice guidelines. The POST form must be for a patient of that PA, the PA's supervising physician, or both." /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (4004R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was

made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING

TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4011R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly

convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS

FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4012R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 6, line 4, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the

office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.
Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4013R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same

vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS “MEAT” OR “CLEAN MEAT” ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4245R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent

of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson

Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GROOMS, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED
READ THE SECOND TIME

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (4380R001.KMM.JTM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 58-23-1640 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( ) At the time of a pick-up of a TNC passenger, a TNC vehicle must display the vehicle's license plate number, which must be printed in a legible font of no less than two inches in height and displayed from the front of the TNC vehicle. The display of the license plate number shall not be required to be permanent and shall not be required to be issued or approved by a TNC or the State, including the Department of Motor Vehicles or the Office of Regulatory Staff."

SECTION 2. This act takes effect thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (4380R002.SP.GH):

Amend the bill, as and if amended, Section 58-23-1640, by adding appropriately lettered new subsections to read:

/ ( ) A person who misrepresents himself as a licensed TNC driver is guilty of a misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than thirty days, or both.

( ) A person who knowingly engages in the use of a TNC trade dress or a TNC ridesharing application in the furtherance of a criminal activity is guilty of a misdemeanor and shall be fined not more than one thousand dollars, imprisoned for not more than three years, or both." /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

The Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR

LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

Senator MALLOY objected to the consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO

ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3754.002), which was adopted:

Amend the bill, as and if amended, page 1, beginning on line 35, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 27-32-10 of the 1976 Code is amended by adding an appropriately numbered item to read:

"( ) 'Timeshare declaration' means the document or documents which provide the legal framework for the establishment of the method of interval ownership and which is or are recorded at the office of the Clerk of Court, Register of Mesne Conveyance, or the Register of Deeds as may be determined by the county in which the vacation time-sharing property is located." /

Amend the bill further, as and if amended, page 3, beginning on line 1, by striking SECTION 3 in its entirety and inserting therein the following:

/ SECTION 3. Chapter 32, Title 27 of the 1976 Code is amended by adding:

"Article 5

Extension or Termination of Vacation Time-Sharing Plans

Section 27-32-500. This article may be cited as the 'Vacation Time-sharing Plan Extension and Termination Act'.

Section 27-32-505. The General Assembly declares that the purposes of this article are to recognize that:

(A) Vacation time-sharing plans are created as authorized by statute with most of the older vacation time-sharing properties based on a horizontal property regime structure, and many of these older vacation time-sharing properties are approaching the termination dates set forth in their governing documents, some of which governing documents address termination or extension of the vacation time-sharing property and some of which do not address termination or extension.

(B) In order to provide the owners of vacation time-sharing interests with the right to terminate vacation time-sharing plans or to extend the terms of vacation time-sharing plans and preserve the continued use, enjoyment, and tax values of these time-sharing properties, the General Assembly further declares that the public policy of this State requires the creation of a statutory method to enable the owners of these vacation time-sharing properties to either terminate their vacation time-sharing plans or extend the terms of their vacation time-sharing plans, notwithstanding contrary provisions in their governing documents which may create uncertainty for purchasers, prospective purchasers, owners, and lenders, and which may discourage the ongoing maintenance, refurbishment, and improvement of these vacation time-sharing properties.

Section 27-32-510. (A) Unless the timeshare declaration provides a lower percentage, the vote or written consent, or both, of sixty percent of all eligible voting interests in a vacation time-sharing plan may extend the term of the vacation time-sharing plan at any time. If the term of a vacation time-sharing plan is extended pursuant to this section, all rights, privileges, duties, and obligations created under applicable law or the timeshare declaration continue in full force to the same extent as if the extended termination date of the vacation time-sharing plan were the original termination date of the vacation time-sharing plan.

(B) Unless the timeshare declaration specifically provides for a lower quorum, the quorum for a vacation time-sharing association meeting to consider extension of the term of the vacation time-sharing plan is fifty percent of all eligible voting interests in the vacation time-sharing plan.

(C) A vacation time-sharing association meeting held to consider extension of the term of the vacation time-sharing plan may be held at any time before the termination of the vacation time-sharing plan.

(D) The board of directors of the vacation time-sharing association may determine that a voting interest that is delinquent in the payment of more than two years of assessments is ineligible to consent to or vote on an extension of the vacation time-sharing plan unless the delinquency is paid in full before the consent or vote. A voting interest determined to be ineligible by the board of directors must be subtracted from the total percentage or number of all voting interests required to consent to or vote to approve the extension of the vacation time-sharing plan and must not be considered for any purpose, including the percentage or number of voting interests necessary to constitute a quorum.

(E) A proxy for a vote to extend a vacation time-sharing plan pursuant to this section is valid for up to three years and is revocable unless the proxy states it is irrevocable.

Section 27-32-520. (A) Unless the timeshare declaration provides a lower percentage, the vote or written consent, or both, of sixty percent of all eligible voting interests in a vacation time-sharing plan may terminate the term of the vacation time-sharing plan at any time. If a vacation time-sharing plan is terminated pursuant to this section, the termination has immediate effect as if the effective date of the termination were the original date of termination.

(B) If the vacation time-sharing property is managed by a vacation time-sharing association that is separate from any underlying owners' association, the termination of a vacation time-sharing plan does not change the corporate status of the vacation time-sharing association. The vacation time-sharing association continues to exist only for the purposes of concluding its affairs, prosecuting and defending actions by or against it, collecting and discharging obligations, disposing of and conveying its property, collecting and dividing its assets, and otherwise complying with this section.

(C) After termination of a vacation time-sharing plan, the board of directors of the vacation time-sharing association shall serve as the termination trustee, as the entity empowered to implement the termination of the vacation time-sharing plan, and in this fiduciary capacity may bring an action in partition on behalf of the tenants in common in each former vacation time-sharing property or sell the former vacation time-sharing property in a manner and to a person who is approved by a majority of all tenants in common. The termination trustee also has all other powers reasonably necessary to effect the partition or sale of the former vacation time-sharing property, including the power to maintain the property during the pendency of a partition action or sale.

(D) All reasonable expenses incurred by the termination trustee relating to the performance of its duties pursuant to this section, including the reasonable fees of attorneys and other professionals, must be paid by the tenants in common of the former vacation time-sharing property subject to partition or sale, proportionate to their respective ownership interests.

(E) The termination trustee shall adopt reasonable procedures to implement the partition or sale of the former vacation time-sharing property and comply with the requirements of this section.

(F) If the terminated vacation time-sharing plan is in an underlying subdivision that is not simultaneously terminated, a majority of the

tenants in common in each former accommodation present and voting in person or by proxy at a meeting of the tenants in common conducted by the termination trustee, or conducted by the board of directors of the underlying owners' association, if the underlying owners' association managed the former vacation time-sharing property, shall designate a voting representative for the former accommodation and file a voting certificate with the underlying owners' association. The voting representative may vote on all matters at meetings of the underlying owners' association, including termination of the underlying subdivision.

(G) Unless the timeshare declaration specifically provides for a lower quorum, the quorum for a vacation time-sharing association meeting to consider termination of the vacation time-sharing plan is fifty percent of all eligible voting interests in the vacation time-sharing plan.

(H) The board of directors of the vacation time-sharing association may determine that a voting interest that is delinquent in the payment of more than two years of assessments is ineligible to consent to or vote on any termination of the vacation time-sharing plan unless the delinquency is paid in full before the consent or vote. A voting interest determined to be ineligible by the board of directors must be subtracted from the total percentage or number of all voting interests required to consent to or vote to approve the termination of the vacation time-sharing plan and must not be considered for any purpose, including the percentage or number of voting interests necessary to constitute a quorum.

(I) A proxy for a vote to terminate a vacation time-sharing plan pursuant to this section is valid for up to three years and is revocable unless the proxy states it is irrevocable.

Section 27-32-530. The provisions of this article apply to all vacation time-sharing plans in this State in existence on or after the effective date of this article and apply retroactively." /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3754R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by

the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott

Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION

BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\3760C003.JN.CZ19), which was carried over:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 3, Chapter 79, Title 38 of the 1976 Code is amended to read:

"Article 3
South Carolina Medical Malpractice Liability
Joint Underwriting Association

Section 38-79-110. As used in this article:

(1) 'Accumulated deficit' means the amount that the association's and the fund's liabilities exceed their assets, as reported in the association's and fund's respective financial statements.

(2) 'Association' means any joint underwriting association established by the General Assembly in 1987 and managed and operated pursuant to the provisions of this article ~~including the South Carolina Joint Underwriting Association as provided for in Section 38-79-300~~.

~~(2)~~(3) 'Fund' means the Patients' Compensation Fund.

(4) 'Licensed health care providers' means physicians and surgeons, nurses, oral surgeons, dentists, pharmacists, ~~chiropractors,~~ podiatrists, hospitals, nursing homes, or any similar major category of licensed health care providers. The term 'licensed health care provider' also includes blood centers which collect, process, and distribute blood to hospitals and physicians for the care of patients if these blood centers as of July 1, 1997, were insured with the ~~Joint Underwriting~~ association.

~~(3)~~(5) 'Medical malpractice insurance' means medical professional liability insurance or insurance protection against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in rendering or failing to render professional service by any licensed physician, licensed health care provider, or hospital.

~~(4)~~(6) 'Net-direct premiums' means gross direct premiums written on ~~bodily injury liability insurance, other than automobile liability insurance, homeowners liability insurance, and farmowners liability insurance, including the liability component of multiple peril package policies, as computed by the director or his designee, less return~~

~~premiums or the unused or unabsorbed portions of premium deposits.~~ medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, and any other type of professional liability insurance covering risks of licensed health care providers and facilities as determined and computed by the director or his designee, less return premiums or the unused or unabsorbed portions of premium deposits. The net-direct premium calculation does not include premiums written by the fund.

Section 38-79-120. (1) A joint underwriting association (association) is created, consisting of ~~all insurers authorized to write within this State, on a direct basis, bodily injury liability insurance, other than automobile bodily injury liability insurance, homeowners liability insurance, and farmowners liability insurance, including insurers covering such peril in multiple peril package policies. Every such insurer is and must remain a member of the association as a condition of its authority to continue to transact such kind of insurance in this State.~~ all insurers authorized to write and report net-direct written premiums for medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers. The fund and nonadmitted insurers are not members of the association. Each insurer described above is and must remain a member of the association as a condition of the authorization to transact the sale of insurance in this State.

(2) The purpose of the association is to ~~provide medical malpractice insurance~~ ensure the availability of a stable facility for medical malpractice insurance for healthcare providers and act as a residual market on a self-supporting basis to the fullest extent possible.

(3) The association must be called into operation at any time that the department finds and declares the existence of an emergency because of the unavailability of medical malpractice liability insurance, or the unavailability of medical malpractice liability insurance on a reasonable basis through normal channels, in respect to all or any one or more of the major categories of licensed health care providers listed in item (2) of Section 38-79-110.

Section 38-79-125. (1) As of January 1, 2020, all insurers authorized to write, on a direct basis, bodily injury liability insurance and insurers covering such peril in multiple peril package policies and bodily injury insurance, other than automobile bodily injury insurance, homeowners liability insurance, farmowners liability insurance including monoline farm liability insurance, medical malpractice

insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers must pay an assessment equal to their share of twenty percent of the accumulated deficit of the association as determined by the director and contained in their most recently reported financial statements. Each insurer's share of the assessment must be calculated based upon the net-direct written premiums for the insurer's liability lines described above on the most recent year preceding the effective date of this section. All money collected from this assessment must be applied to the accumulated deficit of the association. Each insurer may pay the assessment in one lump sum or, at the insurer's option, in equal installments over a period not to exceed five years. The assessment may be incorporated into the rate filings of the insurer. Upon satisfaction of the assessment, each insurer may withdraw as members of the association upon submission of:

(a) an application for withdrawal in the format prescribed by the director or his designee;

(b) evidence that it has not written any medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers in the preceding consecutive five years; and

(c) certification by the association and the director or his designee that all obligations to the association have been fully satisfied.

(2) The director may set the date on which the insurer's withdrawal becomes effective by order.

(3) Insurers writing medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers are not eligible to withdraw from membership in the association.

Section 38-79-130. The association, pursuant to the provisions of this article and the approved plan of operation in respect to medical malpractice insurance, has the power on behalf of its members to:

(1) issue, or cause to be issued, policies of insurance to applicants including incidental coverages including, but not limited to, premises or operations liability coverage on the premises where services are rendered, all subject to limits of liability as specified in the plan of operation but not to exceed two hundred thousand dollars for each claim under one policy and six hundred thousand dollars for all claims under

one policy in any one year; provided, however, that the association may offer policies up to one million dollars for each claim under one policy and three million dollars for all claims under one policy in any one year only upon approval of the board of the association and with the written concurrence of the Board of Governors of the South Carolina Patients' Compensation Fund;

(2) underwrite medical malpractice insurance and to adjust and pay losses with respect to it or to appoint service companies to perform those functions; and

(3) cede and assume reinsurance.

Section 38-79-140. (1) The association must operate pursuant to a plan of operation which shall provide for economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of medical malpractice insurance and may contain other provisions including, but not limited to, preliminary assessment of all members for initial expenses necessary to commence operations, establishment of necessary facilities, management of the association, assessment of the members to defray losses and expenses, commissions arrangements, reasonable and objective underwriting standards, acceptance and cession of reinsurance, appointment of servicing carriers, and procedures for determining amounts of insurance to be provided by the association.

(2) The plan of operation shall provide that any profit achieved by the association must be applied to the accumulated deficit. If there is no accumulated deficit, any profit achieved by the association must be added to the reserves of the association ~~or returned to the policyholders as a dividend~~.

(3) The plan of operation becomes effective and operative no later than thirty days after the declaration of any emergency by the department.

(4) Amendments to the plan of operation may be made by the directors of the association with the approval of the director or his designee or must be made at the direction of the director or his designee after due notice and public hearing.

Section 38-79-150. Any licensed health care provider in a category in which the department has declared an emergency exists is entitled to apply to the association for coverage. The application may be made on behalf of the applicant by a licensed agent or broker authorized in writing by the applicant. Beginning July 1, 2025, the board of directors may require evidence of declinations from the admitted medical malpractice market before quoting policies to a prospective policy owner. The board

decision to require declinations must be subject to the approval of the director who may disapprove such requirement only if it can be reasonably shown that declinations will cause the accumulated deficit to worsen. If the association determines that the applicant meets the underwriting standards of the association as set forth in the approved plan of operation and there is no unpaid, uncontested premium due from the applicant for any prior insurance of the same kind, the association, upon receipt of the premium, or a portion thereof as prescribed by the plan of operation, shall cause to be issued a policy of medical malpractice liability insurance for a term of one year.

The rates, rating plans, rating rules, rating classifications, territories, and policy forms applicable to insurance written by the association and the statistical and experience data relating thereto are subject to this article and to those provisions of Chapter 73 of this title which are not inconsistent with the purposes and provisions of this article.

Section 38-79-160. ~~The director or his designee shall obtain complete statistical data in respect to medical malpractice losses and reparation costs as well as all other costs or expenses which underlie or are related to medical malpractice liability insurance. He shall promulgate any statistical plan he considers necessary for the purpose of gathering data referable to loss and loss adjustment expense experience and other expense experience. When a statistical plan is promulgated all members of the association shall adopt and use it. The director or his designee shall also obtain statistical data in respect to the costs of compensating or rehabilitating victims of medical malpractice without respect to insurance for purposes of studying the feasibility or desirability of alternative medical malpractice compensation systems and estimating the impact of medical malpractice loss and insurance costs upon other compensation and insurance systems such as workers' compensation and accident and health insurance. He may require from any person obtaining insurance through the association loss, claim, or expense data. This information or data is confidential and the physician-patient privilege must be preserved.~~ Reserved.

Section 38-79-170. In respect to the structuring of rates for medical malpractice liability insurance and the determination of the profit or loss of the association in respect to that insurance, due consideration must be given by the director or his designee to all investment income.

Section 38-79-180. Within a time that the director or his designee directs, the association shall submit, for the approval of the director or his designee, an initial filing, in proper form, of policy forms, classifications, rates, rating plans, and rating rules applicable to medical

malpractice liability insurance to be written by the association. In the event the director or his designee disapproves the initial filing, in whole or in part, the association shall amend the filing, in whole or in part, in accordance with the direction of the director or his designee. If the director or his designee is unable to approve the filing or amended filing, within the time specified, he shall promulgate the policy forms, classifications, rates, rating plans, and rules to be used by the association in making rates for and writing the insurance.

Section 38-79-190. (1) The board of directors shall specify whether policy forms and the rate structure must be on a 'claims-made' or 'occurrence' basis and coverage may be provided by the association only on the basis specified by the board of directors. The board of directors shall specify the 'claims-made' basis only if the contract makes provision for residual 'occurrence' coverage upon the retirement, death, disability, or removal from the State of the insured. Provision may be made for a premium charge allocable to any such residual 'occurrence' coverage and the premium charges for the residual coverage must be segregated and separately maintained for such purpose which may include the reinsurance of all or a part of that portion of the risk.

(2) The policy may not contain any limitation in relation to the existing law in tort as provided by the statute of limitations of the State of South Carolina.

(3) The policy form whether on a 'claims-made' or 'occurrence' basis may not require as a condition precedent to settlement or compromise of any claim the consent or acquiescence of the insured. However, such settlement or compromise may never be held or considered to be an admission of fault or wrongdoing by the insured.

(4) The premium rate charged for either or both 'claims-made' or 'occurrence' coverage must be at rates established on an actuarially sound basis, including consideration of trends in the frequency and severity of losses~~, and must be calculated to be self supporting~~. <u>After the accumulated deficit has been eliminated, the association must function as a residual market mechanism. After that time, the association must not offer rates competitive with the admitted market, but the rates for policies issued by the association must be adequate and established at a level that permits the association to operate as a self-sustaining mechanism.</u>

Section 38-79-200. The association is authorized to provide a rate increase or assessment <u>on association policyholders</u> which is subject to the approval of the director or his designee.

Section 38-79-210. Any operating deficit sustained by the association in any year must be recouped, ~~pursuant to the plan of operation and the rating plan then in effect, by one or both of the following procedures:~~

~~(1) An assessment upon the policyholders which may not exceed one additional annual premium at the then current rate.~~

~~(2)~~ by a rate increase applicable prospectively.

Section 38-79-220. ~~Effective after the initial year of operation, rates, rating plans, and rating rules, and any provision for recoupment through policyholder assessment or premium rate increase, must be based upon the association's loss and expense experience and investment income, together with any other information based upon such experience and income as the director or his designee considers appropriate. The resultant premium rates must be on an actuarially sound basis and must be calculated to be self-supporting.~~

~~In the event that sufficient funds are not available for the sound financial operation of the association, pending recoupment as provided in Section 38-79-210, all members shall, on a temporary basis, contribute to the financial requirements of the association in the manner provided for in Section 38-79-230. Any such contribution must be reimbursed to the members following recoupment as provided in Section 38-79-210.~~

(1) Beginning July 1, 2019, the association, the fund, and every member association must assess and remit to the department a surcharge on all premiums written for the purpose of reducing the accumulated deficit of the fund and the association. The surcharge must be between four and ten percent and will be approved by the board and the director. Forty-five percent of the surcharge must be remitted to the fund by the department and the remaining amount must be remitted to the association by the department. The assessment must continue until the director declares that the accumulated deficit has been eliminated or July 1, 2030, whichever is earlier. In the event that the accumulated deficit of the fund or association is eliminated, one hundred percent of the surcharge must be remitted to the entity with a remaining accumulated deficit. Any excess funds must be retained by the association or fund as capital. If the accumulated deficits have not been eliminated by July 1, 2030, the director may extend the surcharge for up to an additional five years.

(2) Beginning on July 1, 2020, an additional one percent surcharge must be assessed on association policyholders. The surcharge must increase by one additional percentage point annually until it reaches ten percent and shall not sunset.

(3) Surcharges levied under this section are not premium and are not subject to premium tax, any fees, or any commissions; however, failure

to pay the surcharges must be treated the same as failure to pay premium. Surcharges must not be included in the revenue or income of the association or fund.

(4) Beginning July 1, 2019, all surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall collect from the insured and remit to the department to be distributed to the association and fund a nonadmitted policy surcharge on all premiums for all insurance written by such surplus lines insurance producer or broker for a policy from a nonadmitted insurer for any and all medical malpractice risks in this State. By procuring or selling medical malpractice insurance in this State from a nonadmitted insurer, each surplus lines insurance producer or broker placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy surcharge provided for herein.

(5) The nonadmitted policy surcharge must be a percentage of the total policy premium, but the nonadmitted policy surcharge must not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy surcharge must be treated the same as failure to pay premium. 'Total policy premium' includes taxes and commissions.

(6) The nonadmitted policy surcharge percentage must be the same percentage as the surcharge that has been approved by the board and director.

(7) Within thirty days of the end of the quarter, surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall remit to the department all nonadmitted policy surcharges collected in the preceding quarter. Surplus lines insurance producers or brokers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer or broker that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy surcharges.

(8) Each insured in this State who directly procures or renews insurance with a nonadmitted insurer on medical malpractice insurance other than insurance procured through a surplus lines licensee, must be subject to the nonadmitted policy surcharge which must be paid by the insured according to the procedures provided for premium taxes in Section 38-79-220 (4).

(9) Monies derived from the nonadmitted policy surcharge collected under this section must be distributed by the department to the association and the fund, with the association receiving fifty-five percent

of the fee and the fund receiving forty-five percent. The nonadmitted policy surcharge must continue until the surcharge established in Section 38-79-220(1) is eliminated.

Section 38-79-230. ~~All insurers which are members of the association shall participate in its writings, expenses, profits, and losses in the proportion that the net direct premiums of each member (excluding that portion of premiums attributable to the operation of the association) written during the preceding calendar year bear to the aggregate net direct premiums written in this State by all members of the association. Each insurer's participation in the association must be determined annually on the basis of the net direct premiums written during the preceding calendar year, as reported in the annual statements and other reports filed by the insurer with the department. The assessment of a member insurer, after hearing, may be ordered deferred in whole or in part upon application by the insurer if, in the opinion of the director or his designee, payment of the assessment may render the insurer insolvent or in danger of insolvency or otherwise may leave the insurer in a condition that further transaction of the insurer's business may be hazardous to its policyholders, creditors, members, subscribers, stockholders, or the public. If payment of an assessment against a member insurer is deferred by order of the director or his designee in whole or in part, the amount by which the assessment is deferred must be assessed against other member insurers in the same manner as provided in this section. In the order of deferral or in subsequent orders as may be necessary, the director or his designee shall prescribe a plan by which the assessment deferred must be repaid to the association by the impaired insurer with interest at the six-month treasury bill rate adjusted semiannually. Profits, dividends, or other funds of the association to which the insurer is otherwise entitled may not be distributed to the impaired insurer but must be applied toward repayment of any assessment until the obligation has been satisfied. The association shall distribute the repayments, including interest on them, to the other member insurers on the basis on which assessments were made.~~ Reserved.

Section 38-79-240. Every member of the Association is bound by the approved plan of operation of the Association and by any other rules the board of directors of the Association lawfully prescribes.

Section 38-79-250. ~~(1) If the authority of an insurer to transact bodily injury liability insurance, other than automobile, homeowners, or farmowners, in this State terminates for any reason its obligations as a member of the association nevertheless continue until all its obligations~~

~~have been fulfilled and the director or his designee has so found and certified to the board of directors.~~

~~(2) If a member insurer merges into or consolidates with another insurer authorized to transact such insurance in this State or another insurer authorized to transact such insurance in this State has reinsured the insurer's entire general liability business in this State, both the insurer and its successor or assuming reinsurer, as the case may be, are liable for the insurer's obligations in respect to the association.~~

~~(3) Any unsatisfied net liability of any insolvent member of the association must be assumed by and apportioned among the remaining members in the same manner in which assessments or gain and loss are apportioned and the association shall thereupon acquire and have all rights and remedies allowed by law in behalf of the remaining members against the estate or funds of the insolvent insurer for funds due the association.~~

~~(4)~~ The State is not responsible for any costs, expenses, liabilities, judgments, or other obligations of the association.

Section 38-79-260. The association is governed by a board of ~~thirteen~~ eleven directors, all of whom must be appointed by the Governor within thirty days of the effective date of this Section. The director or his designee shall serve as an ex officio member of the board. The Governor shall appoint ~~five~~ four health care providers after consultation with the South Carolina Medical Association, the South Carolina Dental Association, the South Carolina Nurses' Association, and the South Carolina ~~Health Alliance~~ Hospital Association; four medical malpractice insurance representatives after consultation with the ~~insurance industry~~ three members with the largest proportion of net-direct premium; one consumer representative who is unaffiliated with the insurance or health care industries or the medical or legal professions; one representative representing property and casualty insurers; and ~~two~~ one licensed insurance ~~agents or brokers~~ agent or broker who is not employed by the same insurer or insurer group as any of the four insurance representatives. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his consideration. The Governor may also receive nominations for appointments to the board from any other individual, group, or association. Notices of vacancies on the board must be published in newspapers of general statewide circulation. ~~The director or his designee shall serve as an ex officio member of the board.~~ The board shall develop a plan of operation which is subject to the approval of the director or his designee as provided in this article. The plan of operation shall provide

for staggered terms of the members of the board. The approved plan of operation of the association may make provision for combining insurers under common ownership or management into groups for voting, assessment, and all other purposes and may provide that not more than one of the officers or employees of a group may serve as a director at any one time. The board shall elect a chairman, who must represent a voting member, and other necessary officers for two-year terms. A vacancy must be filled for the unexpired portion of the term only. The Governor may receive recommendations from any individual, group, or association for any vacancy on the board. The board must meet at the call of the chairman or a majority of the members of the board, but in any event it must meet at least once a year.

Section 38-79-280. The association shall file in the office of the department annually, by March first, a statement which contains information with respect to its transactions, condition, operations, and affairs during the preceding year. The statement shall contain such matters and information as are prescribed by the director or his designee and must be in the form he directs. The director or his designee may, at any reasonable time, require the association to furnish additional information with respect to its transactions, condition, or any matter connected therewith considered to be material and of assistance in evaluating the scope, operation, and experience of the association.

Section 38-79-290. The director or his designee shall make an examination into the financial condition and affairs of the association at least annually and shall file a report thereon with the department, the Governor, and the General Assembly. The expenses of the examination must be paid by the association."

SECTION 2. Section 38-79-430 of the 1976 Code is amended to read:

"Section 38-79-430. The Board of Governors (board) is created to manage and operate the fund. The board is composed of three physicians to be appointed by the Governor after consultation with the South Carolina Medical Association, two dentists to be appointed by the Governor after consultation with the South Carolina Dental Association, two hospital representatives to be appointed by the Governor after consultation with the South Carolina Hospital Association, two insurance representatives to be appointed by the Governor after consultation with the medical malpractice insurance industry, one attorney to be appointed by the Governor after consultation with the South Carolina Bar, one attorney to be appointed by the Governor after consultation with the South Carolina Trial Lawyers Association, and two

representatives of the general public appointed by the Governor who are unaffiliated with insurance or health care industries or the medical or legal professions. The appointed members shall serve for a term of six years. The board shall elect a chairman and other necessary officers for two-year terms. The board must meet at the call of the chairman or a majority of the members but in any event it must meet at least once a year. A majority of the board members shall constitute a quorum for the transaction of any business of the board. The affirmative vote by a majority of the quorum present at a duly called meeting after notice is required to exercise any function of the board. The board may promulgate any regulations necessary to carry out the provisions of this article.

The board shall develop a plan of operation for the efficient administration of the fund consistent with the provisions of this article. The fund must operate pursuant to a plan of operation which provides for the economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of excess medical malpractice insurance and which may contain other provisions including, but not limited to, assessment of all members for expenses, deficits, losses, commissions' arrangements, reasonable underwriting standards, acceptance and cession of reinsurance appointment of servicing carriers, and procedures for determining the amounts of insurance to be provided by the fund. The fund may not grant retroactive coverage to members. The plan of operation and any amendments to the plan are subject to the approval of the director or his designee. If the board fails to develop a plan of operation within the timeframe established by the Governor or his designee, the director or his designee shall develop the plan of operation for the fund."

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The amendment was carried over.

Senators DAVIS and CROMER proposed the following amendment (CZ\3760C005.JN.CZ19), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 3, Chapter 79, Title 38 of the 1976 Code is amended to read:

"Article 3
South Carolina Medical Malpractice Liability
Joint Underwriting Association

Section 38-79-110. As used in this article:

(1) 'Accumulated deficit' means the amount that the association's and the fund's liabilities exceed their assets, as reported in the association's and fund's respective most recently reported financial statements on June 30, 2019.

(2) 'Association' means any joint underwriting association established by the General Assembly in 1987 and managed and operated pursuant to the provisions of this article.

(3) 'Fund' means the Patients' Compensation Fund.

(4) 'Future deficit' means any deficit accumulated by the association and fund after the most recently reported financial statements as of June 30, 2019.

~~(2)~~(5) 'Licensed health care providers' means physicians and surgeons, nurses, oral surgeons, dentists, pharmacists, ~~chiropractors,~~ podiatrists, hospitals, nursing homes, or any similar major category of licensed health care providers. The term 'licensed health care provider' also includes blood centers which collect, process, and distribute blood to hospitals and physicians for the care of patients if these blood centers as of July 1, 1997, were insured with the Joint Underwriting Association.

~~(3)~~(6) 'Medical malpractice insurance' means medical professional liability insurance or insurance protection against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in rendering or failing to render professional service by any licensed physician, licensed health care provider, or hospital.

~~(4)~~(7) 'Net-direct premiums' means gross direct premiums written on ~~bodily injury liability insurance, other than automobile liability insurance, homeowners liability insurance, and farmowners liability insurance, including the liability component of multiple peril package policies, as~~ medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, and any other type of professional liability insurance covering risks of licensed health care providers and facilities as determined and computed by the director or his designee, less return premiums or the unused or unabsorbed portions of premium deposits. The net-direct premium calculation does not include premiums written by the fund.

Section 38-79-120. (1) A joint underwriting association (association) is created, ~~consisting of all insurers authorized to write within this State, on a direct basis, bodily injury liability insurance, other than automobile bodily injury liability insurance, homeowners liability insurance, and farmowners liability insurance, including insurers covering such peril in multiple peril package policies. Every such insurer is and must remain a member of the association as a condition of its authority to continue to transact such kind of insurance in this State.~~ containing as members all insurers authorized to write and report net-direct written premiums for medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers. Membership also includes foreign and domestic risk retention groups and captive insurers authorized to write and report net-direct premiums for medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risk of licensed health care providers, and authorized to do business in accordance with the provisions of this title. The South Carolina Insurance Reserve Fund is not a member of the association. Each insurer described above is and must remain a member of the association as a condition of the authorization to transact the sale of insurance in this State. The membership of the association shall continue as members in the South Carolina Medical Malpractice Association upon its creation as provided in Section 38-79-300.

(2) The purpose of the association is to ~~provide medical malpractice insurance~~ ensure the availability of medical malpractice and other types of professional liability insurance for health care providers on a self-supporting basis to the fullest extent possible. The intent of the General Assembly in enacting this section is to eliminate the accumulated deficit of the association and of the fund and to transition the association over time to a market of last resort so that it is no longer in competition with the private market. Specifically, the General Assembly does not intend that the South Carolina Joint Underwriting Association offer rates that are competitive to the private market.

~~(3) The association must be called into operation at any time that the department finds and declares the existence of an emergency because of the unavailability of medical malpractice liability insurance, or the unavailability of medical malpractice liability insurance on a reasonable basis through normal channels, in respect to all or any one or more of the~~

~~major categories of licensed health care providers listed in item (2) of Section 38-79-110.~~

Section 38-79-125. (1) As of January 1, 2020, all insurers authorized to write on a direct basis bodily injury liability insurance, other than automobile bodily injury insurance, homeowners liability insurance, and farmowners liability insurance including monoline farm liability insurance, including insurers covering such peril in multiple peril package policies and bodily injury insurance, must pay an assessment equal to their share of twenty percent of the accumulated deficit of the association as contained in their most recently reported financial statements as of June 30, 2019 as determined by the director. Each insurer's share of the assessment must be calculated based upon the net-direct written premiums for the insurer's liability lines as identified in this subsection on the most recent year preceding the effective date of this section. All money collected from this assessment must be applied to the accumulated deficit of the association. Each insurer may pay the assessment in one lump sum or, at the insurer's option, in equal installments over a period not to exceed five years. The assessment may be incorporated into the rate filings of the insurer. Upon satisfaction of the assessment, each insurer may withdraw as members of the association upon submission of:

(a) an application for withdrawal in the format prescribed by the director or his designee;

(b) evidence that it has not written any medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers in the consecutive five years preceding the insurer's withdrawal application; and

(c) certification by the association and the director or his designee that all obligations to the association have been fully satisfied.

(2) The director may set the date on which the insurer's withdrawal becomes effective by order.

(3) Insurers writing medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers are not eligible to withdraw from membership in the association.

Section 38-79-130. The association, pursuant to the provisions of this article and the approved plan of operation in respect to medical malpractice insurance, has the power on behalf of its members to:

(1) issue, or cause to be issued, policies of insurance to applicants including incidental coverages including, but not limited to, premises or operations liability coverage on the premises where services are rendered, all subject to limits of liability as specified in the plan of operation but not to exceed ~~two hundred thousand~~ one million dollars for each claim under one policy and ~~six hundred thousand~~ three million dollars for all claims under one policy in any one year; provided, however, that the association may offer ~~policies up to one million dollars for each claim under one policy and three million dollars~~ higher limits per claim and for all claims under one policy in any one year only upon approval of the board of the association and with the written ~~concurrence of the Board of Governors of the South Carolina Patients' Compensation Fund~~ approval of the director;

(2) underwrite medical malpractice insurance and to adjust and pay losses with respect to it or to appoint service companies to perform those functions; and

(3) cede and assume reinsurance.

Section 38-79-140. (1) The association must operate pursuant to a plan of operation which shall provide for economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of medical malpractice insurance and may contain other provisions including, but not limited to, preliminary assessment of all members for initial expenses necessary to commence operations, establishment of necessary facilities, management of the association, assessment of the members to defray losses and expenses, commissions arrangements, reasonable and objective underwriting standards, acceptance and cession of reinsurance, appointment of servicing carriers, and procedures for determining amounts of insurance to be provided by the association. The plan of operation must be amended within thirty days following the merger provided for in Section 38-79-300. The amended plan must address the orderly and expeditious winding down of the Patients' Compensation Fund.

(2) The plan of operation shall provide that any profit achieved by the association must be added to the reserves of the association or returned to the policyholders as a dividend. If there is no accumulated deficit, any profit achieved by the association must be added to the reserves of the association.

(3) ~~The plan of operation becomes effective and operative no later than thirty days after the declaration of any emergency by the department.~~ The approved plan of operation may make provisions for combining insurers under common ownership or management into

groups for voting, assessment, and all other purposes and may provide that no more than one of the officers or employees of a group may serve as a director at any one time.

(4) Amendments to the plan of operation may be made by the directors of the association with the approval of the director or his designee or must be made at the direction of the director or his designee after due notice and public hearing.

Section 38-79-150. (1) Any licensed health care provider ~~in a category in which the department has declared an emergency exists~~ is entitled to apply to the association for coverage. The application may be made on behalf of the applicant by a licensed agent or broker authorized in writing by the applicant. If the association determines that the applicant meets the underwriting standards of the association as set forth in the approved plan of operation and there is no unpaid, uncontested premium due from the applicant for any prior insurance of the same kind, the association, upon receipt of the premium, or a portion thereof as prescribed by the plan of operation, shall cause to be issued a policy of medical malpractice liability insurance for a term of one year.

The rates, rating plans, rating rules, rating classifications, territories, and policy forms applicable to insurance written by the association and the statistical and experience data relating thereto are subject to this article and to those provisions of Chapter 73 of this title which are not inconsistent with the purposes and provisions of this article.

(2) Beginning July 1, 2025, the board of directors must require evidence of two declinations from the admitted medical malpractice market before quoting policies to a prospective policy owner.

Section 38-79-160. ~~The director or his designee shall obtain complete statistical data in respect to medical malpractice losses and reparation costs as well as all other costs or expenses which underlie or are related to medical malpractice liability insurance. He shall promulgate any statistical plan he considers necessary for the purpose of gathering data referable to loss and loss adjustment expense experience and other expense experience. When a statistical plan is promulgated all members of the association shall adopt and use it. The director or his designee shall also obtain statistical data in respect to the costs of compensating or rehabilitating victims of medical malpractice without respect to insurance for purposes of studying the feasibility or desirability of alternative medical malpractice compensation systems and estimating the impact of medical malpractice loss and insurance costs upon other compensation and insurance systems such as workers' compensation and accident and health insurance. He may require from any person obtaining~~

~~insurance through the association loss, claim, or expense data. This information or data is confidential and the physician-patient privilege must be preserved.~~ Reserved.

Section 38-79-170. In respect to the structuring of rates for medical malpractice liability insurance and the determination of the profit or loss of the association in respect to that insurance, due consideration must be given by the director or his designee to all investment income.

Section 38-79-180. ~~Within a time that the director or his designee directs, the association shall submit, for the approval of the director or his designee, an initial filing, in proper form, of policy forms, classifications, rates, rating plans, and rating rules applicable to medical malpractice liability insurance to be written by the association. In the event the director or his designee disapproves the initial filing, in whole or in part, the association shall amend the filing, in whole or in part, in accordance with the direction of the director or his designee. If the director or his designee is unable to approve the filing or amended filing, within the time specified, he shall promulgate the policy forms, classifications, rates, rating plans, and rules to be used by the association in making rates for and writing the insurance.~~ The association shall submit, for the approval of the director or his designee, all policy forms, classifications, rates, rating plans, or rules applicable to its insurance product offerings to customers in this State. Such filings must be submitted for approval to the director no less than sixty days prior to their intended effective date. The director may extend the time for his review by an additional sixty days to allow the department sufficient time to evaluate the proposed form, classification, rate, rating plan, or rule to be used by the association. Rates must be actuarially sound, self supporting, and may not be excessive, inadequate, or unfairly discriminatory.

Section 38-79-190. (1) The board of directors shall specify whether policy forms and the rate structure must be on a 'claims-made' or 'occurrence' basis and coverage may be provided by the association only on the basis specified by the board of directors. The board of directors shall specify the 'claims-made' basis only if the contract makes provision for residual 'occurrence' coverage upon the retirement, death, disability, or removal from the State of the insured. Provision may be made for a premium charge allocable to any such residual 'occurrence' coverage and the premium charges for the residual coverage must be segregated and separately maintained for such purpose which may include the reinsurance of all or a part of that portion of the risk.

(2) The policy may not contain any limitation in relation to the existing law in tort as provided by the statute of limitations of the State of South Carolina.

(3) The policy form whether on a 'claims-made' or 'occurrence' basis may not require as a condition precedent to settlement or compromise of any claim the consent or acquiescence of the insured. However, such settlement or compromise may never be held or considered to be an admission of fault or wrongdoing by the insured.

(4) The premium rate charged for either or both 'claims-made' or 'occurrence' coverage must be at rates established on an actuarially sound basis, including consideration of trends in the frequency and severity of losses, ~~and must be calculated to be self supporting~~. After the accumulated deficit has been eliminated, the association must function as a residual market mechanism. After that time, the association may not offer rates competitive with the admitted market but the rates for policies issued by the association must be adequate and established at a level that permits the association to operate as a self-sustaining mechanism.

Section 38-79-200. The association is authorized to provide a rate increase or assessment on policyholders which is subject to the approval of the director or his designee.

Section 38-79-210. (1) Any future deficit ~~sustained by the association in any year~~ must be recouped, pursuant to the plan of operation and the rating plan then in effect, by ~~one or both of the following procedures:~~

~~(1) An assessment upon the policyholders which may not exceed one additional annual premium at the then current rate.~~

~~(2)~~ a rate increase applicable prospectively approved by the director or his designee pursuant to the provisions of Section 38-79-180.

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Section 38-79-220. ~~Effective after the initial year of operation, rates, rating plans, and rating rules, and any provision for recoupment through policyholder assessment or premium rate increase, must be based upon the association's loss and expense experience and investment income, together with any other information based upon such experience and income as the director or his designee considers appropriate. The resultant premium rates must be on an actuarially sound basis and must be calculated to be self-supporting.~~

~~In the event that sufficient funds are not available for the sound financial operation of the association, pending recoupment as provided in Section 38-79-210, all members shall, on a temporary basis, contribute to the financial requirements of the association in the manner provided for in Section 38-79-230. Any such contribution must be reimbursed to~~

~~the members following recoupment as provided in Section 38-79-210.~~

(1) All members of the association, excluding companies who have withdrawn from the association pursuant to 38-79-125, must contribute to the elimination of the association and fund's accumulated deficit. Beginning on January 1, 2020, a uniform assessment of not less than two percent and not more than six percent of net direct written premium must be assessed against each member of the association in order to eliminate the accumulated deficits of the association and the fund. Association members must be notified of the assessment at least sixty days prior to each year-end. After each quarter during the year following notification of the assessment, each member of the association must remit an amount equal to the assessment percentage of the previous quarter's direct written premiums. Monies derived from this assessment and collected must be distributed by the association to the accumulated deficits of the association and fund as determined appropriate by the director. Every member must directly recover from each policyholder one percent of the assessment and is authorized to recoup up to the remaining amount if they so choose. Amounts recouped under this section are not premium and are not subject to premium taxes, fees, or commissions. If one deficit is eliminated before the other, all subsequent monies collected must be distributed to the remaining deficit until it is eliminated. Assessments must cease when both accumulated deficits have been fully eliminated or on December 31, 2035, or whichever occurs first. Funds received by the association under this section will not be considered revenue or considered part of their operating income and will only be used to reduce the accumulated deficit.

(2) Beginning on January 1, 2020, a surcharge on premium shall be assessed on association policyholders equal to the assessment percentage amount on members in any given year pursuant to the provisions of Section 38-79-220. Association policyholders will be notified of the surcharge percentage at least sixty days prior to each year-end. Surcharges levied under this section are not premiums and are not subject to premium tax, any fees, or any commissions. Monies derived from this assessment and collected under this section must be distributed by the association to the accumulated deficits of the association and fund as determined appropriate by the director. Should one deficit be eliminated before the other deficit, all subsequent monies collected shall be distributed to the remaining deficit until it is eliminated. This surcharge shall cease when the accumulated deficits of both the association and the fund have been fully eliminated or on December 31, 2035, whichever occurs first. Funds received by the association under this section will not

be considered revenue or considered part of their operating income and will only be used to reduce the accumulated deficit.

(3) Each member shall remit to the association payment in full of its assessed amount under this section within thirty days of the end of each quarter. If a member fails to remit its assessed amount by the deadline, the association shall report the failure to the director or designee who may immediately take action to suspend or revoke such insurer's certificate of authority to transact the business of insurance in the State of South Carolina or issue a fine on that member until such time as the association certifies to the director or his designee that such assessment has been paid in full. The issuance of a fine, suspension, or revocation of an insurer's certificate of authority to transact business in the State of South Carolina shall not affect the right of the association to proceed against such insurer in any court for any remedy provided by law or contract to the association, including the right to collect such insurer's assessment. In addition to any other remedy, the association may offset assessments due from an insurer against any amounts in any account of such delinquent insurer. By mailing payment of its allocated amount of assessment, as provided herein, a member shall not waive any right it may have to contest the computation of its allocated amount of assessment. Such contest shall not, however, toll the time within which assessments must be paid or the report to be made to the director or his designee or affect or impede any action to be taken by the director or his designee upon receipt of such report.

(4) Beginning January 1, 2020, all surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall collect from the insured and remit to the department to be distributed to the association and fund a nonadmitted policy surcharge on all premiums for all insurance written by such surplus lines insurance producer or broker for a policy from a nonadmitted insurer for any and all medical malpractice risks in this State. By procuring or selling medical malpractice insurance in this State from a nonadmitted insurer, each surplus lines insurance producer or broker placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy surcharge provided for herein.

(a) The nonadmitted policy surcharge must be a percentage of the total policy premium, but the nonadmitted policy surcharge shall not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy surcharge must be

treated the same as failure to pay premium. 'Total policy premium' includes taxes and commissions.

(b) The nonadmitted policy surcharge percentage must be the same percentage as the assessment that has been approved by the board and director as applied to the insurers writing medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers as described in section 38-79-220.

(5) Within thirty days of the end of the quarter, surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall remit to the department all nonadmitted policy surcharges collected in the preceding quarter. Surplus lines insurance producers or brokers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer or broker that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy surcharges.

(6) Each insured in this State who directly procures or renews insurance with a nonadmitted insurer on medical malpractice insurance other than insurance procured through a surplus lines licensee, must be subject to the nonadmitted policy surcharge which must be paid by the insured according to the procedures provided for premium taxes in Chapter 45 of this Title.

Monies derived from the nonadmitted policy surcharge collected under this section must exclusively be used to reduce the accumulated deficits of the association and fund by equal amounts unless the director or his designee determines that different proportions are appropriate. Once the accumulated deficit of the association or the fund is eliminated, whichever occurs first, all subsequent monies collected through the assessment shall exclusively be used to reduce the remaining deficit until it has also been eliminated. The nonadmitted policy surcharge must continue until the surcharge provided in subsection (1) is eliminated.

(7) The accumulated deficits of the association and the fund have accrued and persisted over a period of decades and being partially attributable to state agencies or institutions or their employees, until the director determines that the accumulated deficits of the association and the fund have been eliminated, he may receive appropriations that are explicitly provided for purposes of reducing the accumulated deficits of the association and fund.

Section 38-79-230. ~~All insurers which are members of the association shall participate in its writings, expenses, profits, and losses in the~~

~~proportion that the net direct premiums of each member (excluding that portion of premiums attributable to the operation of the association) written during the preceding calendar year bear to the aggregate net direct premiums written in this State by all members of the association. Each insurer's participation in the association must be determined annually on the basis of the net direct premiums written during the preceding calendar year, as reported in the annual statements and other reports filed by the insurer with the department. The assessment of a member insurer, after hearing, may be ordered deferred in whole or in part upon application by the insurer if, in the opinion of the director or his designee, payment of the assessment may render the insurer insolvent or in danger of insolvency or otherwise may leave the insurer in a condition that further transaction of the insurer's business may be hazardous to its policyholders, creditors, members, subscribers, stockholders, or the public. If payment of an assessment against a member insurer is deferred by order of the director or his designee in whole or in part, the amount by which the assessment is deferred must be assessed against other member insurers in the same manner as provided in this section. In the order of deferral or in subsequent orders as may be necessary, the director or his designee shall prescribe a plan by which the assessment deferred must be repaid to the association by the impaired insurer with interest at the six-month treasury bill rate adjusted semiannually. Profits, dividends, or other funds of the association to which the insurer is otherwise entitled may not be distributed to the impaired insurer but must be applied toward repayment of any assessment until the obligation has been satisfied. The association shall distribute the repayments, including interest on them, to the other member insurers on the basis on which assessments were made.~~ Beginning on January 1, 2021, an additional one percent surcharge on premium must be assessed on association policyholders. The premium surcharge must increase by one additional percentage point annually until it reaches ten percent and does not sunset. Surcharges levied under this section are not premium and therefore not subject to premium taxes, fees, or commissions. Surcharges may not be considered when evaluating whether rates are excessive, adequate, or unfairly discriminatory.

Section 38-79-240. Every member of the Association is bound by the approved plan of operation of the Association, including any amendments made, and by any other rules the board of directors of the Association lawfully prescribes.

Section 38-79-250. (1) ~~If the authority of an insurer to transact bodily injury liability insurance, other than automobile, homeowners, or farmowners, in this State terminates for any reason its obligations as a member of the association nevertheless continue until all its obligations have been fulfilled and the director or his designee has so found and certified to the board of directors.~~ If any member insurer ceases writing business in this State, voluntarily or involuntarily, or by order or authority of the director, the insurer shall continue to be a member of the association until all of its obligations have been satisfied and the director has certified the satisfaction to the association's board.

(2) If a member insurer merges into, acquires, or consolidates with another insurer ~~authorized to transact such insurance in this State or another insurer authorized to transact such insurance in this State has reinsured the insurer's entire general liability business in this State, both the insurer and its successor or assuming reinsurer, as the case may be, are liable for the insurer's~~ transacting business subject to this article or if any other insurer or entity has reinsured or assumed a member insurer's entire liability business in this State, the surviving insurer, acquiring insurer, its legal successor, or its assuming reinsurer nonetheless remains liable for the member insurer's obligations in respect to the association.

(3) Any unsatisfied net liability of any insolvent member of the association must be assumed by and apportioned among the remaining members in the same manner in which assessments or gain and loss are apportioned and the association shall thereupon acquire and have all rights and remedies allowed by law ~~in~~ on behalf of the remaining members against the estate or funds of the insolvent insurer for funds due the association.

(4) The State is not responsible for any costs, expenses, liabilities, judgments, or other obligations of the association.

Section 38-79-260. (1) The provisions of this section only apply until January 1, 2020.

(2) The association is governed by a board of thirteen directors, all of whom must be appointed by the Governor. The Governor shall appoint five health care providers after consultation with the South Carolina Medical Association, the South Carolina Dental Association, and the South Carolina Health Alliance; four insurance representatives after consultation with the insurance industry; one consumer representative who is unaffiliated with the insurance or health care industries or the medical or legal professions; and two licensed insurance agents or brokers. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his

consideration. The Governor may also receive nominations for appointments to the board from any other individual, group, or association. Notices of vacancies on the board must be published in newspapers of general statewide circulation. The director or his designee shall serve as an ex officio member of the board. The board shall develop a plan of operation which is subject to the approval of the director or his designee as provided in this article. The plan of operation shall provide for staggered terms of the members of the board. The approved plan of operation of the association may make provision for combining insurers under common ownership or management into groups for voting, assessment, and all other purposes and may provide that not more than one of the officers or employees of a group may serve as a director at any one time. The board shall elect a chairman and other necessary officers for two-year terms. A vacancy must be filled for the unexpired portion of the term only. The Governor may receive recommendations from any individual, group, or association for any vacancy on the board. The board must meet at the call of the chairman or a majority of the members of the board, but in any event it must meet at least once a year.

Section 38-79-280. ~~The association shall file in the office of the department annually, by March first, a statement which contains information with respect to its transactions, condition, operations, and affairs during the preceding year.~~ The association shall file a financial statement with the department by March first of each year detailing its transactions, financial condition, operations, and affairs during the previous calendar year. In addition, the director may require the association to file quarterly financial statements with the department on the fifteenth of May, August, and November of each year. The statement shall contain such matters and information as are prescribed by the director or his designee and must be ~~in the form he directs~~ prepared in the format the director prescribes. The director or his designee may~~, at any reasonable time,~~ require the association to furnish additional information with respect to its transactions, condition, or any matter connected therewith considered to be material and of assistance in evaluating the scope, operation, and experience of the association.

Section 38-79-290. The director or his designee shall ~~make~~ conduct an examination into the financial condition and affairs of the association at least annually and shall file a report thereon with the department, the Governor, and the General Assembly. The expenses of the examination must be paid by the association. The director or his designee may accept an audit of the association performed by a qualified public accounting firm in lieu of conducting his own examination.

Section 38-79-300. (A) Effective on January 1, 2020, the Patients' Compensation Fund provided for in Article 5 of this chapter shall merge into the South Carolina Medical Malpractice Association as created by this article. The surviving entity is the Joint Underwriting Association and referred to herein as the South Carolina Medical Malpractice Association. The South Carolina Medical Malpractice Association shall assume all obligations and responsibilities of the Patients' Compensation Fund, while retaining all obligations and responsibilities of the Joint Underwriting Association. However, the accumulated deficits of the former Joint Underwriting Association and the Patients' Compensation Fund must be separately accounted for until such time as the director determines each of them is fully eliminated.

(B) On January 1, 2020, the board of the Patients' Compensation Fund shall, with oversight of the Department of Insurance, exercise due diligence in providing for the orderly and expeditious winding down of the Patients' Compensation Fund. All outstanding affairs and existing contractual obligations of the Patients' Compensation Fund shall contemporaneously become the responsibility of the South Carolina Medical Malpractice Association on January 1, 2020. After January 1, 2020, the Patients' Compensation Fund shall cease to exist except as required by law for purposes of winding down its affairs.

(C) The Board of Directors of the South Carolina Medical Malpractice Association must:

(1) be appointed on or before January 1, 2020, and is authorized to enter into contracts for the management of the South Carolina Joint Underwriting Association in accordance with governing law;

(2) have the right to attend any regular or special meeting of the Board of Directors of the Joint Underwriting Association or the Board of Governors of the Patients' Compensation Fund, but shall have no vote at these meetings;

(3) replace the existing board of the Joint Underwriting Association as provided for in Section 38-79-260;

(4) consist of eleven members all appointed by the Governor, as follows:

(a) four medical providers after consultation with the South Carolina Medical Association, the South Carolina Hospital Association, the South Carolina Nurses Association, and the South Carolina Dental Association;

(b) four representatives from the medical malpractice insurance industry representing member companies of the association after consultation with the three largest members;

(c) two consumer representatives; and

(d) one independent insurance agent or broker not affiliated with one of the three medical malpractice insurance companies already represented on the board; and

(e) the director of the Department of Insurance, who serves ex-officio and does not have any voting privileges.

(5) elect other necessary officers for two-year terms after the accumulated deficits of the South Carolina Joint Underwriting Association and the Patients' Compensation Fund are eliminated. The director or his designee shall serve as chairman of the board.

(D) Upon consultation with and consent of the director, the board of the South Carolina Medical Malpractice Association:

(1) must select a person or firm for the administration and management of the South Carolina Joint Underwriting Association using a competitive bidding process;

(2) is responsible for the negotiation of the administrator's contract including, without limitation, compensation, fees, and the length of the contract; and

(3) shall have the authority to terminate or retain the administrator.

(E) Each member of the board of the South Carolina Medical Malpractice Association shall serve a term of four years; however, any board member may be reappointed for up to two additional four-year terms. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his consideration. The Governor also may receive nominations for appointments to the board from any other individual, group, or association. The South Carolina Medical Malpractice Association and director must publicize all board vacancies to the general public. A vacancy must be filled for the unexpired portion of the term only. The Board of the South Carolina Medical Malpractice Association Board must meet at the call of the chairman or a majority of the members of the board, but in any event it must meet at least once a year. Any board members of the Joint Underwriting Association or the Patients' Compensation Fund serving at the time of this enactment may be reappointed by the Governor to the Board of the South Carolina Joint Underwriting Association. The prior service of a board member on the Board of the Joint Underwriting Association or Patients' Compensation Fund does not count toward the term limits on members of the Board of the South Carolina Medical Malpractice Association.

(F) Each member of the board of the South Carolina Medical Malpractice Association has a fiduciary relationship to the organization and must discharge his duties accordingly."

SECTION 4. Article 5, Chapter 79, Title 38 of the 1976 Code is amended by adding:

"Section 38-79-400. This article must be repealed upon the merger of the Patients' Compensation Fund for benefit of licensed health care providers into the South Carolina Joint Underwriting Association as provided for in Section 38-79-300 on January 1, 2020."

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3986R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the

interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn,

may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senators McELVEEN, LOFTIS and RICE proposed the following amendment (3986R003.SP.JTMWW), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. SECTION 1B of Act 80 of 2013 is amended to read:

"B. The provisions of Chapter 44, Title 11, contained in this act are repealed on December 31, ~~2019~~ 2025. Any carry forward credits shall continue to be allowed until the ten year time period in Section 11-44-40(B) is completed." /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G.M. Smith, G.R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Simmons and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

Senator ALEXANDER objected to the consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

The Senate proceeded to the consideration of the Bill.

Senators CAMPBELL and WILLIAMS proposed the following amendment (DG\4133C002.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking Section 12-6-3530(B) and inserting:

/ (B)(1) The total amount of credits allowed pursuant to this section may not exceed in the aggregate five million dollars for all taxpayers and all calendar years and one million dollars for all taxpayers in one calendar year.

(2) Notwithstanding item (1), the aggregate limit for all taxpayers in all tax years set forth in item (1) is increased by one million dollars.

This additional one million dollars may only be used for credits earned and certificates issued in tax years beginning after 2018. /

Amend the bill further, by striking SECTION 4 and inserting:

/ SECTION 4. This act takes effect upon approval by the Governor and first applies to credits earned and certificates issued, and the administration thereof, after 2018. Any credits earned and certificates issued, and the administration thereof, before 2019 must be claimed in accordance with the provisions of Section 12-6-3530 as it existed on December 31, 2018. However, any credits earned and certificates issued before 2019 must count toward the aggregate credit limit for tall taxpayers in all calendar years set forth in Section 12-6-3530(B). /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (4133R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status

notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 7

AYES

Alexander	Allen	Campbell
Campsen	Cash	Climer
Cromer	Gambrell	Goldfinch
Gregory	Harpootlian	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	

Total--35

NAYS

Bennett	Corbin	Davis
Grooms	Martin	Massey
Young		

Total--7

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4413 -- Reps. G.M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Resolution.

Senators MASSEY and SHEALY proposed the following amendment (4413R003.SP.ASM), which was withdrawn:

Amend the joint resolution, as and if amended, page 1, line 40, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by

the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was withdrawn.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 493 -- Senators Senn, Talley, Sabb, Sheheen, Kimpson, McElveen, Allen, Gregory, McLeod, Harpootlian and Hembree: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE IS A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INJURY OR DAMAGE WAS CAUSED BY THE UNKNOWN VEHICLE, OR THE INSURED CAN PROVE THAT THE INJURY OR DAMAGE WAS CAUSED BY AN UNKNOWN VEHICLE BY AN ELECTRONIC OR OTHER RECORDING OR OTHER CLEAR AND CONVINCING EVIDENCE.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3383R001.KMM.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 48-23-260 of the 1976 Code is amended to read:

"Section 48-23-260. The State Treasurer ~~shall~~ must pay to ~~any~~ a county containing ~~State~~ state forest lands an amount equal to twenty-five ~~per cent~~ percent of the gross proceeds received by the State in each fiscal year from the sale of timber, pulpwood, poles, gravel, ~~land rentals~~ and other privileges on ~~such State~~ state forest lands within ~~in any such~~ the county, except for the gross proceeds from land rentals. ~~This provision shall apply~~ The provisions of this section are applicable to all ~~State~~ state forest lands managed or operated by the State Commission of Forestry, whether they be owned in fee by the State or leased from the United States, but ~~this provision shall~~ do not apply to ~~State~~ state parks. The funds herein provided for ~~shall~~ must be spent for general school purposes. Where a particular ~~State~~ state forest lies in more than one county or school district, the funds derived from ~~such State~~ the state forest and to be paid by the State Treasurer ~~shall~~ must be apportioned on the basis of land acreage involved. All funds distributed under the provisions of this section ~~shall~~ must be spent upon the approval of a majority of the county legislative delegation~~, including the Senator~~."

SECTION 2. This act takes effect July 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3383R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may

be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Kimpson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Johnson	McElveen	Sabb

Total--3

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (3755R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status

notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator BENNETT, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

OBJECTION

H. 3784 -- Rep. Herbkersman: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

Senator M. B. MATTHEWS objected to the consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT proposed the following amendment (SA\ 3916C001.RT.SA19), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting clause and inserting:

/ SECTION 1. Section 12-37-2615 of the 1976 Code is amended to read:

"Section 12-37-2615. Any person who violates the provisions of Section 12-37-2610 ~~shall be deemed~~ is guilty of a misdemeanor and, upon conviction, shall be fined not more than ~~one~~ five hundred dollars or imprisoned for a period not to exceed thirty days, or both."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3916R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine dic adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in~~

~~January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4010R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4019 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Senator M. B. MATTHEWS objected to the consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4020R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the

interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn,

may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4021 -- Reps. Clary, W. Newton, R. Williams and Funderburk: A BILL TO AMEND SECTION 51-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF SWIMMING OR USE OF CABINS AT STATE PARKS, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 51-3-50, RELATING TO THE POWER OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM TO OPEN PARKS TO NORMAL PUBLIC USE, SO AS TO REMOVE A LIMITATION ON THE DEPARTMENT'S POWER; TO REPEAL SECTION 51-3-20 RELATING TO LIMITATIONS ON THE FACILITIES AT STATE PARKS; TO REPEAL SECTION 51-3-30 RELATING TO PENALTIES FOR USING CABINS OR SWIMMING AT A STATE PARK; AND TO REPEAL SECTION 51-3-40 RELATING TO THE LIMITATIONS ON THE OPERATIONS OF CERTAIN STATE PARKS.

Senator M. B. MATTHEWS objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4239R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF "SERVICE CONTRACT" AND "WARRANTY" AND TO DEFINE THE TERMS "ROAD HAZARD", "THEFT PROTECTION PROGRAM", AND "THEFT PROTECTION PROGRAM WARRANTY"; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

The Senate proceeded to the consideration of the Bill.

Senators MASSEY and SHEALY proposed the following amendment (4244R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the

office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.
Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3621 -- Reps. V.S. Moss, D.C. Moss, Erickson and W. Cox: A BILL TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100, RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4119 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY

AND AUDIOLOGY, RELATING TO GENERAL LICENSING PROVISIONS; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4858, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4120 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF OCCUPATIONAL THERAPY, RELATING TO REACTIVATION OF INACTIVE OR LAPSED LICENSES; AND CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4854, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4121 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO REQUIREMENTS TO TAKE STEP 3 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4853, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4123 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO LONG TERM HEALTH CARE ADMINISTRATORS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4844, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4124 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4822, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4276 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY'S MILL

PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4841, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4370 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING CRISIS STABILIZATION UNIT FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4809, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 3012 -- Reps. McDaniel, S. Williams, Moore, Brawley and Gilliard: A CONCURRENT RESOLUTION TO EXPRESS THE BELIEF OF THE GENERAL ASSEMBLY THAT THE SCHOOLS AND SCHOOL DISTRICTS OF THIS STATE SHOULD UTILIZE THE EDUCATION RATE PROGRAM OF THE FEDERAL COMMUNICATIONS COMMISSION (E-RATE) ESTABLISHED BY THE TELECOMMUNICATIONS ACT OF 1996 WHICH PROVIDES DISCOUNTS ON INTERNET ACCESS AND TELECOMMUNICATIONS SERVICES FOR SCHOOLS AND SCHOOL DISTRICTS WITH HIGHER POVERTY LEVELS IN THEIR STUDENT POPULATION THAT WOULD BE OF GREAT BENEFIT TO THESE STUDENTS.

The Resolution was adopted, ordered returned to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:00 A.M. tomorrow.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

Senator MASSEY moved to dispense with the balance of the motion period.

Senator MARTIN moved to table the motion to dispense with the balance of the motion period.

The motion failed.

The question then was the motion to dispense with the balance of the motion period.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 13

AYES

Allen	Bennett	Campbell
Campsen	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Setzler	Sheheen
Talley	Turner	Williams
Young		

Total--31

NAYS

Alexander	Cash	Climer
Corbin	Goldfinch	Grooms
Loftis	Malloy	Martin
Peeler	Rice	Shealy
Verdin		

Total--13

At 6:48 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James McKenzie, 7 Gillette Place, Murrells Inlet, SC 29576-5238 *VICE* John C. Benso

TUESDAY, MAY 7, 2019

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Herman (Jimmy) Dunn of Andrews, S.C. Jimmy earned a BS degree from Presbyterian College. He was the owner and operator of Dunn's Variety Store. Jimmy was a board member of the Georgetown County Water and Sewer District and a lifetime member of Andrews First Pentecostal Holiness Church. He was an avid golfer and Eagle Scout. Jimmy was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:51 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Wednesday, May 8, 2019
(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:

I Corinthians 3:9

"For we are God's servants, working together; You are God's field, God's building."

Let us pray. Gracious God, You have created us to be useful and to live life with a purpose. Work is a privilege that is more available in this country than any other. All honest work is honorable and all workers are to be respected regardless of their station in life.

Today we remember all those who labor in a corporate effort to make the State House function efficiently in service to the people of this State. As this week comes to a close we express our gratitude to the Senators and their staff who worked many long hours to craft legislation to make our State a better place in which to live. In the ensuing months, as these Senators seek to serve You beyond this Chamber, may they experience Your grace and Your strength in all they say and all they do each day. Through our Lord and Savior we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:05 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Davis	Fanning
Goldfinch	Grooms	Harpootlian
Hembree	Johnson	Kimpson

Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Williams	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, Aiken County Master-in-Equity, with the term to commence July 1, 2019, and to expire June 30, 2025
M. Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

Reappointment, Georgetown County Master-in-Equity, with the term to commence January 1, 2019, and to expire January 1, 2025
Joe M. Crosby, 110 Cedar Grove Lane, Pawleys Island, SC 29585

Reappointment, Lee County Master-in-Equity, with the term to commence January 1, 2019, and to expire December 31, 2025
Stephen Bryan Doby, 321 Barnett Dr., Bishopville, SC 29010

Reappointment, Lexington County Master-in-Equity, with the term to commence January 1, 2019, and to expire January 1, 2025
James Otto Spence, 6521 Edmund Highway, Lexington, SC 29073

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Kela E. Thomas, 22 Sunturf Circle, Columbia, SC 29223-6717
VICE Caroline Streater

Leave of Absence

On motion of Senator MARTIN, at 11:15 A.M., Senator VERDIN was granted a leave of absence until 12:30 P.M.

WEDNESDAY, MAY 8, 2019

Leave of Absence

On motion of Senator SABB, at 3:18 P.M., Senator SCOTT was granted a leave of absence for 30 minutes.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

OBJECTION

Senator McELVEEN asked unanimous consent to make a motion to give H. 4243 a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MARTIN objected.

Remarks by Senator McELVEEN

Thank you, MR. PRESIDENT, members of the Body. It is the second to the last day of session, everybody has something they want, and everybody's frantic about something -- or at least most people are. It is probably not as bad as the second year of a two-year session, when everything dies at the end of session, but the way we were jumping around the Calendar yesterday, there were things we were working for to take back to our constituents that were not being discussed. We spent a lot of time talking about the Panthers' deal -- whether it is good or bad. Yesterday is the first time we had a significant debate. Senator HARPOOTLIAN has had the Bill contested for most of the session. I think he has very legitimate concerns about it. I think he articulated those concerns very well to the Body yesterday. You probably have a book to take home and read on his concerns with the Panthers' deal. I stand up here today because, yes, I objected to the unanimous consent request a couple of times yesterday. This is my 7th year in the Senate. I like to think I'm not an obstructionist. There have been very few times that I have tried to kill a Bill. Usually, I am for debate. I think we had great debate about Santee Cooper and ended up with a great final product. However, this Panthers' issue is a pretty big deal, and it came off the Contested Calendar yesterday. It is hard for me to feel a big rush on it when many times I feel like some of the things I would like to see accomplished for my district are not considered a big rush. I say that and those comments are mainly aimed across the hall because I don't know what it is when we continue to send Bills out of here -- even Bills that are fairly innocuous and the House refuses to take them up when they are on the floor. Bills that the Senate has spoken loudly on and are

unanimous vote Bills. It is hard for me to sit here and make someone else's Bill a priority when the same is not done for us across the hall.

The PRESIDENT of the Senate, Senator PEELER, has done a phenomenal job, as he always does, advocating for his constituents. My hat is off to Senator CLIMER. He has worked as hard as he can for something he believes is a good deal for his constituents. I know what he is going through because when I was in my final year as a freshman Senator, I had a Bill that I had been working diligently on for a few years. It was a Bill to exempt military retirees from the state income tax. That is something that has come over here from the House very quickly each year. They pass it quickly. In 2016, it passed out of the Finance Committee and we took it up on the floor. The last day of session, we had to make a decision. Do we want to get something or risk losing all of it? We had to compromise. As strongly as I felt about the original Bill, as upset as I was about the compromise, that is the process of the Senate. This is a deliberative Body. If people have legitimate concerns about that policy in this Body, that is their right. I may go home mad about it but you cannot stay mad for long. In the case of the Panther's Bill -- just because one Senator takes his or her name off of the Bill and puts it on the Uncontested Calendar, it doesn't mean that the Bill suddenly gets out of this Chamber. That has been my experience the last few years. I am not interested in obstructing anyone's Bill. I know there are people in here that feel good about the Bill -- people who really want this Bill for the upper part of the State. I did not mention Senator GREGORY -- he has worked hard on this Bill, and he believes it will benefit his area, and that is all right.

I am not convinced based on information I have seen that the people in my district want me to vote in favor of this Bill. My compass is you can have a personal belief but you have to think of the people in your district. I think that is how we have to vote. I know that this isn't DOT funds but I don't know that the citizens of Sumter and Lee Counties -- where we can't finish out Highway 521 for 13 miles into a four lane highway that would connect I-20 and I-95 to the area where Continental Tire is located -- want me to vote for jumping over that project and spending 13 million dollars or whatever you believe the amount quoted by the Department of Commerce is to get an interchange in York County. I know how it benefits the folks in York County but I don't think it is good policy for the State. That is just my opinion. With that being said, I am not interested in continuing to hold up a vote. What I am interested in is if this is important for this year, we have today for a second reading and tomorrow for a third reading. Someone once said -- if it is a good

Bill today, it will be a good Bill tomorrow. We have next year. It is not going to die if it is not passed when we leave here at 5:00 P.M. on Thursday. I want a chance to get a vote on this Bill this year. I also want the folks across the hall to work on some things that are important to our areas. We spent the majority of yesterday debating the Panther's Bill. I do not want the Senate to spend the rest of today and tomorrow on this Bill. We need to send a good faith message to the House and vote on this Bill.

I will conclude these remarks and, Mr. PRESIDENT, I have a unanimous consent request. I would ask that the Senate give House Resolution 4243 second reading, and that we waive the three-fifths requirement, carryover all amendments to third reading, and have a roll call on third reading.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator McELVEEN, were ordered printed in the Journal.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 831 -- Senator Malloy: A SENATE RESOLUTION TO HONOR NUCOR STEEL-SOUTH CAROLINA'S DARLINGTON MILL AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY, TO CONGRATULATE THE MILL AND ITS OVER FIVE HUNDRED TEAMMATES AND FAMILIES ON A HALF-CENTURY OF MAKING AMERICA'S STEEL, AND TO EXTEND BEST WISHES FOR ITS CONTINUED SUCCESS IN THE YEARS TO COME.
l:\s-res\gm\047nuco.kmm.gm.docx

The Senate Resolution was adopted.

S. 832 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH GORDON DRIVE TO THE BOWMAN TOWN LIMIT "COUNCILMAN NATHANIEL 'NAY' GAINES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS

ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
l:\council\bills\gt\5726cm19.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 833 -- Senators Loftis, Corbin, Turner and Verdin: A BILL TO AMEND SECTION 6-29-1110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO LOCAL PLANNING, SO AS TO PROVIDE A DEFINITION FOR THE TERM "PLAT", TO REVISE THE DEFINITION OF "SUBDIVISION", AND TO PROVIDE THAT LAND SURVEYS, WHICH MEET THE EXISTING STATE SURVEYING STANDARDS, MUST BE FILED DIRECTLY WITH THE REGISTER OF DEEDS, REGISTER OF MESNE CONVEYANCES, CLERK OF COURT, OR OTHER OFFICES HOUSING SUCH DOCUMENTS AND ARE EXEMPT FROM ANY REVIEW, COMMENT, OR BEING APPROVED OR DENIED BY ANY POLITICAL SUBDIVISIONS OF THIS STATE INCLUDING ANY COUNTY OR MUNICIPAL GOVERNMENT OR ANY OF ITS DEPARTMENTS, DIVISIONS, BOARDS, OR COMMISSIONS.
l:\council\bills\jn\3101zw19.docx

Read the first time and referred to the Committee on Judiciary.

S. 834 -- Senator Massey: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DAVID S. PALMER, JR. AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
l:\council\bills\agm\19615wab19.docx

The Senate Resolution was adopted.

S. 835 -- Senators Fanning, Gregory, McElveen and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-14-45 SO AS TO ESTABLISH CERTAIN STORMWATER AND SEDIMENT REDUCTION PERMIT REQUIREMENTS FOR AN ALL-TERRAIN VEHICLE PARK, TO DEFINE THE TERM ALL-TERRAIN VEHICLE PARK, AND TO PROVIDE A PENALTY.
l:\council\bills\bh\7104cz19.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3757 -- Reps. Lucas, Collins and Calhoon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-2040 SO AS TO PROVIDE DEFINITIONS, TO ESTABLISH THE WORKFORCE AND EDUCATION DATA OVERSIGHT COMMITTEE; TO PROVIDE THE FUNCTIONS OF THE COMMITTEE, TO PROVIDE THAT CERTAIN DEPARTMENTS SHALL SUBMIT CERTAIN DATA TO THE REVENUE AND FISCAL AFFAIRS OFFICE, TO PROVIDE FOR THE USES OF THE DATA COLLECTED, TO PROVIDE FOR ADMINISTRATIVE OVERSIGHT, TO PROVIDE FOR AUDITS, AND TO PROVIDE THAT INDIVIDUAL LEVEL DATA MAY NOT BE RELEASED; AND TO AMEND SECTION 13-1-2030, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4327 -- Reps. R. Williams, Jefferson, Ott, Magnuson, Chumley and Burns: A BILL TO AMEND SECTION 6-9-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INAPPLICABILITY OF CERTAIN BUILDING CODES ON FARM STRUCTURES, SO AS TO REVISE THE DEFINITION OF "FARM STRUCTURE" FOR PURPOSES OF THIS SECTION.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

RECALLED

H. 3011 -- Rep. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES STORE CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY THE “REVEREND TONY L. DAISE BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3791 -- Reps. Brown, Bamberg, Kimmons and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE CSX RAIL LINE ALONG THE ACE BASIN PARKWAY IN COLLETON COUNTY "MOLLY GRAHAM MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 818 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH THE ORANGEBURG/DORCHESTER COUNTY LINE TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 "COUNCILMAN WILLIE RICHARD DAVIS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

WEDNESDAY, MAY 8, 2019

Message from the House

Columbia, S.C., May 7, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.35, S. 735 by a vote of 61 to 26:

(R35, S735) -- Senator Johnson: AN ACT TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION; TO AMEND ACT 593 OF 1986, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 AND SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY, SO AS TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY; AND TO REPEAL CERTAIN LOCAL PROVISIONS INCONSISTENT WITH THIS ACT.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Lee County Master-in-Equity, with term to commence January 1, 2019, and to expire December 31, 2025:

Mr. Stephen Bryan Doby, 321 Barnett Drive, Bishopville, S.C. 29010

Very respectfully,
Speaker of the House

Received as information.

WEDNESDAY, MAY 8, 2019

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 16 -- Senators Rankin and Cash: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

WEDNESDAY, MAY 8, 2019

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL

APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Georgetown County Master-in-Equity, with term to commence January 1, 2019, and to expire January 1, 2025:

Mr. Joe M. Crosby, 110 Cedar Grove Lane, Pawleys Island, S.C. 29585

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Lexington County Master-in-Equity, with term to commence January 1, 2019, and to expire January 1, 2025:

Mr. James Otto Spence, 6521 Edmund Highway, Lexington, S.C. 29073

Very respectfully,
Speaker of the House

Received as information.

WEDNESDAY, MAY 8, 2019

Message from the House

Columbia, S.C., May 8, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Aiken County Master-in-Equity, with term to commence July 1, 2019, and to expire June 30, 2025:

Mr. M. Anderson Griffith, 397 Woodbine Road, Aiken, S.C. 29303

Very respectfully,
Speaker of the House

Received as information.

RECESS

At 11:56 A.M., The Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

WEDNESDAY, MAY 8, 2019

Election to the Position of Judge, 2nd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, 2nd Judicial Circuit, Seat 1.

Representative G.M. Smith, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable M. Anderson Griffith, David W. Miller and Courtney Clyburn Pope had been screened and found qualified to serve.

On motion of Representative G.M. Smith, the names of the Honorable M. Anderson Griffith and David W. Miller were withdrawn from consideration.

Representative G.M. Smith placed the name of the Courtney Clyburn Pope in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Courtney Clyburn Pope was elected to the position of Judge, 2nd Judicial Circuit, Seat 1 for the term to expire June 20, 2022.

Recorded Vote

Senator MARTIN desired to be recorded as voting No.

Election to the Consumer Affairs Commission
Four At-Large Seats

The PRESIDENT announced that nominations were in order to elect a successor to the four at-large positions on the Consumer Affairs Commission.

Senator J. MATTHEWS, Chairman of the Committee to Screen Candidates for the Consumer Affairs Commission, indicated that Jamie E. Borden, William K. Geddings, James E. Lewis, Jr. , Renee I. Madden, Jessica Monsell, Andrew Sims Radeker, Lawrence D. Sullivan and Robert Wells had been screened and found qualified to serve and placed their names in nomination.

On motion of Senator J. MATTHEWS, the names of Jamie E. Borden, Jessica Monsell and Robert Wells were withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Geddings:

Alexander	Allen	Bennett
Campbell	Campsen	Cash

Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Loftis	Malloy
Matthews, John	Nicholson	Peeler
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Williams	Young

Total--33

The following named Senators voted for Lewis:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Johnson	Kimpson	Leatherman
Loftis	Malloy	*Matthews, John*
Matthews, Margie	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--36

The following named Senators voted for Madden:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Loftis	Malloy
Matthews, Margie	Peeler	Reese
Rice	Setzler	Shealy
Sheheen	Turner	

Total--29

The following named Senators voted for Radeker:

Hutto	*Matthews, John*	*Matthews, Margie*
Nicholson	Reese	Sabb
Scott	Setzler	Sheheen
Talley	Williams	Young

Total--12

The following named Senators voted for Sullivan:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Loftis
Malloy	Massey	*Matthews, John*
Matthews, Margie	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--40

The following named Senator voted present:
Martin

Total--1

The Reading Clerk of the House called the roll of the House, and the Representatives voted *viva voce* as their names were called.

The following named Representatives voted for Geddings:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley

Clary	Clyburn	W. Cox
Dillard	Elliott	Finlay
Forrest	Forrester	Gagnon
Garvin	Gilliard	Hayes
Herbkersman	Hewitt	Hixon
Huggins	Hyde	Jefferson
Jordan	Kimmons	Kirby
Lowe	Lucas	Martin
McKnight	D. C. Moss	Murphy
B. Newton	W. Newton	Pope
Ridgeway	Rivers	Rose
Rutherford	Sandifer	Simrill
Sottile	Spires	Weeks
West	White	Whitmire
Willis	Wooten	

Total--62

The following named Representatives voted for Lewis:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Collins	W. Cox	Crawford
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliard	Govan	Hayes
Herbkersman	Hewitt	Hixon
Howard	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	Kirby	Lucas
Mack	Martin	McGinnis
McKnight	Moore	Morgan
D. C. Moss	Murphy	B. Newton
W. Newton	Ott	Pope

Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Tallon	Thayer	Thigpen
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten

Total--90

The following named Representatives voted for Madden:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clyburn	W. Cox
Dillard	Elliott	Erickson
Finlay	Forrest	Forrester
Funderburk	Gagnon	Garvin
Gilliard	Govan	Hayes
Herbkersman	Hewitt	Hixon
Howard	Huggins	Hyde
Jefferson	Jordan	Kimmons
King	Kirby	Lucas
Martin	McKnight	D. C. Moss
Murphy	B. Newton	W. Newton
Ott	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
Sottile	Spires	Thigpen
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten

Total--75

The following named Representatives voted for Radeker:

Bernstein	Bradley	Brawley
Caskey	Cobb-Hunter	Erickson
Funderburk	Govan	Howard
King	Ott	Robinson
Rose	Rutherford	Stavrinakis
Thigpen	Wheeler	R. Williams

Total--18

The following named Representatives voted for Sullivan:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
W. Cox	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hayes	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	Jefferson	Jones
Jordan	Kimmons	Kirby
Lucas	Magnuson	Martin
McCravy	McKnight	Morgan
D. C. Moss	Murphy	B. Newton
W. Newton	Ott	Pope
Ridgeway	Rivers	Robinson
Sandifer	Simrill	G. R. Smith
Sottile	Spires	Stavrinakis
Tallon	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten		

Total--82

WEDNESDAY, MAY 8, 2019

RECAPITULATION

Total number of Senators voting 40
Total number of Representatives voting..... 98
Grand Total..... 138
Necessary to a choice 69
Of which Geddings received 95
Of which Lewis received 126
Of which Madden received 104
Of which Radeker received 30
Of which Sullivan received 122

Whereupon, the PRESIDENT announced that the Honorable William K. Geddings, James E. Lewis, Jr., Renee I. Madden and Lawrence D. Sullivan were elected to the at-large positions on the Consumer Affairs Commission for the term to expire June 30, 2023.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 12:55 P.M., the Senate resumed.

Call of the Senate

Senator TALLEY moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Williams	Young	

WEDNESDAY, MAY 8, 2019

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator CAMPSEN, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Alvin Taylor in recognition and of his outstanding service with the Department of Natural Resources and to congratulate him on his retirement.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3346 -- Reps. Yow, Lucas and Henegan: A BILL TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY.

On motion of Senator SHEHEEN.

CARRIED OVER

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice, Bennett and Senn: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator HUTTO, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams,

Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY

WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3659.019), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 58 of the 1976 Code is amended by adding:

"CHAPTER 41

Renewable Energy Programs

Section 58-41-05. The commission is directed to address all renewable energy issues in a fair and balanced manner, considering the costs and benefits to all customers of all programs and tariffs that relate to renewable energy and energy storage, both as part of the utility's

power system and as direct investments by customers for their own energy needs and renewable goals. The commission also is directed to ensure that the revenue recovery, cost allocation, and rate design of utilities that it regulates are just and reasonable and properly reflect changes in the industry as a whole, the benefits of customer renewable energy, energy efficiency, and demand response, as well as any utility or state-specific impacts unique to South Carolina which are brought about by the consequences of this act.

Section 58-41-10. As used in this chapter:

(1) 'AC' means alternating current as measured at the point of interconnection of the small power producer's facility to the interconnecting electrical utility's transmission or distribution system.

(2) 'Avoided costs' means the incremental costs to an electric utility of electric energy or capacity or both which, but for the purchase from the qualifying facility or qualifying facilities, such utility would generate itself or purchase from another source.

(3) 'Commission' means the South Carolina Public Service Commission.

(4) 'Electrical utility' is defined as set forth in Section 58-27-10(7), provided, however, that electrical utilities serving less than one hundred thousand customer accounts must be exempt from the provisions of this chapter. A renewable energy supplier participating in an electrical utility's voluntary renewable energy program pursuant to this chapter must not be considered an electrical utility for purposes of this chapter.

(5) 'Eligible customer' means a retail customer with a new or existing contract demand greater than or equal to one megawatt at a single-metered location or aggregated across multiple-metered locations.

(6) 'Generation credit' means a credit applied by an electrical utility to the bill of a participating customer that is equal to the value of the energy and capacity avoided by the electrical utility as a result of procuring energy and capacity from a renewable energy facility.

(7) 'Participating customer' means an eligible customer that elects to have a portion or all of its electricity needs supplied by a voluntary renewable energy program.

(8) 'Participating customer agreement' means an agreement between a participating customer, its electrical utility, and the renewable energy supplier establishing each party's rights and obligations under the electrical utility's voluntary renewable energy program.

(9) 'Power purchase agreement' means an agreement between an electrical utility and a small power producer for the purchase and sale of

energy, capacity, and ancillary services from the small power producer's qualifying small power production facility.

(10) 'PURPA' means the Public Utility Regulatory Policies Act of 1978, as amended.

(11) 'Renewable energy contract' means a power purchase agreement between an electrical utility and a renewable energy supplier that commits the parties to participating in an electrical utility's voluntary renewable energy program for the purchase and sale of energy and capacity.

(12) 'Renewable energy facility' means a facility for the production of electrical energy that utilizes a renewable generation resource as defined in Section 58-39-120(F), that is placed in service after the effective date of this chapter, and for which costs are not included in an electrical utility's rates.

(13) 'Renewable energy supplier' means the owner or operator of a renewable energy facility, including the affiliate of an electrical utility that contracts with a participating customer.

(14) 'Small power producer' means a person or corporation owning or operating a 'qualifying small power production facility' as defined in 16 U.S.C. Section 796, as amended.

(15) 'Standard offer' means the avoided cost rates, power purchase agreement, and terms and conditions approved by the commission and applicable to purchases of energy and capacity by electrical utilities as provided in this chapter from small power producers up to two megawatts AC in size.

(16) 'Voluntary renewable energy program' means a tariff filed with the commission by an electrical utility that enables a participating commercial or industrial customer to receive and pay for electric service, that reflects the program cost, and that includes the environmental attributes specified in the participating customer agreement and renewable energy contract, including a generation credit for such renewable energy, from the electrical utility pursuant to the terms of the tariff.

Section 58-41-20. (A) As soon as is practicable after the effective date of this chapter, the commission shall open a docket for the purpose of establishing each electrical utility's standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section. Within six months after the effective date of this chapter, and at least once every twenty-four months thereafter, the commission shall approve each electrical utility's standard offer, avoided cost

methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section. Within such proceeding the commission shall approve one or more standard form power purchase agreements for use for qualifying small power production facilities not eligible for the standard offer. Such power purchase agreements shall contain provisions, including, but not limited to, provisions for force majeure, indemnification, choice of venue, and confidentiality provisions and other such terms, but shall not be determinative of price or length of the power purchase agreement. The commission may approve multiple form power purchase agreements to accommodate various generation technologies and other project specific characteristics. This provision shall not restrict the right of parties to enter into power purchase agreements with terms that differ from the commission-approved form(s). Any decisions by the commission shall be just and reasonable to the ratepayers of the electrical utility, in the public interest, consistent with PURPA and the Federal Energy Regulatory Commission's implementing regulations and orders, and nondiscriminatory to small power producers; and shall strive to reduce the risk placed on the using and consuming public.

(1) Proceedings conducted pursuant to this section shall be separate from the electrical utilities' annual fuel cost proceedings conducted pursuant to Section 58-27-865.

(2) Proceedings shall include an opportunity for intervention, discovery, filed comments or testimony, and an evidentiary hearing.

(B) In implementing this chapter, the commission shall treat small power producers on a fair and equal footing with electrical utility-owned resources by ensuring that:

(1) rates for the purchase of energy and capacity fully and accurately reflect the electrical utility's avoided costs;

(2) power purchase agreements, including terms and conditions, are commercially reasonable and consistent with regulations and orders promulgated by the Federal Energy Regulatory Commission implementing PURPA; and

(3) each electrical utility's avoided cost methodology fairly accounts for costs avoided by the electrical utility or incurred by the electrical utility, including, but not limited to, energy, capacity, and ancillary services provided by or consumed by small power producers including those utilizing energy storage equipment. Avoided cost methodologies approved by the commission may account for differences in costs avoided based on the geographic location and resource type of a small power producer's qualifying small power production facility.

(C) The avoided cost rates offered by an electrical utility to a small power producer not eligible for the standard offer must be calculated based on the avoided cost methodology most recently approved by the commission. In the event that a small power producer and an electrical utility are unable to mutually agree on an avoided cost rate, the small power producer shall have the right to have any disputed issues resolved by the commission in a formal complaint proceeding. The commission may require mediation prior to a formal complaint proceeding.

(D) A small power producer shall have the right to sell the output of its facility to the electrical utility at the avoided cost rates and pursuant to the power purchase agreement then in effect by delivering an executed notice of commitment to sell form to the electrical utility. The commission shall approve a standard notice of commitment to sell form to be used for this purpose that provides the small power producer a reasonable period of time from its submittal of the form to execute a power purchase agreement. In no event, however, shall the small power producer, as a condition of preserving the pricing and terms and conditions established by its submittal of an executed commitment to sell form to the electrical utility, be required to execute a power purchase agreement prior to receipt of a final interconnection agreement from the electrical utility.

(E)(1) Electrical utilities shall file with the commission power purchase agreements entered into pursuant to PURPA, resulting from voluntary negotiation of contracts between an electrical utility and a small power producer not eligible for the standard offer.

(2) The commission is authorized to open a generic docket for the purposes of creating programs for the competitive procurement of energy and capacity from renewable energy facilities by an electrical utility within the utility's balancing authority area if the commission determines such action to be in the public interest.

(3) In establishing standard offer and form contract power purchase agreements, the commission shall consider whether such power purchase agreements should prohibit any of the following:

(a) termination of the power purchase agreement, collection of damages from small power producers, or commencement of the term of a power purchase agreement prior to commercial operation, if delays in achieving commercial operation of the small power producer's facility are due to the electrical utility's interconnection delays; or

(b) the electrical utility reducing the price paid to the small power producer based on costs incurred by the electrical utility to

respond to the intermittent nature of electrical generation by the small power producer.

(F)(1) Electrical utilities shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with commercially reasonable terms. There is a rebuttable presumption that fixed price power purchase agreements with a minimum term of ten years are commercially reasonable and in the public interest. The avoided cost rates applicable to fixed price power purchase agreements entered into pursuant to this item shall be based on the avoided cost rates and methodologies as determined by the commission pursuant to this section. The terms of this item apply only to those small power producers whose qualifying small power production facilities have active interconnection requests on file with the electrical utility prior to the effective date of this act. The commission may determine any other necessary terms and conditions deemed to be in the best interests of the ratepayers. This item is not intended, and shall not be construed, to abrogate small power producers' rights under PURPA that existed prior to the effective date of the act.

(2) Once an electrical utility has executed interconnection agreements and power purchase agreements with qualifying small power production facilities with an aggregate nameplate capacity equal to twenty percent of the previous five-year average of the electrical utility's South Carolina retail peak load, that electrical utility shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with the terms, conditions, rates, and terms of length for contracts as determined by the commission in a separate docket or in a proceeding conducted pursuant to Section 58-41-20(A). The commission is expressly directed to consider the potential benefits of terms with a longer duration to promote the state's policy of encouraging renewable energy.

(G) Nothing in this section prohibits the commission from adopting various avoided cost methodologies or amending those methodologies in the public interest.

(H) Unless otherwise agreed to between the electrical utility and the small power producer, a power purchase agreement entered into pursuant to PURPA may not allow curtailment of qualifying facilities in any manner that is inconsistent with PURPA or implementing regulations and orders promulgated by the Federal Energy Regulatory Commission.

(I) The commission is authorized to employ, through contract or otherwise, third-party consultants and experts in carrying out its duties under this section, including, but not limited to, evaluating avoided cost

rates, methodologies, terms, calculations, and conditions under this section. The commission is exempt from complying with the State Procurement Code in the selection and hiring of a third-party consultant or expert authorized by this subsection. The commission shall engage, for each utility, a qualified independent third party to submit a report that includes the third party's independently derived conclusions as to that third party's opinion of each utility's calculation of avoided costs for purposes of proceedings conducted pursuant to this section. The qualified independent third party is subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as all other parties. The qualified independent third party shall submit all requests for documents and information necessary to their analysis under the authority of the commission and the commission shall have full authority to compel response to the requests. The qualified independent third party's duty will be to the commission. Any conclusions based on the evidence in the record and included in the report are intended to be used by the commission along with all other evidence submitted during the proceeding, to inform its ultimate decision setting the avoided costs for each electrical utility. The utilities may require confidentiality agreements with the independent third party that do not impede the third-party analysis. The utilities shall be responsive in providing all documents, information, and items necessary for the completion of the report. The independent third party shall also include in the report a statement assessing the level of cooperation received from the utility during the development of the report and whether there were any material information requests that were not adequately fulfilled by the electrical utility. Any party to this proceeding shall be able to review the report including the confidential portions of the report upon entering into an appropriate confidentiality agreement. The commission and the Office of Regulatory Staff may not hire the same third-party consultant or expert in the same proceeding or to address the same or similar issues in different proceedings.

(J) Each electrical utility's avoided cost filing must be reasonably transparent so that underlying assumptions, data, and results can be independently reviewed and verified by the parties and the commission. The commission may approve any confidentiality protections necessary to allow for independent review and verification of the avoided cost filing.

Section 58-41-30. (A) Within one hundred and twenty days of the effective date of this chapter, subject to subsection (F), each electrical utility shall file a proposed voluntary renewable energy program for

review and approval by the commission. The commission shall conduct a proceeding to review the program and establish reasonable terms and conditions for the program. Interested parties shall have the right to participate in the proceeding. The commission may periodically hold additional proceedings to update the program. At a minimum, the program shall provide that:

(1) the participating customer shall have the right to select the renewable energy facility and negotiate with the renewable energy supplier on the price to be paid by the participating customer for the energy, capacity, and environmental attributes of the renewable energy facility and the term of such agreement so long as such terms are consistent with the voluntary renewable program service agreement as approved by the commission;

(2) the renewable energy contract and the participating customer agreement must be of equal duration;

(3) in addition to paying a retail bill calculated pursuant to the rates and tariffs that otherwise would apply to the participating customer, reduced by the amount of the generation credit, a participating customer shall reimburse the electrical utility on a monthly basis for the amount paid by the electrical utility to the renewable energy supplier pursuant to the participating customer agreement and renewable energy contract, plus an administrative fee approved by the commission; and

(4) eligible customers must be allowed to bundle their demand under a single participating customer agreement and renewable energy contract and must be eligible annually to procure an amount of capacity as approved by the commission.

(B) The commission may approve a program that provides for options that include, but are not limited to, both variable and fixed generation credit options.

(C) The commission may limit the total portion of each electrical utility's voluntary renewable energy program that is eligible for the program at a level consistent with the public interest and shall provide standard terms and conditions for the participating customer agreement and the renewable energy contract, subject to commission review and approval.

(D) A participating customer shall bear the burden of any reasonable costs associated with participating in a voluntary renewable energy program. An electrical utility may not charge any nonparticipating customers for any costs incurred pursuant to the provisions of this section.

(E) A renewable energy facility may be located anywhere in the electrical utility's service territory within the utility's balancing authority.

(F) If the commission determines that an electrical utility has a voluntary renewable energy program on file with the commission as of the effective date of this chapter, that conforms with the requirements of this section, the utility is not required to make a new filing to meet the requirements of subsection (A).

Section 58-41-40. (A) It is the intent of the General Assembly to expand the opportunity to support solar energy and support access to solar energy options for all South Carolinians, including those who lack the income to afford the upfront investment in solar panels or those who do not own their homes or have suitable rooftops. The General Assembly encourages all electric service providers in this state to consider offering neighborhood community solar programs.

(B)(1) Within sixty days after the effective date of this chapter, the commission shall open a docket for each electrical utility to review the community solar programs established pursuant to Act 236 of 2014 and to solicit status information on existing programs from the electrical utilities.

(2) Within one hundred and eighty days after the commission opens the docket pursuant to item (1), the electrical utilities shall update their report on their existing programs and may propose new programs.

(C) Subject to review by the commission, a public utility must be entitled to full and timely cost recovery for all reasonable and prudent costs incurred in implementing and complying with this section. Participating customers shall bear the burden of any reasonable and prudent costs associated with participating in a neighborhood community solar program; however, the commission shall nonetheless promote access to solar energy projects for low and moderate income customers. An electrical utility may not charge any nonparticipating customers for any costs incurred pursuant to the provisions of this section."

SECTION 2. Article 7, Chapter 27, Title 58 of the 1976 Code is amended by adding:

"Section 58-27-845. (A) The General Assembly finds that there is a critical need to:

(1) protect customers from rising utility costs;

(2) provide opportunities for customer measures to reduce or manage electrical consumption from electrical utilities in a manner that

contributes to reductions in utility peak electrical demand and other drivers of electrical utility costs; and

(3) equip customers with the information and ability to manage their electric bills.

(B) Every customer of an electrical utility has the right to a rate schedule that offers the customer a reasonable opportunity to employ such energy and cost saving measures as energy efficiency, demand response, or onsite distributed energy resources in order to reduce consumption of electricity from the electrical utility's grid and to reduce electrical utility costs.

(C) In fixing just and reasonable utility rates pursuant to Section 58-3-140 and Section 58-27-810, the commission shall consider whether rates are designed to discourage the wasteful use of public utility services while promoting all use that is economically justified in view of the relationships between cost incurred and benefits received, and that no one class of customers are unduly burdening another, and that each customer class pays, as close as practicable, the cost of providing service to them.

(D) For each class of service, the commission must ensure that each electrical utility offers to each class of service a minimum of one reasonable rate option that aligns the customer's ability to achieve bill savings with long-term reductions in the overall cost the electrical utility will incur in providing electric service, including, but not limited to time-variant pricing structures.

(E) Every customer of an electrical utility has a right to obtain their own electric usage data in a machine-readable, accessible format to the extent such is readily available. Electrical utilities shall allow customers an electronic means to assent to share the customer's energy usage data with a third-party vendor designated by the customer."

SECTION 3. Section 58-40-10(C) of the 1976 Code is amended to read:

"(C) 'Customer-generator' means the owner, operator, lessee, or customer-generator lessee of an electric energy generation unit which:

(1) generates <u>or discharges</u> electricity from a renewable energy resource<u>, including an energy storage device configured to receive electrical charge solely from an onsite renewable energy resource</u>;

(2) has an electrical generating system with a capacity of:

(a) not more than the lesser of one thousand kilowatts (1,000 kW AC) or one hundred percent of contract demand if a nonresidential customer; or

(b) not more than twenty kilowatts (20 kW AC) if a residential customer;

(3) is located on a single premises owned, operated, leased, or otherwise controlled by the customer;

(4) is interconnected and operates in parallel phase and synchronization with an electrical utility and complies with the applicable interconnection standards;

(5) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements; and

(6) meets all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the federal Energy Regulatory Commission, and any local governing authorities."

SECTION 4. Section 58-40-10 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) 'Solar choice metering measurement' means the process, method, or calculation used for purposes of billing and crediting at the commission determined value."

SECTION 5. Section 58-40-20 of the 1976 Code is amended to read:

"Section 58-40-20. ~~(A) Net energy metering rates approved by the commission under the terms of this chapter shall be the exclusive net energy metering rates available to customer-generators. Upon commission approval, such net energy metering rates shall supersede all prior net energy metering rates. Customer-generators whose net energy metering facilities were energized prior to the availability of net energy metering rates approved by the commission under the terms of this chapter may remain in historic net energy metering programs through December 31, 2020.~~

~~(B) An electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis until the total nameplate generating capacity of net energy metering systems equals two percent of the previous five-year average of the electrical utility's South Carolina retail peak demand. No electrical utility shall be required to approve any application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds two percent of the previous five-year average of the electrical utility's South Carolina retail peak demand.~~

~~(C) If determined to be prudent by the commission, the electrical utility may furnish, install, own, and maintain metering equipment needed to measure the kilowatt-hours purchased by the customer-generator from the utility, the kilowatt-hours generated or delivered to the electrical utility, and, if applicable under the utility's tariffs, to measure the kilowatt demand delivered by the electrical utility to the customer-generator. The electrical utility shall have the right to install special metering and load research devices on the customer-generator's equipment and the right to use the customer-generator's communication devices for communication with electrical utility's and the customer-generator's equipment.~~

~~(D) The net electrical energy measurement shall be calculated in the following manner:~~

~~(1) For a customer-generator, an electrical utility shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the customer-generator's consumption and production of electricity;~~

~~(2) If the electricity supplied by the electrical utility exceeds the electricity generated by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the electrical utility in accordance with normal practices for customers in the same rate class;~~

~~(3) Any energy generated by the customer-generator that exceeds the energy supplied by the electrical utility during a billing period shall not be used to offset the nonvolumetric electricity charges for that billing period;~~

~~(4) The utility shall maintain an account of any net excess kWh credits accruing from the customer-generator's excess generation and allow those kWh credits to be used to offset the customer-generator's energy usage during future billing periods. Annually, the utility shall pay the customer-generator for any accrued net excess generation at the utility's avoided cost for qualified facilities, zeroing-out the customer-generator's account of net excess kWh credits.~~

~~(E) Each electrical utility shall submit an annual net metering report to the Public Service Commission, with a copy to the Office of Regulatory Staff, including the following information for the previous calendar year:~~

~~(1) the total number of customer-generator facilities;~~

~~(2) the estimated gross generating capacity of its net metered customer-generators;~~

~~(3) the estimated net kilowatt hours received from customer-generators.~~

~~(F) Any and all costs prudently incurred pursuant to the provisions of this chapter by an electrical utility as approved by the commission and any and all commission approved benefits conferred by a customer-generator shall be recoverable by each entity respectively in the electrical utility's rates in accordance with these provisions:~~

~~(1) The electrical utility's general rates, tariffs, and any additional monthly charges or credits, in addition to any other charges or credits authorized by law, to recover the costs and confer the benefits of net energy metering shall include such measures necessary to ensure that the electrical utility recovers its cost of providing electrical service to customer-generators and customers who are not customer-generators.~~

~~(2) Any charges or credits prescribed in item (1), and the terms and conditions under which they may be assessed shall be in accordance with a methodology established through the proceeding described in item (4). The methodology shall be supported by an analysis and calculation of the relative benefits and costs of customer-generation to the electrical utility, the customer-generators, and those customers of the electrical utility that are not customer-generators.~~

~~(3) Upon approval of the methodology provided for in item (4), each electrical utility shall file its analysis of the net cost to serve customer-generators using the approved methodology and shall propose new net energy metering rates.~~

~~(4) No later than thirty days after the enactment of this act, the commission shall initiate a generic proceeding for purposes of implementing the requirements of this chapter with respect to the net energy metering rates, tariffs, charges, and credits of electrical utilities, specifically to establish the methodology to set any necessary charges and credits as required under items (1) and (2). All interested parties shall be allowed to participate. In its notice initiating such proceeding the commission must require the electrical utilities to propose methodologies required by item (1) and shall allow intervening parties to propose methodologies required by item (2). The Office of Regulatory Staff, pursuant to the requirements of Section 58-4-50, shall represent the public interest in this proceeding and shall serve as a facilitator to resolve disputes and issues between the parties to this proceeding.~~

~~(5) In evaluating the benefits and costs of customer-generation as required by item (2), and the methodology for calculating such benefits~~

~~and costs, the Office of Regulatory Staff may engage third parties with relevant prior experience conducting distributed generation cost-benefit studies. The cost of any experts and consultants engaged by the Office of Regulatory Staff for purposes of this proceeding shall be assessed to the electrical utilities pro rata based on their five-year average of retail peak demand and shall be recoverable by those electrical utilities through the base rate for fuel costs established pursuant to Section 58-27-865.~~

~~(6) In the event that the commission determines that future benefits from net energy metering are properly reflected in net metering rates because they provide quantifiable benefits to the utility system, its customers, or both, and to the degree such benefits are not then being recovered by the electrical utility in its base rates, then such future benefits shall be deemed an avoided cost and shall be recoverable pursuant to Section 58-27-865 by the electrical utility as an incremental cost of the distributed energy resource program.~~

~~(G) In no event shall the net energy metering provisions of this chapter be construed as allowing customer-generators to engage in meter aggregation, group/joint billing projects, and/or virtual net metering.~~

~~(H) The commission shall approve an electrical utility's proposed net energy metering rates that meet the requirements of this chapter, provided that the commission has previously approved that electrical utility's application to participate in a distributed energy resource program pursuant to Chapter 39, Title 58.~~

(A) It is the intent of the General Assembly to:

(1) build upon the successful deployment of solar generating capacity through Act 236 of 2014 to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(2) avoid disruption to the growing market for customer-scale distributed energy resources; and

(3) require the commission to establish solar choice metering requirements that fairly allocate costs and benefits to eliminate any cost shift or subsidization associated with net metering to the greatest extent practicable.

(B) An electrical utility shall make net energy metering available to all customer-generators who apply before June 1, 2021, according to the terms and conditions provided to all parties in Commission Order No. 2015-194. Customer-generators who apply for net metering after the effective date of this act but before June 1, 2021, including subsequent owners of the customer-generator facility or premises, may continue net

energy metering service as provided for in Commission Order No. 2015-194 until May 31, 2029.

(C) No later than January 1, 2020, the commission shall open a generic docket to:

(1) investigate and determine the costs and benefits of the current net energy metering program; and

(2) establish a methodology for calculating the value of the energy produced by customer-generators.

(D) In evaluating the costs and benefits of the net energy metering program, the commission shall consider:

(1) the aggregate impact of customer-generators on the electrical utility's long-run marginal costs of generation, distribution, and transmission;

(2) the cost of service implications of customer-generators on other customers within the same class, including an evaluation of whether customer-generators provide an adequate rate of return to the electrical utility compared to the otherwise applicable rate class when, for analytical purposes only, examined as a separate class within a cost of service study;

(3) the value of distributed energy resource generation according to the methodology approved by the commission in Commission Order No. 2015-194;

(4) the direct and indirect economic impact of the net energy metering program to the State; and

(5) any other information the commission deems relevant.

(E) The value of the energy produced by customer-generators must be updated annually and the methodology revisited every five years.

(F)(1) After notice and opportunity for public comment and public hearing, the commission shall establish a 'solar choice metering tariff' for customer-generators to go into effect for applications received after May 31, 2021.

(2) In establishing any successor solar choice metering tariffs, and in approving any future modifications, the commission shall determine how meter information is used for calculating the solar choice metering measurement that is just and reasonable in light of the costs and benefits of the solar choice metering program.

(3) A solar choice metering tariff shall include a methodology to compensate customer-generators for the benefits provided by their generation to the power system. In determining the appropriate billing mechanism and energy measurement interval, the commission shall consider:

(a) current metering capability and the cost of upgrading hardware and billing systems to accomplish the provisions of the tariff;

(b) the interaction of the tariff with time-variant rate schedules available to customer-generators and whether different measurement intervals are justified for customer-generators taking service on a time-variant rate schedule;

(c) whether additional mitigation measures are warranted to transition existing customer-generators; and

(d) any other information the commission deems relevant.

(G) In establishing a successor solar choice metering tariff, the commission is directed to:

(1) eliminate any cost shift to the greatest extent practicable on customers who do not have customer-sited generation while also ensuring access to customer-generator options for customers who choose to enroll in customer-generator programs; and

(2) permit solar choice customer-generators to use customer-generated energy behind the meter without penalty.

(H) The commission shall establish a minimum guaranteed number of years to which solar choice metering customers are entitled pursuant to the commission approved energy measurement interval and other terms of their agreement with the electrical utility.

(I) Nothing in this section, however, prohibits an electrical utility from continuing to recover distributed energy resource program costs in the manner and amount approved by Commission Order No. 2015-914 for customer-generators applying before June 1, 2021. Such recovery shall remain in place until full cost recovery is realized. Electrical utilities are prohibited from recovering lost revenues associated with customer-generators who apply for customer-generator programs on or after June 1, 2021.

(J) Nothing in the section prohibits the commission from considering and establishing tariffs for another renewable energy resource."

SECTION 6. Section 58-27-2610 of the 1976 Code is amended to read:

"Section 58-27-2610. (A) An entity that owns a renewable electric generation facility, located on a premises or residence owned or leased by an eligible customer-generator lessee to serve the electric energy requirements of that particular premises or residence or to enable the customer-generator lessee to obtain a credit for or engage in the sale of energy from the renewable electric generation facility to that customer-generator lessee's retail electric provider or its designee, shall be permitted to lease such facility exclusively to a customer-generator

lessee under a lease, provided that the entity complies with the terms, conditions, and restrictions set forth within this article and holds a valid certificate issued by the Office of Regulatory Staff. An entity owning renewable electric generation facilities in compliance with the terms of this article shall not be considered an 'electrical utility' under Section 58-27-10 if the renewable electric generation facilities are only made available to a customer-generator lessee for the customer-generator lessee's use on the customer-generator lessee's premises or the residence where the renewable electric generation facilities are located, or for the sale of energy to that customer-generator lessee's retail electric provider or its designee, and pursuant to a lease.

(B) All customer-generator lessees that interconnect renewable electric generation facilities to a retail electric provider's transmission or distribution system must enroll in the applicable rate schedules made available by that retail electric provider~~, subject to the participation limitations set forth therein or in the policy adopted by the retail electric provider not subject to Section 58-40-20(B),~~ and the customer-generator lessee shall otherwise comply with all requirements of Section 58-40-10, et seq., or the policy adopted by the retail electric provider not subject to Section 58-40-10, et seq.

(C) To comply with the terms of this article, each customer-generator lessee renewable electric generation facility shall serve only one premises or residence, and shall not serve multiple customer-generator lessees or multiple premises or residences.

(D) Any lease of a renewable electric generation facility not entered into pursuant to this article is prohibited. The owner of a renewable electric generation facility subject to any lease entered into outside of this program shall be considered an 'electrical utility' under Section 58-27-10.

(E) This section shall not be construed as allowing any sales of electricity from renewable electric generation facilities directly to any customer of any retail electric provider by the owner. This article shall not be construed as abridging or impairing any existing rights or obligations, established by contract or statute, of retail electric providers to serve South Carolina customers. The electrical output from any renewable electric generation unit leased pursuant to this program shall be the sole and exclusive property of the customer-generator lessee.

(F) An entity and its affiliates that lawfully provide retail electric service to the public may offer leases of renewable generation facilities in those areas or territories where it provides retail electric service. No

such provider or affiliate shall offer or enter into leases of renewable generation facilities in areas served by another retail electric provider.

(G) The costs an electrical utility incurs in marketing, installing, owning, or maintaining solar leases through its own leasing programs as a lessor shall not be recovered from other nonparticipating electrical utility customers through rates, provided, however, that an electrical utility and the customer-generator lessees which lease facilities from it may participate on an equal basis with other lessors and lessees in any applicable programs provided pursuant to Chapter 39 of this title and nothing in this section shall prevent the reasonable and prudent costs of a utility's distributed energy resource programs, including the provision of incentives to its own lessees and other allowable costs, from being reflected in a utility's rates as provided for in Chapter 39 or as otherwise permitted under generally applicable regulatory principles.

~~(H) The total installed capacity of all renewable electric generation facilities on a retail electric provider's system that are leased pursuant to this article shall not exceed two percent of the previous five-year average of the retail electric provider's South Carolina residential and commercial contribution to coincident retail peak demand and two percent of the previous five-year average of the retail electric provider's South Carolina industrial contribution to coincident retail peak demand. A provider may refuse to interconnect with customers where to do so would result in this limitation being exceeded. Every retail electric provider must establish a program for new installations of leased equipment to permit the reservation of capacity on its system including provisions to prevent or discourage abuse of such programs. Such programs must provide that only prospective individual customer-generator lessees may apply for, receive, and hold reservations. Each reservation shall be for a single customer premises only and may not be sold, exchanged, traded, or assigned except as part of the sale of the underlying premises. Requests for reservations to electrical utilities as defined in Section 58-27-10 shall accompany applications for interconnection of the leased facilities pursuant to Chapter 40, Title 58 and the reservation shall remain in force only so long as the application or permit for interconnection remains active. Electrical utilities as defined in Section 58-27-10 shall submit programs establishing the terms of such reservations to the commission for approval.~~

~~(I) Notwithstanding the provisions of subsection (H), for an electrical utility for which more than fifty percent of the electricity that it generates in South Carolina comes from renewable resources, the total installed~~

~~capacity of all renewable electric generation facilities on its system that are leased pursuant to this article shall not exceed one-tenth of one percent of the previous five-year average of the electrical utility's South Carolina residential and commercial contribution to coincident retail peak demand and one-tenth of one percent of the previous five-year average of the electrical utility's South Carolina industrial contribution to coincident retail peak demand. Electrical utilities meeting the requirements of this subsection shall not be required to establish a capacity reservation program as required by subsection (H).~~

~~(J)~~(H)(1) The provisions of this Article 23 related to leased generation facilities shall not apply to:

(a) facilities serving a single premises that are not interconnected with a retail electric provider;

(b) facilities owned by customer-generators but financed by a third party; or

(c) facilities used exclusively for standby emergency service or participation in an approved standby generation program operated by a retail electric provider.

(2) The commission may promulgate regulations consistent with this section interpreting the scope of these exemptions as to electrical utilities."

SECTION 7. Section 58-37-40 of the 1976 Code is amended to read:

"Section 58-37-40. (A) ~~Electrical utilities and the South Carolina Public Service Authority must prepare integrated resource plans. The South Carolina Public Service Authority and electrical utilities regulated by the Public Service Commission must submit their plans to the State Energy Office. The plan submitted by the South Carolina Public Service Authority must be developed in consultation with electric cooperatives and municipally owned electric utilities purchasing power and energy from the authority and must include the effect of demand-side management activities of electric cooperatives and municipally owned electric utilities which directly purchase power and energy from the authority or sell power and energy which the authority generates. All plans must be submitted every three years and must be updated on an annual basis. The first integrated resource plan of the South Carolina Public Service Authority must be submitted no later than June 30, 1993. An integrated resource plan may be patterned after the integrated resource planning process developed by the Public Service Commission. For electrical utilities subject to the jurisdiction of the commission, submission of their plans as required by the commission constitutes compliance with this section. Nothing in this subsection may be~~

~~construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the South Carolina Public Service Commission to prepare and submit an integrated resource plan.~~ Electrical utilities, electric cooperatives, municipally-owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility's website and on the commission's website.

(2) ~~(B)~~ Electric cooperatives and municipally-owned electric utilities ~~must~~ shall each submit an integrated resource plan~~s~~ to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office's website. If an electric cooperative or municipally-owned utility has a website, its integrated resource plan must also be posted on its website. ~~whenever they are required by federal law to prepare these plans or if they plan to acquire, by purchase or construction, ownership of additional generating capacity greater than twelve megawatts per unit. An integrated resource plan must be submitted to the State Energy Office by an electric cooperative or municipally-owned electric utility twelve months before the acquisition, by purchase or construction, of additional generating capacity in excess of twelve megawatts per unit. For an electric cooperative, submission to the State Energy Office of its plan in a format complying with the then current Rural Electrification Administration regulations constitutes compliance with this section.~~ For distribution electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that non-shared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in item (B)(1) and (B)(2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator.

~~(C) The State Energy Office, to the extent practicable, shall evaluate and comment on external environmental and economic consequences of each integrated resource plan submitted and on the environmental and economic consequences for suppliers and distributors.~~

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the State Energy Office. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally-owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the State Energy Office's website and on the Public Service Authority's website.

(B)(1)~~(D)The State Energy Office shall coordinate the preparation of an integrated resource plan for the State and shall coordinate with regional groups, including the Southern States Energy Board.~~ An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i)customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i)a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. Not later than three hundred days after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying or denying the plan filed by the electrical utility.

(2) The commission shall approve an electrical utility's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;

(b) consumer affordability and least cost;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply; and

(g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's integrated resource plan, the electrical utility, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's revised filing, the Office of Regulatory Staff shall review the electrical utility's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. Not later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. The electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility shall submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each electric utility's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

SECTION 8. Chapter 37, Title 58 of the 1976 Code is amended by adding:

"Section 58-37-60. (A) The commission and the Office of Regulatory Staff are authorized to initiate an independent study to evaluate the integration of renewable energy and emerging energy technologies into the electric grid for the public interest. An integration study conducted pursuant to this section shall evaluate what is required for electrical utilities to integrate increased levels of renewable energy and emerging energy technologies while maintaining economic, reliable, and safe operation of the electricity grid in a manner consistent with the public interest. Studies shall be based on the balancing areas of each electrical utility. The commission shall provide an opportunity for interested parties to provide input on the appropriate scope of the study and also to provide comments on a draft report before it is finalized. All data and information relied on by the independent consultant in preparation of the draft study shall be made available to interested parties, subject to appropriate confidentiality protections, during the public comment period. The results of the independent study shall be reported to the General Assembly.

(B) The commission may require regular updates from utilities regarding the implementation of the state's renewable energy policies.

(C) The commission may hire or retain a consultant to assist with the independent study authorized by this section. The commission is exempt from complying with the State Procurement Code in the selection and hiring of the consultant authorized by this subsection."

SECTION 9. Section 58-33-110 of the 1976 Code is amended by adding an item at the end to read:

"(8)(a) Notwithstanding the provisions of (7), and not limiting the provisions above, a person may not commence construction of a major utility facility for generation in the State of South Carolina without first having made a demonstration that the facility to be built has been compared to other generation options in terms of cost, reliability, and any other regulatory implications deemed legally or reasonably necessary for consideration by the commission. The commission is authorized to adopt rules for such evaluation of other generation options.

(b) The commission may, upon a showing of a need, require a commission-approved process that includes:

(i)the assessment of an unbiased independent evaluator retained by the Office of Regulatory Staff as to reasonableness of any certificate sought under this section for new generation;

(ii) a report from the independent evaluator to the commission regarding the transparency, completeness, and integrity of bidding processes, if any;

(iii) a reasonable period for interested parties to review and comment on proposed requests for proposals, bid instructions, and bid evaluation criteria, if any, prior to finalization and issuance, subject to any trade secrets that could hamper future negotiations; however, the independent evaluator may access all such information;

(iv) independent evaluator access and review of final bid evaluation criteria and pricing information for any and all projects to be evaluated in comparison to the request for proposal bids received;

(v) access through discovery, subject to appropriate confidentiality, attorney client privilege or trade secret restrictions, for parties to this proceeding to documents developed in preparing the certificate of public convenience and necessity application;

(vi) a demonstration that the facility is consistent with an integrated resource plan approved by the commission; and

(vii) treatment of utility affiliates in the same manner as nonaffiliates participating in the request for proposal process."

SECTION 10. Section 58-27-460 of the 1976 Code is amended to read:

"Section 58-27-460. (A)(1)The commission shall promulgate and periodically review standards for interconnection ~~of renewable energy facilities and other nonutility-owned generation~~ and parallel operation of generating facilities to an electrical utility's distribution and transmission system, where such interconnection is under the jurisdiction of the commission pursuant to Title 16, Chapter 12, Subchapter II of the United States Code, as amended, regulations and orders of the Federal Energy Regulatory Commission, and the laws of South Carolina. Each electrical utility shall implement such standards in a fair, nondiscriminatory manner. ~~with a generation capacity of two thousand kilowatts (2,000 kW AC) or less to an electrical utility's distribution system.~~

(2) The commission shall, within six months of the effective date of the amendments to this section, establish proceedings for the purpose of considering revisions to the standards promulgated pursuant to this section. In developing such revisions, the commission may consider any issue, which, in the exercise of its discretion, the commission deems relevant to improving the fairness and effectiveness of the procedures.

(3) In implementing item (1), the commission shall ensure such standards provide for efficient and timely processing of interconnection requests and take into account the impact of generator interconnection on electrical utility system assets, service reliability, and power quality. Such standards shall address the impact of the addition of energy storage and the interconnection processes for amending existing interconnection requests to include energy storage. The commission shall enact standards that are fair, reasonable, and nondiscriminatory with respect to interconnection applicants, other utility customers, and electrical utilities, and the standards shall serve the public interest in terms of overall cost and system reliability.

(B) No ~~customer-generator or customer-generator lessee~~ generating facility shall connect or operate ~~an electric generation unit~~ in parallel phase and synchronization with any electrical utility without written approval by the electrical utility that all of the commission's requirements have been met. For a ~~customer-generator or customer-generator lessee who~~ generating facility that violates this provision, an electrical utility immediately may and without notice disconnect the ~~electric facilities of the customer-generator or customer-generator lessee and terminate the customer-generator's or customer-generator lessee's~~ generating facility electric service.

(C) In the event of a dispute between an interconnection customer and the electrical utility on an issue relating to interconnection service, the parties first shall attempt to resolve the claim or dispute using any dispute resolution procedures provided for pursuant to the applicable interconnection standards promulgated by the commission. If the parties are unable to resolve such claim or dispute using those procedures, then either party may petition the commission for resolution of the dispute including, but not limited to, a determination of the appropriate terms and conditions for interconnection. The commission shall resolve such disputes within six months from the filing of the petition in accordance with the terms of applicable state and federal law.

(D) Each electrical utility shall comply with the South Carolina generator interconnection procedures and all commission-approved agreements regarding interconnection practices and reporting requirements. The commission shall establish reasonable guidelines to ensure reasonable interconnection timelines, including time requirements to deliver a final system impact study to all interconnection customers that execute a system impact study agreement prior to three months after the effective date of this act. The commission shall consider implementation of additional performance incentives and enforcement

mechanisms for electrical utilities to ensure compliance with this requirement.

(E) The commission shall, as part of implementing (A)(1), consider whether a comprehensive independent review of interconnection should be performed and consider whether to require each electrical utility to:

(1) conduct a study to determine the scope and cost of necessary transmission upgrades to support development of renewable energy resources in a manner that does not impact reliability;

(2) evaluate the cost of developing and maintaining hosting capacity maps to allow power producers to identify areas of the distribution grid that are more amenable to building and interconnecting their generation facilities and to avoid areas that are already saturated with distributed generation; and

(3) file a list of interconnected facilities with the commission each quarter, to include interconnections that are under the jurisdiction of the Federal Energy Regulatory Commission."

SECTION 11. Chapter 27, Title 58 of the 1976 Code is amended by adding:

"Section 58-27-2660. (A)(1) The Office of Regulatory Staff and the Department of Consumer Affairs are directed to develop consumer protection regulations regarding the sale or lease of renewable energy generation facilities pursuant to the distributed energy resource program in Chapter 40 of this title. These regulations shall provide for the appropriate disclosure provided by sellers and lessors. Sellers must comply with Title 37. Nothing herein alters existing protections afforded by Title 37.

(2) To fulfill the duties and responsibilities provided for in this section, the Office of Regulatory staff shall develop a formal complaint process as part of the consumer protection regulations.

(B) The Office of Regulatory Staff is authorized to enforce any applicable consumer protection provision set forth in this title by:

(1) conducting an investigation into an alleged violation;

(2) issuing a cease and desist order against a further violation;

(3) imposing an administrative fine not to exceed two thousand five hundred dollars per violation on a solar company that materially fails to comply with the consumer protection requirements; and

(4) voiding the agreement if necessary to remedy the violation or violations."

SECTION 12. Section 58-4-10(B) of the 1976 Code is amended to read:

"(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff must represent the public interest of South Carolina before the commission. For purposes of this chapter only, "public interest" means the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer, and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services."

SECTION 13. Section 58-4-100 of the 1976 Code is amended to read:

"(A) To the extent necessary to carry out regulatory staff responsibilities, the executive director is authorized to employ expert witnesses and other professional expertise as the executive director may consider necessary to assist the regulatory staff in its participation in commission proceedings. The compensation paid to these persons may not exceed compensation generally paid by the regulated industry for such specialists. The compensation and expenses therefor must be paid by the public utility or utilities participating in the proceedings upon agreement between the public utility or utilities participating in the proceedings and the Office of Regulatory Staff or upon approval by the Review Committee or from the regulatory staff's budget. If paid by the public utility or utilities, the compensation and expenses must be treated by the commission, for ratemaking purposes, in a manner generally consistent with its treatment of similar expenditures incurred by utilities in the presentation of their cases before the commission. An accounting of compensation and expenses must be reported annually to the review committee, the Speaker of the House of Representatives, and the Chairman of the Senate Judiciary Committee.

(B) The Office of Regulatory Staff is exempt from the State Procurement Code in the selection and hiring of an expert or third-party consultant to conduct an independent study described in Section 58-37-60 and Section 58-41-20(H). However, the Office of Regulatory Staff and the commission may not hire the same expert or third-party consultant in the same proceeding or to address the same or similar issues in different proceedings."

SECTION 14. The provisions of Section 58-41-20 shall not be interpreted to supersede the conditions of any settlement entered into by an electrical utility and filed with the commission prior to the adoption of this act.

SECTION 15. All costs incurred by the utility necessary to effectuate this act, that are not precluded from recovery by other

provisions of this act and that do not have a recovery mechanism otherwise specified in other provisions of the act or established by state law, shall be deferred for commission consideration of recovery in any proceeding initiated under Section 58-27-870, if deemed reasonable and prudent.

SECTION 16. Notwithstanding another provision of this act, or another provision of law, no costs or expenses incurred nor any payments made by the electrical utility in compliance or in accordance with this act must be included in the electrical utility's rates or otherwise be borne by the general body of South Carolina retail customers of the electrical utility without an affirmative finding supported by the preponderance of evidence of record and conclusion in a written order by the Public Service Commission that such expense, cost or payment was reasonable and prudent and made in the best interest of the electrical utility's general body of customers.

SECTION 17. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 18. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator CLIMER proposed the following amendment (JUD3659.021), which was adopted:

Amend the bill, as and if amended, by striking subsection 58-41-20(F), lines 3-32 on page [3659-6] and inserting:

/ (F)(1) Electrical utilities, subject to approval of the commission, shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at

avoided cost, with commercially reasonable terms and a duration of ten years. The commission may also approve commercially reasonable fixed price power purchase agreements with a duration longer than ten years, which must contain additional terms, conditions, and/or rate structures as proposed by intervening parties and approved by the commission, including but not limited to, a reduction in the contract price relative to the ten year avoided cost. Notwithstanding any other language to the contrary, the commission will make such a determination in proceedings conducted pursuant to Section 58-41-20(A). The avoided cost rates applicable to fixed price power purchase agreements entered into pursuant to this item shall be based on the avoided cost rates and methodologies as determined by the commission pursuant to this section. The terms of this subsection apply only to those small power producers whose qualifying small power production facilities have active interconnection requests on file with the electrical utility prior to the effective date of this act. The commission may determine any other necessary terms and conditions deemed to be in the best interest of the ratepayers. This item is not intended, and shall not be construed, to abrogate small power producers' rights under PURPA that existed prior to the effective date of the act.

(2) Once an electrical utility has executed interconnection agreements and power purchase agreements with qualifying small power production facilities located in South Carolina with an aggregate nameplate capacity equal to twenty percent of the previous five-year average of the electrical utility's South Carolina retail peak load, that electrical utility shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with the terms, conditions, rates, and terms of length for contracts as determined by the commission in a separate docket or in a proceeding conducted pursuant to Section 58-41-20(A). The commission is expressly directed to consider the potential benefits of terms with a longer duration to promote the state's policy of encouraging renewable energy. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (JUD3659.022), which was adopted:

Amend the bill, as and if amended, by striking lines 1-2 on page [3659-21] and inserting:

/ generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least 75% of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility: (a) generally serves the area in which the joint agency's members are located; and (b) is responsible for dispatching the capacity and output of the generated electricity. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator DAVIS spoke on the Bill.

Senator MALLOY spoke on the Bill.

The question being the third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House with amendments.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

The Senate proceeded to the consideration of the Bill.

Senator VERDIN explained the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES

MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

COMMITTEE AMENDMENT AMENDED AND ADOPTED
AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (JUD3035.003), which was adopted:

Amend the committee report, as and if amended, page [3035-2], by striking lines 1 through 6 in the title and inserting therein the following:

/ SO AS TO PROVIDE THAT POLL MANAGERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA, TO SPECIFY THAT A CLERK OR CHAIRMAN MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY, AND TO REQUIRE THAT ANY PERSON QUALIFIED TO SERVE AS A MANAGER WHO REQUESTS TO WORK IN HIS RESIDENT OR AN ADJOINING COUNTY MUST BE GIVEN PRIORITY OVER QUALIFIED PERSONS FROM OTHER COUNTIES FOR APPOINTMENT TO WORK IN THE RESIDENT OR AN ADJOINING COUNTY. /

Amend the bill further, as and if amended, page [3035-4], by striking line 12, in Section 7-13-110, as contained in SECTION 3, and inserting therein the following:

/ ~~work or in an adjoining county~~ State of South Carolina. Any person qualified to serve as a manager who requests to work in his resident county or an adjoining county must be given priority over qualified persons from other counties for appointment to work in the resident county or an adjoining county. Any person /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD3035.002), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO AMEND SECTION 7-13-72, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANAGERS OF ELECTION, SO AS TO PROVIDE THAT CLERKS APPOINTED FROM THE POLL MANAGERS FOR EACH POLLING PLACE MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE COUNTIES IN WHICH THEY ARE APPOINTED TO WORK OR IN ADJOINING COUNTIES; TO AMEND SECTION 7-13-80, RELATING TO ORGANIZATION OF BOARD OF VOTER REGISTRATION AND ELECTIONS MANAGERS AND CLERKS, SO AS TO PROVIDE THAT A CHAIRMAN OF A BOARD OF POLL MANAGERS MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR AN ADJOINING COUNTY; AND SECTION 7-13-110, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL MANAGERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA, BUT A CLERK OR CHAIRMAN MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7-13-72 of the 1976 Code is amended to read:

"Section 7-13-72. For the general election held on the first Tuesday following the first Monday in November in each even-numbered year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for each five hundred electors, or portion of each five hundred electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint three managers of election for

each polling place in the county for which they must respectively be appointed for the first five hundred electors registered to vote in each precinct in the county, and may appoint three additional managers for each five hundred electors registered to vote in the precinct above the first five hundred electors, or portion thereof. The members of the county board of voter registration and elections must also appoint from among the managers a clerk for each polling place in the county, and none of the officers may be removed from office except for incompetence or misconduct. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint three managers of election for the first five hundred electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundred electors registered to vote in the precinct above the first five hundred electors. The authority responsible by law for conducting the election must also appoint from among the managers a clerk for each polling place in a primary, special, or municipal election. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

Forty-five days prior to any primary, except municipal primaries, each political party holding a primary may submit to the county board of voter registration and elections a list of prospective managers for each precinct. The county board of voter registration and elections must appoint at least one manager for each precinct from the list of names submitted by each political party holding a primary. However, the county board of voter registration and elections may refuse to appoint any prospective manager for good cause.

No person may be appointed as a manager in a primary, general, or special election who has not completed a training program approved by the State Election Commission concerning his duties and responsibilities as a poll manager and who has not received certification of having completed the training program. The training program and the issuance of certification must be carried out by the county board of voter registration and elections. After their appointment, the managers and clerks must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26 of Article III of the Constitution: 'I do solemnly swear (or affirm) that I

am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God'.

The oath must be immediately filed in the office of the clerk of court of common pleas of the county in which the managers and clerks are appointed, or if there is no clerk of court, in the office of the Secretary of State. Before opening the polls, the managers of election must take and subscribe the oath provided for in Section 7-13-100. Upon the completion of the canvassing of votes, this oath must be filed with the members of the county board of voter registration and elections along with the ballots from that election precinct."

SECTION 2. Section 7-13-80 of the 1976 Code is amended to read:

"Section 7-13-80. The board members, managers, and clerks at their first meeting, respectively, must proceed to organize as a board. The county board of voter registration and elections must appoint the chairman of the board of managers. The chairman must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. The chairman, in each instance, may administer oaths."

SECTION 3. Section 7-13-110 of the 1976 Code is amended to read:

"Section 7-13-110. Each chairman and clerk appointed from among the managers of election for the various polling places must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. All managers of election who are not appointed to serve as chairmen or clerks for the various polling places in the State must be residents and registered electors of the ~~respective counties in which they are appointed to work or in an adjoining county~~ State of South Carolina. Any person at least sixteen years of age who has completed the training required by Section 7-13-72 and who is not otherwise disqualified by law may be appointed as a poll manager's assistant by the appropriate county board of voter registration and elections. ~~Any~~ A sixteen- or seventeen-year-old appointed as a poll manager's assistant may not serve as chairman of the managers or clerk in the polling place to which he or she is appointed. Sixteen- and seventeen-year-olds must serve under supervision of the chairman of the managers of the polling place, and their specific duties must be prescribed by the county board of voter registration and elections. One sixteen- or seventeen-year-old assistant poll manager may be appointed for every two regular poll managers appointed to work in ~~any~~ a precinct."

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CORBIN explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3035R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period

between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House with amendments.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN

MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

The Senate proceeded to the consideration of the Bill.

Senator GAMBRELL proposed the following amendment (JUD3145.006), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION, before SECTION 20 on page 20 to read:

/ SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect

the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN

COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS explained the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House with amendments.

WEDNESDAY, MAY 8, 2019

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER proposed the following amendment (3036R003.SP.TCA), which was adopted:

Amend the bill, as and if amended, by striking SECTION 4 in its entirety and inserting:

/SECTION 4. This act takes effect upon approval by the Governor. Implementation of the act is contingent upon available funding from public sources. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3036R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (CM\3036C001.GT.CM19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Corbin

Total--1

The Bill was read the third time, passed and ordered returned to the House with amendments.

AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG proposed the following amendment (3602R004.SP.TRY), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION 1. A.Section 44-66-30(A) of the 1976 Code is amended by adding a new item to read:

"(10) a person given authority to make health care decisions for the patient by another statutory provision."

B.Section 44-66-30(A)(3) of the 1976 Code is amended to read:

"(3) a person given priority to make health care decisions for the patient by another statutory provision, when an agency has taken custody of the patient;"

SECTION 2. Section 44-26-40 of the 1976 Code is amended to read:

"Section 44-26-40. If a client resides in a facility operated by or contracted to by the department, the determination of that client's competency to consent to or refuse major medical treatment must be made pursuant to Section 44-66-20~~(6)~~(8) of the Adult Health Care Consent Act. The department shall abide by the decision of a client found competent to consent."

SECTION 3. Section 44-26-50 of the 1976 Code is amended to read:

"Section 44-26-50. If the client is found incompetent to consent to or refuse major medical treatment, the decisions concerning his health care must be made pursuant to Section 44-66-30 of the Adult Health Care Consent Act. An authorized designee of the department may make a health care decision pursuant to Section 44-66-30~~(8)~~(10) of the Adult Health Care Consent Act. The person making the decision must be informed of the need for major medical treatment, alternative treatments, and the nature and implications of the proposed health care and shall consult the attending physician before making decisions. When feasible, the person making the decision shall observe or consult with the client found to be incompetent."

SECTION 4. Section 44-26-60(C) of the 1976 Code is amended to read:

"(C) Priority under this section must not be given to a person if a health care provider, responsible for the care of a client who is unable to consent, determines that the person is not reasonably available, is not willing to make health care decisions for the client, or is unable to consent as defined in Section 44-66-20~~(6)~~(8) of the Adult Health Care Consent Act." /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was withdrawn.

Senators YOUNG and SHEALY proposed the following amendment (3602R005.SP.TRY), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/SECTION 1. A. Section 44-66-30(A) of the 1976 Code is amended by adding new items at the end to read:

"(10) a person given authority to make health care decisions for the patient by another statutory provision;

(11) if, after good faith efforts, the hospital or other health care facility determines that the persons listed in items (1) through (10) are unavailable to consent on behalf of the patient, a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient's wishes but who is not a paid caregiver or a provider of health care services to the patient. For the purposes of this item, a person with an established relationship is an adult who has exhibited special care and concern for the patient, who is generally familiar with the patient's health care views and desires, and who is willing and able to become involved in the patient's health care decisions and to act in the patient's best interest. The person with an established relationship shall sign and date a notarized acknowledgement form, provided by the hospital or other health care facility in which the patient is located, for placement in the patient's records, setting forth the nature and length of the relationship and certifying that he meets such criteria. Along with the notarized acknowledgment form, the hospital or other health care facility shall include in the patient's medical record documentation of its effort to locate persons with higher priority under this statute as required by Section 44-66-30(B)."

B. Section 44-66-30(A)(3) of the 1976 Code is amended to read:

"(3) a person given priority to make health care decisions for the patient by another statutory provision <u>when an agency has taken custody of the patient</u>;"

SECTION 2. Section 44-26-40 of the 1976 Code is amended to read:

"Section 44-26-40. If a client resides in a facility operated by or contracted to by the department, the determination of that client's competency to consent to or refuse major medical treatment must be made pursuant to Section 44-66-20~~(6)~~<u>(8)</u> of the Adult Health Care Consent Act. The department shall abide by the decision of a client found competent to consent."

SECTION 3. Section 44-26-50 of the 1976 Code is amended to read:

"Section 44-26-50. If the client is found incompetent to consent to or refuse major medical treatment, the decisions concerning his health care must be made pursuant to Section 44-66-30 of the Adult Health Care Consent Act. An authorized designee of the department may make a health care decision pursuant to Section 44-66-30~~(8)~~(10) of the Adult Health Care Consent Act. The person making the decision must be informed of the need for major medical treatment, alternative treatments, and the nature and implications of the proposed health care and shall consult the attending physician before making decisions. When feasible, the person making the decision shall observe or consult with the client found to be incompetent."

SECTION 4. Section 44-26-60(C) of the 1976 Code is amended to read:

"(C) Priority under this section must not be given to a person if a health care provider, responsible for the care of a client who is unable to consent, determines that the person is not reasonably available, is not willing to make health care decisions for the client, or is unable to consent as defined in Section 44-66-20~~(6)~~(8) of the Adult Health Care Consent Act." /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin

Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House with amendments.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN

CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE

USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

AMENDED, READ THE THIRD TIME
RETURNED TO HOUSE

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE proposed the following amendment (4380R002.SP.GH), which was withdrawn:

Amend the bill, as and if amended, Section 58-23-1640, by adding appropriately lettered new subsections to read:

/ ( ) A person who misrepresents himself as a licensed TNC driver is guilty of a misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than thirty days, or both.

( ) A person who knowingly engages in the use of a TNC trade dress or a TNC ridesharing application in the furtherance of a criminal activity is guilty of a misdemeanor and shall be fined not more than one thousand dollars, imprisoned for not more than three years, or both." /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senators MASSEY and SHEALY proposed the following amendment (4380R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. (A)(1) ~~During the recess of the Senate, vacancy which occurs in an~~ If an office filled by an appointment of the Governor with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor

acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

Senators SCOTT and HEMBREE proposed the following amendment (4380R005.SP.JS), which was adopted:

Amend the bill, as and if amended, Section 58-23-1640, by adding appropriately lettered new subsections to read:

/ ( ) A person who misrepresents himself as an authorized TNC driver is guilty of a misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than thirty days, or both.

( ) A person who knowingly engages in the use of a TNC trade dress or a TNC ridesharing application in the furtherance of a criminal activity is guilty of a misdemeanor and shall be fined not more than one thousand dollars, imprisoned for not more than two years, or both." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Grooms

Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House with amendments.

HOUSE BILLS RETURNED

The following Bills and Resolution were read the third time and ordered returned to the House with amendments:

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE

PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

H. 4413 -- Reps. G.M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

OBJECTION

H. 3755 -- Reps. Sandifer, Spires and Anderson: A BILL TO AMEND SECTION 38-77-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO AUTOMOBILE INSURANCE COVERAGE, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR THE RENEWAL OF AN AUTOMOBILE COVERAGE POLICY AND TO DEFINE THE TERM "REDUCTION IN COVERAGE"; AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO RENEW A POLICY, SO AS TO ALLOW FOR AN INSURER TO RENEW A POLICY WITH A REDUCTION IN COVERAGE AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE REDUCTION IN COVERAGE.

Senator RANKIN objected to the consideration of the Bill.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR

IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

CARRIED OVER

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

On motion of Senator M.B. MATTHEWS, the Bill was carried over.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF “SERVICE CONTRACT” AND “WARRANTY” AND TO DEFINE THE TERMS “ROAD HAZARD”, “THEFT PROTECTION PROGRAM”, AND “THEFT PROTECTION PROGRAM WARRANTY”; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT

INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

READ THE SECOND TIME

H. 3576 -- Reps. White, Cobb-Hunter, Garvin, Rose, Loftis, Gilliard, Moore, Clemmons and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS), TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

CARRIED OVER

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM;

AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

On motion of Senator CLIMER, the Bill was carried over.

CARRIED OVER

S. 15 -- Senators Rankin and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE WITH AN END-OF-YEAR TEST AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION BEGINNING WITH THE 2020-2021 SCHOOL YEAR.

On motion of Senator MARTIN, the Bill was carried over.

READ THE SECOND TIME

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT proposed the following amendment (DG\ 3137C004.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking 6-27-30(B)(1) and inserting:

/ (B)(1) In any fiscal year in which general fund revenues are projected to increase or decrease, the appropriation to the Local Government Fund for the upcoming fiscal year must be adjusted by the same projected percentage change when compared to the appropriation in the current fiscal year; however, an increase in the appropriation may not exceed five percent. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the percentage adjustment in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was withdrawn.

Senator SHEHEEN proposed the following amendment (DG\ 3137C006.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-27-30(B)(1) and inserting:

/ (B)(1) In any fiscal year in which general fund revenues are projected to increase or decrease, the appropriation to the Local

Government Fund for the upcoming fiscal year must be adjusted by the same projected percentage change when compared to the appropriation in the current fiscal year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the percentage adjustment in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator SHEHEEN proposed the following amendment (DG\ 3137C005.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-27-30(B)(1) and inserting:

/ (B)(1) In any fiscal year in which general fund revenues are projected to increase or decrease, the appropriation to the Local Government Fund for the upcoming fiscal year must be adjusted by the same projected percentage change when compared to the appropriation in the current fiscal year; however, a decrease in the appropriation may not exceed five percent. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the percentage adjustment in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs

Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Recorded Vote

Senator SCOTT desired to be recorded as voting in favor of the second reading of the Bill.

READ THE SECOND TIME

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

The Senate proceeded to the consideration of the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

Recorded Vote

Senators MARTIN, CAMPSEN, CORBIN, GROOMS, MASSEY, TALLEY, SHEALY, YOUNG and RICE desired to be recorded as voting against the second reading of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3174 -- Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (3174R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, by striking line 38 and inserting:

/function when their brakes are applied or the rider stops pedaling. Manufacturers and /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

Senators MASSEY and SHEALY proposed the following amendment (3174R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 1-3-210 of the 1976 Code is amended to read:

"Section 1-3-210. <u>(A)(1)</u> ~~During the recess of the Senate, vacancy which occurs in an~~ <u>If an</u> office filled by an appointment of the Governor

with the advice and consent of the Senate becomes vacant during the interim period between regular legislative sessions, then the office may be filled by an interim appointment of the Governor only if the Governor acts to fill the office during the same interim period during which the office became vacant. The Governor must report the interim appointment to the Senate and must forward a formal appointment at its next ensuing regular session. If the Senate votes to reject an interim appointee's formal appointment during the next ensuing regular session then the office is immediately vacant and may not be filled by another interim appointment.

(2) If the Senate does not advise and consent ~~thereto~~ to the formal appointment prior to ~~sine die adjournment~~ the second Thursday in May following the interim period during which the interim appointment was made ~~of the next ensuing regular session~~, the office shall be vacant and the interim appointment shall not serve in hold over status notwithstanding any other provision of law to the contrary. The Governor may not make a subsequent interim appointment for the same vacancy. ~~A subsequent interim appointment of a different person to a vacancy created by a failure of the Senate to grant confirmation to the original interim appointment shall expire on the second Tuesday in January following the date of such subsequent interim appointment and the office shall be vacant.~~

(B) The Governor's authority to make an interim appointment pursuant to subsection (A) terminates when the General Assembly convenes the regular legislative session following the interim period between regular legislative sessions during which the office became vacant."

SECTION __. Article 5, Chapter 3 of Title 1 of the 1976 Code is amended by adding:

"Section 1-3-211. (A) If a vacancy exists in the head of an agency that requires appointment by the Governor with the advice and consent of the Senate, the Governor may designate an employee of the agency as the acting head of the agency if the person designated was employed by the agency for at least twelve consecutive months prior to the date upon which the vacancy occurred. A person designated as an acting agency head pursuant to this subsection may serve as the acting agency head no longer than the second Thursday in May following date upon which the vacancy occurred.

(B)(1) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who did not receive the advice and consent of the Senate, or whose nomination was withdrawn,

may not be designated by the Governor as the acting head of the agency to which the person was nominated.

(2) A person nominated by the Governor to head an agency that requires the advice and consent of the Senate who also had been previously designated as the acting head of the agency who did not receive the advice and consent of the Senate, or whose nomination was withdrawn, may no longer exercise any authority or duties of that agency." /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Present 1

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Corbin

Total--1

PRESENT

Loftis

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3263 -- Reps. G.M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS

REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Senator M.B. MATTHEWS objected to consideration of the Bill.

WEDNESDAY, MAY 8, 2019

CARRIED OVER

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GROOMS, the Resolution was carried over.

READ THE SECOND TIME

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A

LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

WEDNESDAY, MAY 8, 2019

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

COMMITTEE AMENDMENT TABLED
READ THE SECOND TIME

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\3760C003.JN.CZ19), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 3, Chapter 79, Title 38 of the 1976 Code is amended to read:

"Article 3
South Carolina Medical Malpractice Liability
Joint Underwriting Association

Section 38-79-110. As used in this article:

(1) 'Accumulated deficit' means the amount that the association's and the fund's liabilities exceed their assets, as reported in the association's and fund's respective financial statements.

(2) 'Association' means any joint underwriting association established by the General Assembly in 1987 and managed and operated pursuant to the provisions of this article ~~including the South Carolina Joint Underwriting Association as provided for in Section 38-79-300~~.

~~(2)~~(3) 'Fund' means the Patients' Compensation Fund.

(4) 'Licensed health care providers' means physicians and surgeons, nurses, oral surgeons, dentists, pharmacists, ~~chiropractors,~~ podiatrists, hospitals, nursing homes, or any similar major category of licensed health care providers. The term 'licensed health care provider' also includes blood centers which collect, process, and distribute blood to hospitals and physicians for the care of patients if these blood centers as of July 1, 1997, were insured with the ~~Joint Underwriting~~ association.

~~(3)~~(5) 'Medical malpractice insurance' means medical professional liability insurance or insurance protection against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as the result of negligence or malpractice in rendering or failing to render professional service by any licensed physician, licensed health care provider, or hospital.

~~(4)~~(6) 'Net-direct premiums' means gross direct premiums written on ~~bodily injury liability insurance, other than automobile liability insurance, homeowners liability insurance, and farmowners liability insurance, including the liability component of multiple peril package policies, as computed by the director or his designee, less return premiums or the unused or unabsorbed portions of premium deposits.~~ medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, and any other type of professional liability insurance covering risks of licensed health care providers and facilities as determined and computed by the director or his designee, less return premiums or the unused or unabsorbed portions of premium deposits. The net-direct premium calculation does not include premiums written by the fund.

Section 38-79-120. (1) A joint underwriting association (association) is created, consisting of ~~all insurers authorized to write within this State, on a direct basis, bodily injury liability insurance, other than automobile bodily injury liability insurance, homeowners liability insurance, and farmowners liability insurance, including insurers covering such peril in multiple peril package policies. Every such insurer is and must remain a member of the association as a condition of its authority to continue to transact such kind of insurance in this State.~~ all insurers authorized to write and report net-direct written premiums for medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers. The fund and nonadmitted insurers are not members of the association. Each insurer described above is and must remain a member of the association as a condition of the authorization to transact the sale of insurance in this State.

(2) The purpose of the association is to ~~provide medical malpractice insurance~~ ensure the availability of a stable facility for medical malpractice insurance for healthcare providers and act as a residual market on a self-supporting basis to the fullest extent possible.

(3) The association must be called into operation at any time that the department finds and declares the existence of an emergency because of the unavailability of medical malpractice liability insurance, or the unavailability of medical malpractice liability insurance on a reasonable basis through normal channels, in respect to all or any one or more of the major categories of licensed health care providers listed in item (2) of Section 38-79-110.

Section 38-79-125. (1) As of January 1, 2020, all insurers authorized to write, on a direct basis, bodily injury liability insurance and insurers covering such peril in multiple peril package policies and bodily injury insurance, other than automobile bodily injury insurance, homeowners liability insurance, farmowners liability insurance including monoline farm liability insurance, medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers must pay an assessment equal to their share of twenty percent of the accumulated deficit of the association as determined by the director and contained in their most recently reported financial statements. Each insurer's share of the assessment must be calculated based upon the net-direct written premiums for the insurer's liability

lines described above on the most recent year preceding the effective date of this section. All money collected from this assessment must be applied to the accumulated deficit of the association. Each insurer may pay the assessment in one lump sum or, at the insurer's option, in equal installments over a period not to exceed five years. The assessment may be incorporated into the rate filings of the insurer. Upon satisfaction of the assessment, each insurer may withdraw as members of the association upon submission of:

(a) an application for withdrawal in the format prescribed by the director or his designee;

(b) evidence that it has not written any medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers in the preceding consecutive five years; and

(c) certification by the association and the director or his designee that all obligations to the association have been fully satisfied.

(2) The director may set the date on which the insurer's withdrawal becomes effective by order.

(3) Insurers writing medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers are not eligible to withdraw from membership in the association.

Section 38-79-130. The association, pursuant to the provisions of this article and the approved plan of operation in respect to medical malpractice insurance, has the power on behalf of its members to:

(1) issue, or cause to be issued, policies of insurance to applicants including incidental coverages including, but not limited to, premises or operations liability coverage on the premises where services are rendered, all subject to limits of liability as specified in the plan of operation but not to exceed two hundred thousand dollars for each claim under one policy and six hundred thousand dollars for all claims under one policy in any one year; provided, however, that the association may offer policies up to one million dollars for each claim under one policy and three million dollars for all claims under one policy in any one year only upon approval of the board of the association and with the written concurrence of the Board of Governors of the South Carolina Patients' Compensation Fund;

(2) underwrite medical malpractice insurance and to adjust and pay losses with respect to it or to appoint service companies to perform those functions; and

(3) cede and assume reinsurance.

Section 38-79-140. (1) The association must operate pursuant to a plan of operation which shall provide for economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of medical malpractice insurance and may contain other provisions including, but not limited to, preliminary assessment of all members for initial expenses necessary to commence operations, establishment of necessary facilities, management of the association, assessment of the members to defray losses and expenses, commissions arrangements, reasonable and objective underwriting standards, acceptance and cession of reinsurance, appointment of servicing carriers, and procedures for determining amounts of insurance to be provided by the association.

(2) The plan of operation shall provide that any profit achieved by the association must be applied to the accumulated deficit. If there is no accumulated deficit, any profit achieved by the association must be added to the reserves of the association ~~or returned to the policyholders as a dividend~~.

(3) The plan of operation becomes effective and operative no later than thirty days after the declaration of any emergency by the department.

(4) Amendments to the plan of operation may be made by the directors of the association with the approval of the director or his designee or must be made at the direction of the director or his designee after due notice and public hearing.

Section 38-79-150. Any licensed health care provider in a category in which the department has declared an emergency exists is entitled to apply to the association for coverage. The application may be made on behalf of the applicant by a licensed agent or broker authorized in writing by the applicant. Beginning July 1, 2025, the board of directors may require evidence of declinations from the admitted medical malpractice market before quoting policies to a prospective policy owner. The board decision to require declinations must be subject to the approval of the director who may disapprove such requirement only if it can be reasonably shown that declinations will cause the accumulated deficit to worsen. If the association determines that the applicant meets the underwriting standards of the association as set forth in the approved plan of operation and there is no unpaid, uncontested premium due from

the applicant for any prior insurance of the same kind, the association, upon receipt of the premium, or a portion thereof as prescribed by the plan of operation, shall cause to be issued a policy of medical malpractice liability insurance for a term of one year.

The rates, rating plans, rating rules, rating classifications, territories, and policy forms applicable to insurance written by the association and the statistical and experience data relating thereto are subject to this article and to those provisions of Chapter 73 of this title which are not inconsistent with the purposes and provisions of this article.

Section 38-79-160. ~~The director or his designee shall obtain complete statistical data in respect to medical malpractice losses and reparation costs as well as all other costs or expenses which underlie or are related to medical malpractice liability insurance. He shall promulgate any statistical plan he considers necessary for the purpose of gathering data referable to loss and loss adjustment expense experience and other expense experience. When a statistical plan is promulgated all members of the association shall adopt and use it. The director or his designee shall also obtain statistical data in respect to the costs of compensating or rehabilitating victims of medical malpractice without respect to insurance for purposes of studying the feasibility or desirability of alternative medical malpractice compensation systems and estimating the impact of medical malpractice loss and insurance costs upon other compensation and insurance systems such as workers' compensation and accident and health insurance. He may require from any person obtaining insurance through the association loss, claim, or expense data. This information or data is confidential and the physician-patient privilege must be preserved.~~ Reserved.

Section 38-79-170. In respect to the structuring of rates for medical malpractice liability insurance and the determination of the profit or loss of the association in respect to that insurance, due consideration must be given by the director or his designee to all investment income.

Section 38-79-180. Within a time that the director or his designee directs, the association shall submit, for the approval of the director or his designee, an initial filing, in proper form, of policy forms, classifications, rates, rating plans, and rating rules applicable to medical malpractice liability insurance to be written by the association. In the event the director or his designee disapproves the initial filing, in whole or in part, the association shall amend the filing, in whole or in part, in accordance with the direction of the director or his designee. If the director or his designee is unable to approve the filing or amended filing, within the time specified, he shall promulgate the policy forms,

classifications, rates, rating plans, and rules to be used by the association in making rates for and writing the insurance.

Section 38-79-190. (1) The board of directors shall specify whether policy forms and the rate structure must be on a 'claims-made' or 'occurrence' basis and coverage may be provided by the association only on the basis specified by the board of directors. The board of directors shall specify the 'claims-made' basis only if the contract makes provision for residual 'occurrence' coverage upon the retirement, death, disability, or removal from the State of the insured. Provision may be made for a premium charge allocable to any such residual 'occurrence' coverage and the premium charges for the residual coverage must be segregated and separately maintained for such purpose which may include the reinsurance of all or a part of that portion of the risk.

(2) The policy may not contain any limitation in relation to the existing law in tort as provided by the statute of limitations of the State of South Carolina.

(3) The policy form whether on a 'claims-made' or 'occurrence' basis may not require as a condition precedent to settlement or compromise of any claim the consent or acquiescence of the insured. However, such settlement or compromise may never be held or considered to be an admission of fault or wrongdoing by the insured.

(4) The premium rate charged for either or both 'claims-made' or 'occurrence' coverage must be at rates established on an actuarially sound basis, including consideration of trends in the frequency and severity of losses~~, and must be calculated to be self supporting~~. <u>After the accumulated deficit has been eliminated, the association must function as a residual market mechanism. After that time, the association must not offer rates competitive with the admitted market, but the rates for policies issued by the association must be adequate and established at a level that permits the association to operate as a self-sustaining mechanism.</u>

Section 38-79-200. The association is authorized to provide a rate increase or assessment <u>on association policyholders</u> which is subject to the approval of the director or his designee.

Section 38-79-210. Any <u>operating</u> deficit sustained by the association in any year must be recouped, ~~pursuant to the plan of operation and the rating plan then in effect, by one or both of the following procedures:~~

~~(1) An assessment upon the policyholders which may not exceed one additional annual premium at the then current rate.~~

~~(2)~~ <u>by</u> a rate increase applicable prospectively.

Section 38-79-220. ~~Effective after the initial year of operation, rates, rating plans, and rating rules, and any provision for recoupment through policyholder assessment or premium rate increase, must be based upon the association's loss and expense experience and investment income, together with any other information based upon such experience and income as the director or his designee considers appropriate. The resultant premium rates must be on an actuarially sound basis and must be calculated to be self-supporting.~~

~~In the event that sufficient funds are not available for the sound financial operation of the association, pending recoupment as provided in Section 38-79-210, all members shall, on a temporary basis, contribute to the financial requirements of the association in the manner provided for in Section 38-79-230. Any such contribution must be reimbursed to the members following recoupment as provided in Section 38-79-210.~~

(1) Beginning July 1, 2019, the association, the fund, and every member association must assess and remit to the department a surcharge on all premiums written for the purpose of reducing the accumulated deficit of the fund and the association. The surcharge must be between four and ten percent and will be approved by the board and the director. Forty-five percent of the surcharge must be remitted to the fund by the department and the remaining amount must be remitted to the association by the department. The assessment must continue until the director declares that the accumulated deficit has been eliminated or July 1, 2030, whichever is earlier. In the event that the accumulated deficit of the fund or association is eliminated, one hundred percent of the surcharge must be remitted to the entity with a remaining accumulated deficit. Any excess funds must be retained by the association or fund as capital. If the accumulated deficits have not been eliminated by July 1, 2030, the director may extend the surcharge for up to an additional five years.

(2) Beginning on July 1, 2020, an additional one percent surcharge must be assessed on association policyholders. The surcharge must increase by one additional percentage point annually until it reaches ten percent and shall not sunset.

(3) Surcharges levied under this section are not premium and are not subject to premium tax, any fees, or any commissions; however, failure to pay the surcharges must be treated the same as failure to pay premium. Surcharges must not be included in the revenue or income of the association or fund.

(4) Beginning July 1, 2019, all surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall collect from the insured and remit to the department to be distributed to the

association and fund a nonadmitted policy surcharge on all premiums for all insurance written by such surplus lines insurance producer or broker for a policy from a nonadmitted insurer for any and all medical malpractice risks in this State. By procuring or selling medical malpractice insurance in this State from a nonadmitted insurer, each surplus lines insurance producer or broker placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy surcharge provided for herein.

(5) The nonadmitted policy surcharge must be a percentage of the total policy premium, but the nonadmitted policy surcharge must not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy surcharge must be treated the same as failure to pay premium. 'Total policy premium' includes taxes and commissions.

(6) The nonadmitted policy surcharge percentage must be the same percentage as the surcharge that has been approved by the board and director.

(7) Within thirty days of the end of the quarter, surplus lines insurance producers or brokers placing insurance through nonadmitted insurers shall remit to the department all nonadmitted policy surcharges collected in the preceding quarter. Surplus lines insurance producers or brokers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer or broker that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy surcharges.

(8) Each insured in this State who directly procures or renews insurance with a nonadmitted insurer on medical malpractice insurance other than insurance procured through a surplus lines licensee, must be subject to the nonadmitted policy surcharge which must be paid by the insured according to the procedures provided for premium taxes in Section 38-79-220 (4).

(9) Monies derived from the nonadmitted policy surcharge collected under this section must be distributed by the department to the association and the fund, with the association receiving fifty-five percent of the fee and the fund receiving forty-five percent. The nonadmitted policy surcharge must continue until the surcharge established in Section 38-79-220(1) is eliminated.

Section 38-79-230. ~~All insurers which are members of the association shall participate in its writings, expenses, profits, and losses in the proportion that the net direct premiums of each member (excluding that~~

~~portion of premiums attributable to the operation of the association) written during the preceding calendar year bear to the aggregate net direct premiums written in this State by all members of the association. Each insurer's participation in the association must be determined annually on the basis of the net direct premiums written during the preceding calendar year, as reported in the annual statements and other reports filed by the insurer with the department. The assessment of a member insurer, after hearing, may be ordered deferred in whole or in part upon application by the insurer if, in the opinion of the director or his designee, payment of the assessment may render the insurer insolvent or in danger of insolvency or otherwise may leave the insurer in a condition that further transaction of the insurer's business may be hazardous to its policyholders, creditors, members, subscribers, stockholders, or the public. If payment of an assessment against a member insurer is deferred by order of the director or his designee in whole or in part, the amount by which the assessment is deferred must be assessed against other member insurers in the same manner as provided in this section. In the order of deferral or in subsequent orders as may be necessary, the director or his designee shall prescribe a plan by which the assessment deferred must be repaid to the association by the impaired insurer with interest at the six-month treasury bill rate adjusted semiannually. Profits, dividends, or other funds of the association to which the insurer is otherwise entitled may not be distributed to the impaired insurer but must be applied toward repayment of any assessment until the obligation has been satisfied. The association shall distribute the repayments, including interest on them, to the other member insurers on the basis on which assessments were made.~~ Reserved.

Section 38-79-240. Every member of the Association is bound by the approved plan of operation of the Association and by any other rules the board of directors of the Association lawfully prescribes.

Section 38-79-250. ~~(1) If the authority of an insurer to transact bodily injury liability insurance, other than automobile, homeowners, or farmowners, in this State terminates for any reason its obligations as a member of the association nevertheless continue until all its obligations have been fulfilled and the director or his designee has so found and certified to the board of directors.~~

~~(2) If a member insurer merges into or consolidates with another insurer authorized to transact such insurance in this State or another insurer authorized to transact such insurance in this State has reinsured the insurer's entire general liability business in this State, both the insurer~~

~~and its successor or assuming reinsurer, as the case may be, are liable for the insurer's obligations in respect to the association.~~

~~(3) Any unsatisfied net liability of any insolvent member of the association must be assumed by and apportioned among the remaining members in the same manner in which assessments or gain and loss are apportioned and the association shall thereupon acquire and have all rights and remedies allowed by law in behalf of the remaining members against the estate or funds of the insolvent insurer for funds due the association.~~

~~(4)~~ The State is not responsible for any costs, expenses, liabilities, judgments, or other obligations of the association.

Section 38-79-260. The association is governed by a board of ~~thirteen~~ eleven directors, all of whom must be appointed by the Governor within thirty days of the effective date of this Section. The director or his designee shall serve as an ex officio member of the board. The Governor shall appoint ~~five~~ four health care providers after consultation with the South Carolina Medical Association, the South Carolina Dental Association, the South Carolina Nurses' Association, and the South Carolina ~~Health Alliance~~ Hospital Association; four medical malpractice insurance representatives after consultation with the ~~insurance industry~~ three members with the largest proportion of net-direct premium; one consumer representative who is unaffiliated with the insurance or health care industries or the medical or legal professions; one representative representing property and casualty insurers; and ~~two~~ one licensed insurance ~~agents or brokers~~ agent or broker who is not employed by the same insurer or insurer group as any of the four insurance representatives. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his consideration. The Governor may also receive nominations for appointments to the board from any other individual, group, or association. Notices of vacancies on the board must be published in newspapers of general statewide circulation. ~~The director or his designee shall serve as an ex officio member of the board.~~ The board shall develop a plan of operation which is subject to the approval of the director or his designee as provided in this article. The plan of operation shall provide for staggered terms of the members of the board. The approved plan of operation of the association may make provision for combining insurers under common ownership or management into groups for voting, assessment, and all other purposes and may provide that not more than one of the officers or employees of a group may serve as a director at any one time. The board shall elect a chairman, who must represent a

voting member, and other necessary officers for two-year terms. A vacancy must be filled for the unexpired portion of the term only. The Governor may receive recommendations from any individual, group, or association for any vacancy on the board. The board must meet at the call of the chairman or a majority of the members of the board, but in any event it must meet at least once a year.

Section 38-79-280. The association shall file in the office of the department annually, by March first, a statement which contains information with respect to its transactions, condition, operations, and affairs during the preceding year. The statement shall contain such matters and information as are prescribed by the director or his designee and must be in the form he directs. The director or his designee may, at any reasonable time, require the association to furnish additional information with respect to its transactions, condition, or any matter connected therewith considered to be material and of assistance in evaluating the scope, operation, and experience of the association.

Section 38-79-290. The director or his designee shall make an examination into the financial condition and affairs of the association at least annually and shall file a report thereon with the department, the Governor, and the General Assembly. The expenses of the examination must be paid by the association."

SECTION 2. Section 38-79-430 of the 1976 Code is amended to read:

"Section 38-79-430. The Board of Governors (board) is created to manage and operate the fund. The board is composed of three physicians to be appointed by the Governor after consultation with the South Carolina Medical Association, two dentists to be appointed by the Governor after consultation with the South Carolina Dental Association, two hospital representatives to be appointed by the Governor after consultation with the South Carolina Hospital Association, two insurance representatives to be appointed by the Governor after consultation with the medical malpractice insurance industry, one attorney to be appointed by the Governor after consultation with the South Carolina Bar, one attorney to be appointed by the Governor after consultation with the South Carolina Trial Lawyers Association, and two representatives of the general public appointed by the Governor who are unaffiliated with insurance or health care industries or the medical or legal professions. The appointed members shall serve for a term of six years. The board shall elect a chairman and other necessary officers for two-year terms. The board must meet at the call of the chairman or a majority of the members but in any event it must meet at least once a

year. A majority of the board members shall constitute a quorum for the transaction of any business of the board. The affirmative vote by a majority of the quorum present at a duly called meeting after notice is required to exercise any function of the board. The board may promulgate any regulations necessary to carry out the provisions of this article.

The board shall develop a plan of operation for the efficient administration of the fund consistent with the provisions of this article. The fund must operate pursuant to a plan of operation which provides for the economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of excess medical malpractice insurance and which may contain other provisions including, but not limited to, assessment of all members for expenses, deficits, losses, commissions' arrangements, reasonable underwriting standards, acceptance and cession of reinsurance appointment of servicing carriers, and procedures for determining the amounts of insurance to be provided by the fund. The fund may not grant retroactive coverage to members. The plan of operation and any amendments to the plan are subject to the approval of the director or his designee. If the board fails to develop a plan of operation within the timeframe established by the Governor or his designee, the director or his designee shall develop the plan of operation for the fund."

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the committee amendment.

The amendment was tabled.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

PRESIDENT PRESIDES

At 3:39 P.M., the PRESIDENT assumed the Chair.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3785R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 26 through 28 and inserting:

/~~provided for~~ All evidence, including the records that the board or the board's hearing panel considers, must be made part of the record in the proceedings. These hearings must be open to the public, except: /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 493 -- Senators Senn, Talley, Sabb, Sheheen, Kimpson, McElveen, Allen, Gregory, McLeod, Harpootlian and Hembree: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE IS A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INJURY OR DAMAGE WAS CAUSED BY THE UNKNOWN VEHICLE, OR THE INSURED CAN PROVE THAT THE INJURY OR DAMAGE WAS CAUSED BY AN UNKNOWN VEHICLE BY AN ELECTRONIC OR OTHER RECORDING OR OTHER CLEAR AND CONVINCING EVIDENCE.

Senator SENN spoke on the Bill.

Senator GROOMS objected to consideration of the Bill.

READ THE SECOND TIME

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

The Senate proceeded to the 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 43; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3621 -- Reps. V.S. Moss, D.C. Moss, Erickson and W. Cox: A BILL TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100, RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.

The Senate proceeded to the consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT

PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

The Senate proceeded to the consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (3728R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, page 4, by striking line 5 and inserting:

/antidote was administered to the person. If no history exists, then Drug Control shall confirm that the antidote was administered in response to a verified opioid overdose. If the antidote was administered in error, then Drug Control shall document the error. /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (3728R002.SP.TD), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 44-53-360(a), (b), and (d) of the 1976 Code is amended to read:

"Section 44-53-360. (a) Except when dispensed directly by a practitioner, other than a pharmacist, to an ultimate user, or in emergency situations as prescribed by the department by regulation, no controlled substance included in Schedule II may be dispensed without the written <u>or electronic</u> prescription of a practitioner. Prescriptions shall be retained in conformity with the requirements of Section 44-53-340. No prescription for a controlled substance in Schedule II may be refilled.

(b) A pharmacist may dispense a controlled substance included in Schedule III, IV, or V pursuant to either a written <u>or electronic</u> prescription signed by a practitioner, or a facsimile of a written, signed prescription, transmitted by the practitioner or the practitioner's agent to the pharmacy, or pursuant to an oral prescription, reduced promptly to writing and filed by the pharmacist. A prescription transmitted by facsimile must be received at the pharmacy as it was originally transmitted by facsimile and must include the name and address of the practitioner, the phone number for verbal confirmation, the time and date of transmission, and the name of the pharmacy intended to receive the transmission, as well as any other information required by federal or state law. Such prescription, when authorized, may not be refilled more than five times or later than six months after the date of the prescription unless renewed by the practitioner.

(d) Unless specifically indicated in writing on the face of the prescription <u>or noted in the electronic prescription</u> that it is to be refilled, and the number of times specifically indicated, no prescription may be refilled. The indication of 'PRN' or 'ad lib' or phrases, abbreviations, or symbols of like meaning shall not be construed as to exceed five refills or six months, whichever shall first occur. Preprinted refill instructions on the face of a prescription shall be disregarded by the dispenser unless an affirmative marking or other indication is made by the prescriber."

SECTION __. Section 44-53-360(j) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( )(A) Unless otherwise exempted by this subsection, a practitioner shall electronically prescribe any controlled substance included in Schedules II, III, IV, and V. This subsection does not apply to

prescriptions for a controlled substance included in Schedules II through V issued by any of the following:

(i) a practitioner, other than a pharmacist, who dispenses directly to the ultimate user;

(ii) a practitioner who orders a controlled substance included in Schedules II through V to be administered in a hospital, nursing home, hospice facility, outpatient dialysis facility, or residential care facility;

(iii) a practitioner who experiences temporary technological or electrical failure or other extenuating technical circumstances that prevent a prescription from being transmitted electronically; however, the practitioner must document the reason for this exception in the patient's medical record;

(iv) a practitioner who writes a prescription for a controlled substance included in Schedules II through V to be dispensed by a pharmacy located on federal property; however, the practitioner must document the reason for this exception in the patient's medical record;

(v) a person licensed to practice veterinary medicine pursuant to Chapter 69, Title 40; or

(vi) a practitioner who writes a prescription for a controlled substance included in Schedules II through V for a patient who is being discharged from a hospital, emergency department, or urgent care.

(B) A prescription for a controlled substance included in Schedules II, III, IV, and V that includes elements that are not supported by the most recently implemented version of the National Council for Prescription Drug Programs Prescriber/Pharmacist Interface SCRIPT Standard is exempt from this subsection.

(C) A dispenser is not required to verify that a practitioner properly falls under one of the exceptions specified in item (a) or (b) before dispensing a controlled substance included in Schedules II through V. A dispenser may continue to dispense a controlled substance included in Schedules II through V from valid written, oral, faxed, or electronic prescriptions that are otherwise consistent with applicable laws.

(D) A dispenser is immune from any civil or criminal liability or disciplinary action from the State Board of Pharmacy for dispensing a prescription written by a prescriber that is in violation of this subsection." /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (3728R004.SP.TD), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 36-37 and inserting an appropriately numbered new SECTION to read:

/SECTION __. This act takes effect January 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4119 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO GENERAL LICENSING PROVISIONS; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4858, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4120 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF OCCUPATIONAL THERAPY, RELATING TO REACTIVATION OF INACTIVE OR LAPSED LICENSES; AND CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4854, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

H. 4121 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO REQUIREMENTS TO TAKE STEP 3 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4853, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

H. 4123 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO LONG TERM HEALTH CARE ADMINISTRATORS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4844, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

H. 4124 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PHARMACY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4822, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

READ THE SECOND TIME

H. 4276 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY'S MILL PRECINCT AND TO 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 the consideration of the Bill.

The question being the second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO 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 the consideration of the Bill.

The question being the second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4841, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator HUTTO, the Bill was carried over.

H. 4370 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING CRISIS STABILIZATION UNIT FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4809, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Joint Resolution was carried over.

AMENDED, READ THE SECOND TIME

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO 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 the consideration of the Bill.

Senators RANKIN and GOLDFINCH proposed the following amendment (JUD4411.001), which was adopted:

Amend the bill, as and if amended, page 1, after line 39, in Section 7-7-320(A), as contained in SECTION 1, by adding a line to read:

/ Burgess #5 /

Amend the bill further, as and if amended, page 2, by striking line 22 in its entirety, in Section 7-7-320(A), as contained in SECTION 1.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 829 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED IN REGULATION DOCUMENT NUMBER 4860, WITH THE EXCEPTION OF REGULATION 123-204 Z., RELATING TO A PROHIBITION OF ACCESS TO CERTAIN PUBLIC TRUST LANDS, WHICH IS DISAPPROVED, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

Senator HUTTO moved to suspend the one day requirement on S. 829.

The motion was adopted.

Senator CAMPSEN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Malloy	Martin	Massey
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Kimpson

Total--1

The Resolution was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3079 -- Reps. Pope, Burns, Bryant, Clyburn, Yow, Brown, Hixon and Forrest: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD

OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

On motion of Senator CLIMER, with unanimous consent, the Senate proceeded to the consideration of the Bill.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT overruled the Point of Order.

Senator YOUNG proposed the following amendment (JUD3079.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 2-4 and inserting therein:

/ normal water surface. These marks must be affixed to immovable, permanent objects including, but not limited to, trees and fence posts, that are not more than one hundred yards apart and readily visible to any person approaching the property. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator ALLEN proposed the following amendment (JUD3079.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 4 and inserting therein:

/ and readily visible to any person approaching the property. The provisions of this subsection relating to purple-painted markings shall not apply to any property within the limits of a municipality. /

Renumber sections to conform.

Amend title to conform.

Senator ALLEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

AMENDED, READ THE SECOND TIME

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator TALLEY proposed the following amendment (3243R002.SP.SFT), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting the following:

/SECTION 1. Section 8-21-310 of the 1976 Code is amended to read:

"Section 8-21-310. ~~Except as otherwise expressly provided, the following fees and costs must be collected on a uniform basis in each county by clerks of court and registers of deeds or county treasurers as may be determined by the governing body of the county:~~

~~(1) for recording a deed to or a mortgage on real estate, ten dollars; and an additional one dollar a page for any deed or mortgage containing more than four pages; for entry of a deed or mortgage that covers both real estate and personal property in the indexes for both real and personal property conveyances or mortgages, one dollar additional;~~

~~(2) for recording a chattel mortgage, conditional sale contract, lease or contract of sale of personal property, and any other document required to be recorded under the Uniform Commercial Code (Title 36), the fees provided in Title 36;~~

~~(3) for recording an instrument which assigns, transfers, or affects a single real estate mortgage or other instrument affecting title to real property or lien for the payment of money, unless it is part of the original instrument when initially filed, six dollars; and if the instrument assigns, transfers, or affects more than one real estate mortgage, instrument, or lien, six dollars for each mortgage, instrument, or lien assigned, transferred, or affected and referred to in the instrument and an additional one dollar for each page for any instrument exceeding one page;~~

~~(4) for recording any lease, contract of sale, trust indenture, or other document affecting title or possession of real property not otherwise provided for in this section, ten dollars, and an additional one dollar a page for a document containing more than four pages;~~

~~(5) for recording satisfaction on the record of a mortgage of real estate or a chattel mortgage or other recorded lien, and certifying the entry on the original or a copy, five dollars;~~

~~(6) for recording separate probates, affidavits, or certificates which are not part of or attached to another document to be recorded, ten dollars;~~

~~(7) for recording a plat larger than eight and one-half by fourteen inches, ten dollars; for plats of 'legal size' dimensions, or smaller, five dollars;~~

~~(8) for recording decree of foreclosure or partition of real property in mortgage book or deed book, the same fee as for recording deed or mortgage of real estate;~~

~~(9) for recording any other paper affecting title or possession of real estate or personal property and required by law to be recorded, except judicial records, ten dollars, and an additional one dollar a page for a document containing more than four pages;~~

~~(10) for filing power of attorney, trustee qualification, or other appointment, fifteen dollars, and an additional one dollar a page for a document containing more than four pages. However, upon presentation of a copy of deployment orders to a combat zone by or on behalf of a member of the Armed Forces of the United States, the filing fee for a power of attorney for the person deployed is waived. In addition, the filing fee for a revocation of power of attorney filed by or on behalf of a member of the armed forces of the United States is waived if the revocation is filed: (i) within three years from the date of filing the power of attorney; and (ii) a copy of the deployment orders to a combat zone is presented. For purposes of this item, 'combat zone' has the meaning provided in Internal Revenue Service Publication 3 and includes service in a qualified hazardous duty area;~~

~~(11)(a) For filing first complaint or petition, including application for a remedial and prerogative writ and bond on attachment or other bond, in a civil action or proceeding, in a court of record, one hundred dollars. There is no further fee for filing an amended or supplemental complaint or petition nor for filing any other paper in the same action or proceeding. An original application for post-conviction relief may be filed without fee upon permission of the court to which the application is addressed. There is no further fee for entering and filing a verdict, judgment, final decree, or order of dismissal, and enrolling a judgment thereon, for signing, sealing, and issuance of execution, or for entering satisfaction or partial satisfaction on a judgment:~~

~~(b) for filing, recording, and indexing lis pendens when not accompanied by summons and complaint, ten dollars;~~

~~(c) for receiving and enrolling transcripts of judgment from magistrate's courts and federal district courts, ten dollars;~~

~~(d) for filing and enrolling a judgment by confession, ten dollars;~~

~~(12) no fee may be charged to a defendant or respondent for filing an answer, return, or other papers in any civil action or proceeding, in a court of record;~~

~~(13) for taking and filing an order for bail with or without bond, one dollar; with bond when surety must be justified, ten dollars;~~

~~(14) for taking and filing bond or security costs, one dollar; with bond when surety must be justified, ten dollars;~~

~~(15) for filing or recording any commission of notary public or other public office, license or permit to practice any profession or trade, notice of formation or dissolution of any partnership, five dollars;~~

~~(16) for filing the charter of any public or private corporation or association required by law to be recorded, ten dollars, and an additional one dollar a page for any such document containing more than four pages;~~

~~(17) for issuing an official certificate under seal of court not otherwise specified in this section, one dollar;~~

~~(18) for holding a hearing for condemnation proceedings, twenty-five dollars a day;~~

~~(19) for filing notice of discharge in bankruptcy, fifteen dollars;~~

~~(20) for filing and enrolling and satisfaction of South Carolina and United States Government tax liens:~~

~~(a) for filing and enrolling and satisfying executions or warrants for distraint for the South Carolina Department of Employment and Workforce, the South Carolina Department of Revenue, or any other~~

~~state agency, where costs of the executions or warrants for distraint are chargeable to the persons against whom such executions or warrants for distraint are issued, ten dollars;~~

~~(b) for filing and enrolling and satisfying any tax lien of any agency of the United States Government, where the costs of the executions are chargeable to the persons against whom such executions are issued, ten dollars;~~

~~The clerk shall mark 'satisfied' upon receipt of the fees provided in this item for any tax lien or warrant for distraint issued by any agency of this State or of the United States upon receipt of a certificate duly signed by an authorized officer of any agency of this State or the United States to the effect that the execution or warrant for distraint has been paid and satisfied.~~

~~(21) for filing and processing an order for the Destruction of Arrest Records, thirty-five dollars, which fee must be for each order regardless of the number of cases contained in the order. The fee under the provisions of this item does not apply to cases where the defendant is found not guilty or where the underlying charge is dismissed or nol prossed unless that dismissal or nol prosse is the result of successful completion of a pretrial intervention program;~~

~~(22) for filing, indexing, enrolling, and entering a foreign judgment and an affidavit pursuant to Article 11, Chapter 35, Title 15 of the 1976 Code, one hundred dollars.~~

~~(23) for filing a notice of meter conservation charge as permitted by Section 58-37-50, ten dollars.~~

~~(24) for filing court documents by electronic means from an integrated electronic filing (e-filing) system owned and operated by the South Carolina Judicial Department in an amount set by the Chief Justice of the South Carolina Supreme Court and all fees must be remitted to the South Carolina Judicial Department to be dedicated to the support of court technology.~~

(A) Except as otherwise provided, as determined by the governing body of a county, the clerks of court, registers of deeds, or county treasurers shall collect the following uniform filing fees:

(1) ten dollars for a deed to real estate; and

(2) fifteen dollars for the following documents:

(a) a mortgage;

(b) a land sale installment contract;

(c) a real estate sales contract;

(d) any document required to be recorded pursuant to the Uniform Commercial Code;

(e) a plat or survey not part of or attached to another document to be recorded;

(f) a lease for real estate;

(g) an easement agreement or other document affecting title or possession of real property not otherwise provided for in this section;

(h) a power of attorney, provided, however, that upon presentation of a copy of deployment orders to a combat zone by or on behalf of a member of the armed forces of the United States, the filing fee for a power of attorney for the person deployed is waived;

(i) a notice of a mechanic's lien; or

(j) any other document affecting a title or the possession of real estate that is required by law to be recorded or filed, except judicial records, including restrictive covenants, bylaws, and amendments to restrictive covenants and bylaws.

(B) Except as otherwise expressly provided, as may be determined by the governing body of a county, the clerks of court, registers of deeds, or county treasurers shall collect a uniform filing fee of ten dollars, unless otherwise stated, for the following documents or actions:

(1) a revocation of power of attorney, provided, however, that the filing fee is waived if it is filed by or on behalf of a member of the armed forces of the United States if the revocation is filed within three years from the date of filing the power of attorney and a copy of the deployment orders to a combat zone is presented. For the purposes of this item, 'combat zone' has the meaning provided in Internal Revenue Service Publication 3 and includes service in a qualified hazardous duty area;

(2) an assignment of leases and rents or the cancellation or release of an assignment of leases and rents;

(3) separate probates, acknowledgements, affidavits, or certificates that are not part of or attached to another document to be recorded;

(4) a mortgage satisfaction or release, including a partial release or entry in a public record;

(5) the recording of an instrument that assigns, transfers, or affects a single real estate mortgage or other instrument affecting a title to real property or a lien for the payment of money, unless it is part of the original instrument when initially filed, except if the instrument assigns, transfers, or affects more than one real estate mortgage, instrument, or lien, in which case the filing fee is seven dollars for each mortgage, instrument, or lien assigned, transferred, or affected and referred to in the instrument;

(6) taking and filing bond or security costs;

(7) filing a trustee qualification, memorandum of trust, or certification of trust;

(8) filing a notice of meter conservation charge as permitted by Section 58-37-50;

(9) the filing, enrolling, satisfaction, or expungement of state or federal liens. The clerk shall mark 'satisfied' upon receipt of the fees provided in this item for any lien or warrant for distraint issued by any agency of this State or of the United States upon receipt of a certificate duly signed by an authorized officer of any agency of this State or of the United States to the effect that the lien or warrant of distraint has been paid;

(10) the filing or recording of any commission of a notary public or other public office or any license or permit to practice a profession or trade required to be filed in the county where the individual permanently resides;

(11) the filing of the charter of any public or private corporation or association required by law to be recorded;

(12) the filing or recording of the dissolution of any partnership or corporate document required to be filed in the county;

(13) the filing and enrolling of a judgment by confession;

(14) the taking and filing of an order for bail with or without bond;

(15) the filing of a notice of discharge in bankruptcy;

(16) the filing, recording, and indexing of a lis pendens if not accompanied by a summons and complaint. For cancellation of a lis pendens, a fee may be required as provided in Section 15-11-40;

(17) the recording of a release or discharge of a mechanic's lien, or notice of pendency of an action of suit to enforce a mechanic's lien in accordance with Chapter 5, Title 29; or

(18) the filing of a document relating to a title of an interest in a vacation time sharing plan organized under Chapter 32, Title 27, provided, however, that the document must include clear notice on the first page and be titled 'Vacation Time Sharing Ownership Deed', indicating that the document relates to a deeded interest in a vacation time share plan.

(C) Except as otherwise provided, as may be determined by the governing body of the county, the clerks of court or county treasurers shall:

(1) in addition to the fee imposed by Section 14-1-204(B)(1), collect one hundred dollars for filing a first complaint or petition, including an application for a remedial and prerogative writ and bond in

a civil action or proceeding. There is no further fee for filing an amended or supplemental complaint or petition or for filing any other paper in the same action of the proceeding, with the exception of motions. An original application for post-conviction relief may be filed without a fee, upon the permission of the court to which the application is addressed. There is no further fee for entering and filing a verdict, judgment, final decree, or order of dismissal and enrolling judgment thereon; for the signing, sealing, and issuance of execution; or for entering satisfaction or partial satisfaction on a judgment;

(2) collect one hundred dollars for filing, indexing, enrolling, and entering a foreign judgment and an affidavit pursuant to Article 11, Chapter 35, Title 15;

(3) collect an amount set by the Chief Justice of the South Carolina Supreme Court for filing court documents by electronic means from an integrated electronic filing, or e-filing, system owned and operated by the South Carolina Judicial Department. All fees must be remitted to the South Carolina Judicial Department to be dedicated to the support of court technology;

(4) collect thirty-five dollars for filing and processing an order for the Destruction of Arrest Records, and the fee must be for each order, regardless of the number of cases contained in the order. The fee under the provisions of this item does not apply to cases in which the defendant is found not guilty or in which the underlying charge is dismissed or nol prossed unless that dismissal or nol prosse is the result of the successful completion of a pretrial intervention program;

(5) collect thirty-five dollars for receiving and enrolling transcripts of judgment from magistrate courts and federal district courts;

(6) collect ten dollars for taking and filing an order for bail, whether or not surety must be justified;

(7) collect ten dollars for taking and filing bond or security costs, whether or not surety must be justified;

(8) collect ten dollars for issuing an official certificate under the seal of the court not otherwise specified in this section; or

(9) collect fifteen dollars as set forth in Section 29-5-23 for a Notice of Project Commencement.

(D) No fee may be charged to a defendant or respondent for filing an answer, return, or other papers in any civil action or proceeding in a court of record."

SECTION 2. This act takes effect August 1, 2019. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and waiving Rule 26B on third reading.

CARRIED OVER

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G.R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard, Blackwell, Govan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

The Senate proceeded to the consideration of the Bill.

On motion of Senator MARTIN, the Bill was carried over.

ADOPTED

H. 4105 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 3 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE HAMPTON/JASPER COUNTY LINE “CHARLIE I. CREWS HIGHWAY” AND ERECT

APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4107 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF S-25-345 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 TO THE HAMPTON/JASPER COUNTY LINE "DEACON WILLINGHAM COHEN, SR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4456 -- Reps. Howard, Bernstein, Bales, Ballentine, Brawley, Finlay, Garvin, Hart, McDaniel, Rutherford, Rose, Thigpen and Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ALPINE ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH POLO ROAD TO ITS INTERSECTION WITH JACKSON CREEK "JACQUALINE KASPROWSKI WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B FAILED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3274 from the Contested Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 18; Nays 21; Abstain 3

AYES

Alexander	Bennett	Campbell
Corbin	Gambrell	Goldfinch
Gregory	Grooms	Loftis
Martin	Massey	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--18

NAYS

Allen	Campsen	Cash
Davis	Fanning	Harpootlian
Hutto	Johnson	Kimpson
Malloy	*Matthews, Margie*	McElveen
McLeod	Nicholson	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Williams

Total--21

ABSTAIN

Climer	Cromer	Hembree

Total--3

The motion under Rule 32B failed.

RECALLED

S. 139 -- Senators Martin, Rice and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2017", TO AMEND SECTION 16-23-20 RELATING TO THE UNLAWFUL CARRYING OF A FIREARM, TO AFFIRMATIVELY ASSERT THAT IT IS LEGAL TO CARRY A HANDGUN IN THIS STATE, UNLESS OTHERWISE PROHIBITED, WITH LOCATION EXCEPTIONS WHERE FIREARMS ARE PROHIBITED; TO AMEND SECTION 16-23-50(A)(2) TO PROVIDE THAT A PERSON WHO ENTERS A PREMISES WITH A SIGN PROHIBITING FIREARMS WHILE POSSESSING A FIREARM MUST BE CHARGED WITH TRESPASS; TO AMEND SECTIONS

16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO DELETE SECTION 16-23-460 RELATED TO THE UNLAWFUL CARRYING OF A CONCEALED WEAPON; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR CONSUMPTION ON THE PREMISES, TO DELETE A REFERENCE TO A PERSON CARRYING A CONCEALABLE WEAPON PURSUANT TO ARTICLE 4, CHAPTER 31, TITLE 23, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON LAWFULLY CARRYING A WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING A WEAPON ON THE BUSINESS PREMISES AND TO REMOVE REFERENCE TO "CONCEALABLE WEAPON" AND REPLACE WITH "WEAPON"; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT; TO DELETE SECTIONS 23-31-225 AND 23-31-230 RELATING TO THE UNLAWFUL CARRYING OF A CONCEALED WEAPON INTO A RESIDENCE AND THE CARRYING OF A WEAPON BETWEEN AN AUTOMOBILE AND AN ACCOMMODATION; TO AMEND SECTION 23-31-235 RELATING TO THE POSTING OF SIGNS PROHIBITING "CONCEALED WEAPONS" AND REPLACE WITH

CONFORMING LANGUAGE OF "WEAPONS"; AND BY AMENDING SECTION 10-11-320 RELATED TO THE TRESPASSES AND OFFENSES OF PUBLIC BUILDINGS ON CAPITOL GROUNDS, TO DELETE THE TERM "CONCEALABLE WEAPONS' PERMIT" AND REPLACE WITH THE TERM "FIREARM".

Senator MARTIN moved to recall the Bill from the Committee on Judiciary.

Senator SHEHEEN moved to table the motion to recall S. 139.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 21

AYES

Allen	Fanning	Gregory
Harpootlian	Hutto	Johnson
Kimpson	Malloy	*Matthews, John*
Matthews, Margie	McLeod	Nicholson
Reese	Sabb	Scott
Sheheen	Williams	

Total--17

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Loftis	Martin	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--21

Having failed to receive the necessary votes, the Senate refused to table the motion to recall S. 139.

The question then was the motion to recall S. 139 from the Committee on Judiciary.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 19

AYES

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Goldfinch	Grooms	Hembree
Leatherman	Loftis	Martin
Massey	Peeler	Rice
Shealy	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Fanning	Gregory
Harpootlian	Hutto	Johnson
Kimpson	Malloy	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Reese	Sabb
Scott	Senn	Sheheen
Williams		

Total--19

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

MOTION ADOPTED

At 5:01 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE

EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator LEATHERMAN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 42

AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	Nicholson
Peeler	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

Total--42

On motion of Senator LEATHERMAN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator LEATHERMAN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 42

AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	Nicholson
Peeler	Reese	Rice
Sabb	Senn	Setzler

Shealy	Sheheen	Talley
Turner	Williams	Young

Total--42

On motion of Senator LEATHERMAN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to waive the provisions of Rule 32A requiring the Resolution to be printed on the Calendar, proceeded to a consideration of the Resolution, the question being concurrence in the House amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator ALEXANDER explained the House amendments.

Senator ALEXANDER proposed the following amendment (455R004.SP.TCA), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 40-1-630(A) of the 1976 Code is amended to read:

"Section 40-1-630. (A) A board or commission that regulates the licensure of a profession or occupation under Title 40 ~~may~~ shall issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member. Nothing in this section should be construed as requiring a board or commission to grant licensure to the spouse of an active duty member of the United States Armed Forces absent evidence that all state law requirements for licensure have been met."

SECTION 2. Section 40-1-640(A) of the 1976 Code is amended to read:

"Section 40-1-640. (A) A professional or occupational board or commission governed by this title ~~may~~ shall accept the education, training, and experience completed by an individual as a member of the Armed Forces or Reserves of the United States, National Guard of any state, the Military Reserves of any state, or the Naval Militias of any state and apply this education, training, and experience in the manner most favorable toward satisfying the qualifications for issuance of the requested license or certification or approval for license examination in this State, subject to the receipt of evidence considered satisfactory by the board or commission."

SECTION 3. Section 40-33-20(19)(a) of the 1976 Code is amended to read:

"(a) has successfully completed an advanced, organized formal CRNA education program at a minimum of the master's level accredited by the national accrediting organization of this specialty area and that is recognized by the board;"

SECTION 4. Section 40-33-34(A)(3)(b) of the 1976 Code is amended to read:

"(b) graduated before December 31, 2003, from an advanced, organized formal education program for nurse anesthetists accredited by the national accrediting organization of that specialty. CRNAs who graduate after December 31, 2003, must graduate with a minimum of a master's degree from a formal CRNA education program for nurse

anesthetists accredited by the national accreditation organization of the CRNA specialty. An advanced practice registered nurse must achieve and maintain national certification, as recognized by the board, in an advanced practice registered nursing specialty;"

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0; Present 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

PRESENT

Loftis

Total--1

The amendment was adopted.

Senator HUTTO proposed the following amendment (455R008.SP.LAR), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. A.Title 61 of the 1976 Code is amended by adding:

"CHAPTER 3

Responsible Alcohol Server Training Act

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) 'Alcohol' means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) 'Alcohol server' means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. 'Alcohol server' shall not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and shall not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and shall not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) 'Alcohol server certificate' means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) 'DAODAS' means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) 'Department' means the South Carolina Department of Revenue.

(6) 'Division' means the South Carolina Law Enforcement Division.

(7) 'Employee' means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) 'Licensee' means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) 'Manager' means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) 'Permittee' means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) 'Program' means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) 'Provider' means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An individual shall not be employed as an alcohol server or a manager on permitted or licensed premises unless and until that individual obtains, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not be mentally or physically impaired by alcohol, drugs, or controlled substances while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee shall also make available to the department or the division, when requested, the hire date of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days is prima facie evidence that an alcohol server certificate has not been issued and shall subject the permittee or licensee to fines and penalties in accordance with this chapter.

Section 61-3-120. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server

training programs, based on best evidence practice standards, offered by providers. A program that has not received approval within ninety days from submission shall be considered denied. A provider may appeal denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider shall not charge an individual more than thirty-five dollars for a training program.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages;

(b) the permitting and licensing of sellers of alcoholic beverages;

(c) impaired driving or driving under the influence of alcohol or drugs;

(d) liquor liability issues;

(e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

(2) the effect that alcohol has on the body and human behavior, including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification; and

(9) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online or classroom designed training programs that meet each of the following criteria:

(1) A program must cover the content specified in subsection (B). If a program does not include law enforcement information in its general course material, then specific South Carolina law enforcement information must be provided in a South Carolina training supplement document.

(2) The content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible.

(3) A program may be offered online or through classroom instruction.

(4) Classroom training must be at least four hours, be available in English and Spanish, and include a test.

(5) Online or computer-based training programs shall use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test.

(6) Training and testing shall be conducted by any means available, including, but not limited to, online, computer, classroom, and live trainers. All tests must be monitored by a manager or proctor. A passing grade for a test, as provided by the program, is required.

(7) Training certificates are issued by the provider only after training is complete and a test has been passed successfully.

(8) Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(D) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to

it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A) The provider of a program that is authorized by the department shall pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist with the costs associated with implementation and enforcement of the provisions of this chapter.

(B) The Responsible Alcohol Server Training Fund is a revolving fund, and no funds deposited therein shall revert to the general fund of the state treasury.

(C) On or before the second Tuesday of each year, the department, with the assistance of the division, shall make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-first of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President of the Senate; posted on the websites of the department and the division; and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-140. (A)(1) The department shall issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of not more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from out of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state-recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter in order for the holder to be employed as a server.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department shall charge a fee, not to exceed fifteen dollars, for the issuance and renewal of an alcohol server certificate. These fees shall be deposited in the Responsible Alcohol Server Training Fund.

Section 61-3-150. (A) In addition to civil and criminal penalties available for violations of the provisions of Title 61, an alcohol server who violates the provisions of this chapter, upon a final administrative determination:

(1) for a first offense, may be fined not more than fifty dollars, have his alcohol server certificate suspended for a period not to exceed fifteen days, or both;

(2) for a second offense not related to the first offense, may be fined not more than two hundred dollars, have his alcohol server certificate suspended for a period not to exceed thirty days, or both; and

(3) for a third or subsequent offense not related to earlier offenses, may be fined not more than three hundred fifty dollars, have his alcohol server certificate suspended not more than six months, or both.

(B) Fines collected pursuant to this chapter shall be deposited in the Responsible Alcohol Server Training Fund.

(C) The department may issue an administrative order to suspend or revoke the certificate of an alcohol server who repeatedly violates the provisions of this chapter within a three-year period of time. In lieu of suspension or revocation of an alcohol server certificate, the department may require that the individual who has violated the provisions of this chapter attend and successfully complete either the full program or a recertification program.

(D) An individual whose alcohol server certificate is suspended or revoked is prohibited from serving in a South Carolina business permitted or licensed pursuant to Title 61 for such period as stated in the suspension or revocation order and until the individual obtains a new alcohol server certificate pursuant to the provisions of this chapter. The department shall make the information on suspended or revoked alcohol

server certificates accessible for licensees and permittees to verify when necessary.

(E) The provisions of this chapter shall not be interpreted to waive the liability of a permittee or licensee that may arise pursuant to the provisions of Title 61.

Section 61-3-160. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-170. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act."

B. Section 61-2-60 of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions."

C. Section 61-2-145 of the 1976 Code is amended to read:

"Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars during the period of the biennial permit or license. ~~Failure~~ The department must automatically suspend the permit or license for any person who fails to maintain this coverage ~~constitutes grounds for suspension or revocation of the permit or license~~.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with

documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement. Upon notification of the permit or license holder's lapse or termination of the liquor liability insurance policy or general liability insurance policy, the department must automatically suspend the permit or license theretofore issued.

(D) Notwithstanding any other provision of law, when the department has suspended the permit or license pursuant to subsection (A) or (C), the permittee or licensee may request an expedited contested case hearing with the Administrative Law Court to review the department's decision. The expedited hearing must be held within thirty days from the request, and the judge must issue an order no later than fifteen business days after the hearing is concluded.

~~(D)~~(E) For the purposes of this section, the term 'alcoholic beverages' means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61."

D.Section 61-4-50 of the 1976 Code is amended to read:

"Section 61-4-50. (A) It is unlawful for a person to sell beer, ale, porter, wine, or other similar malt or fermented beverage to a person under twenty-one years of age. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for

not more than thirty days for a second offense and not more than six months for a third or subsequent offense.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of the violation of this section.

(C) A person who violates the provisions of this section who does not hold an alcohol server certificate ~~also~~ is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and the cost to the person may not exceed ~~fifty~~ thirty-five dollars. A person who violates the provisions of this section who does hold an alcohol server certificate, upon conviction, is required to complete alcohol server training pursuant to Chapter 3, Title 61 and to obtain a new alcohol server certificate."

E. Section 61-4-90(A) of the 1976 Code is amended to read:

"Section 61-4-90. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of consumption of beer or wine in the State, unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of beer and wine to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense."

F. Section 61-4-580 of the 1976 Code is amended to read:

"Section 61-4-580. (A) No holder of a permit authorizing the sale of beer or wine or a servant, agent, or employee of the permittee may knowingly commit any of the following acts upon the licensed premises covered by the holder's permit:

(1) sell beer or wine to a person under twenty-one years of age;

(2) sell beer or wine to an intoxicated person;

(3) permit gambling or games of chance except game promotions including contests, games of chance, or sweepstakes in which the elements of chance and prize are present and which comply with the following:

(a) the game promotion is conducted or offered in connection with the sale, promotion, or advertisement of a consumer product or service, or to enhance the brand or image of a supplier of consumer products or services;

(b) no purchase payment, entry fee, or proof of purchase is required as a condition of entering the game promotion or receiving a prize;

(c) all materials advertising the game promotion clearly disclose that no purchase or payment is necessary to enter and provide details on the free method of participation; and

(d) this subsection is not an exception or limitation to Section 12-21-2710 or other provisions of the South Carolina Code of Laws in which gambling or games of chance are unlawful and prohibited;

(4) permit lewd, immoral, or improper entertainment, conduct, or practices. This includes, but is not limited to, entertainment, conduct, or practices where a person is in a state of undress so as to expose the human male or female genitals, pubic area, or buttocks cavity with less than a full opaque covering;

(5) permit any act, the commission of which tends to create a public nuisance or which constitutes a crime under the laws of this State;

(6) sell, offer for sale, or possess any beverage or alcoholic liquors the sale or possession of which is prohibited on the licensed premises under the laws of this State;

(7) conduct, operate, organize, promote, advertise, run, or participate in a 'drinking contest' or 'drinking game'. For purposes of this item, 'drinking contest' or 'drinking game' includes, but is not limited to, a contest, game, event, or other endeavor which encourages or promotes the consumption of beer or wine by participants at extraordinary speed or in increased quantities or in more potent form. 'Drinking contest' or 'drinking game' does not include a contest, game, event, or endeavor in which beer or wine is not used or consumed by participants as part of the contest, game, event, or endeavor, but instead is used solely as a reward or prize. ~~Selling beer or wine in the regular course of business is not considered a violation of this section; or~~

(B) Selling beer or wine in the regular course of business is not considered a violation of this section. ~~a~~ violation of any provision of this

section is a ground for the revocation or suspension of the holder's permit to sell beer or wine.

(C) A permittee, servant, agent, or employee of the permittee who holds an alcohol server permit and violates the provisions of items (A)(1) or (A)(2), upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense."

G.Section 61-6-2220 of the 1976 Code is amended to read:

"Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article ~~may~~ shall not sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions ~~thereof~~ of Chapter 6, Title 61 ~~and subject to the penalties contained herein~~. A person who makes a sale in violation of this section, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense."

H.Section 61-6-4070(A) of the 1976 Code is amended to read:

"Section 61-6-4070. (A) It is unlawful for a person to transfer or give to a person under the age of twenty-one years for the purpose of

consumption of alcoholic liquors in the State unless the person under the age of twenty-one is recruited and authorized by a law enforcement agency to test a person's compliance with laws relating to the unlawful transfer or sale of alcoholic liquors to a minor. A person who violates this section is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense."

I. Section 61-6-4080 of the 1976 Code is amended to read:

"Section 61-6-4080. (A) A person engaged in the sale of alcoholic liquors who knowingly sells the alcoholic liquors to a person under the age of twenty-one is guilty of a misdemeanor and, upon conviction:

(1) for a first offense, must be fined not less than two hundred dollars nor more than three hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than fifteen days; and

(2) for a second or subsequent offense, must be fined not less than four hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days, or both. In addition to criminal penalties, a person convicted who holds an alcohol server certificate pursuant to Chapter 3, Title 61 must have his alcohol server certificate suspended for not more than thirty days for a second offense and not more than six months for a third or subsequent offense.

(B) Failure of a person to require identification to verify a person's age is prima facie evidence of a violation of this section.

(C) A person who violates the provisions of this section who does not hold an alcohol server certificate ~~also~~ is required to successfully complete a DAODAS approved merchant alcohol enforcement education program. The program must be a minimum of two hours and

the cost to the person may not exceed ~~fifty~~ thirty-five dollars. A person who violates the provisions of this section who does hold an alcohol server certificate, upon conviction, is required to complete alcohol server training pursuant to Chapter 3, Title 61 and to obtain a new alcohol server certificate."

J. If any section, subsection, paragraph, item, subitem, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

K.The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

L. The State, through the South Carolina Department of Alcohol and Other Drug Abuse Services, shall provide alcohol server training at minimal costs to any participant for the first three years after the effective date of this act. The alcohol education training shall meet or exceed the requirements of Section 61-3-120, as added by this act, and shall be provided quarterly at no fewer than seven locations across the State. An individual who completes this training successfully is eligible to apply for an alcohol server certificate pursuant to the requirements of Section 61-3-140, as added by this act.

M. The provisions of Chapter 3, Title 61 and SECTIONS __.B. and __.C. take effect upon signature of the Governor, but the implementation and enforcement of the provisions of Chapter 3, Title 61 and the provisions of SECTIONS __.D., __.E., __.F., __.G., __.H., and __.I. become effective one year after the signature of the Governor. A person

applying for a new permit or license under Title 61 one year after the signature of the Governor must comply with all provisions of SECTION __ at the time of the application. A person renewing a permit or license under Title 61 one year after the signature of the Governor must comply with the provisions of SECTION __ at the time of renewal. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Present 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

PRESENT

Loftis

Total--1

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

CONCURRENCE

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GOLDFINCH explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 3; Present 1; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb

Scott	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--34

NAYS

Fanning	Kimpson	Sheheen

Total--3

PRESENT

Johnson

Total--1

ABSTAIN

Campsen	Cromer	Hembree
Senn		

Total--4

On motion of Senator GOLDFINCH, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Remarks by Senator KIMPSON

Thank you, Mr. PRESIDENT. I just want to echo the comments we have heard about us getting to the end of session. We are getting to the end of session, and people are reaching into their bags and pulling out tricks and gimmicks. What we have to do is be careful. I know we are

ready to go home. I am ready to go home, but we have to be careful that we take some time to deliberate on these Bills. There was a Bill put on the floor a minute ago, a motion to debate a Bill regarding preemption. I want us to be cognizant that by passing preemption Bills, we are doing away with local government. Let's see here -- we started out with minimum wage. I just got to the Senate in 2014, and we passed a preemption Bill masquerading as something else -- to take away the ability of city and local government to negotiate higher wages. Despite the city giving money for a company to move to its territory, they cannot negotiate. Then they move to the issue of sick pay. Folks at the local level who want to negotiate for sick pay, with the companies moving to their jurisdiction -- meaning when people get sick we want to talk about benefits. Local government does not have that ability. They have to come to the State House. In addition, the list goes on: plastic bags, paper straws -- I like paper straws. The people in Charleston appreciate the environment. Why are we in Columbia thinking we know best for the local people across the State? Many people disagree that Columbia knows best. I appreciate the political and procedural maneuver, but we have to spend some time debating the merits of the Bill. I am okay to debate the merits of the Bill, but we cannot do that with two days left in session. I appreciate this Body seeing the wisdom of saving that debate until later. Then we have a gun Bill, the equivalent of a loaded gun on the Senate floor. Gun mania has swept South Carolina. We have a motion to poll out a Bill that has been the subject of great controversy -- particularly in light of what just happened yesterday. I just pulled up Google, and I looked at how many school shootings there were this year alone. There have been ten school shootings that I was able to count, and we are not finished with May yet. Yesterday's shooting near Littleton, Colorado killed one student. There were students cowering when they should have been in the classroom learning. They are cowering during the gunfire. There is military artillery in our high schools, middle schools, and elementary schools -- I am just shocked. It shocks the conscience that we are going to poll this gun Bill with no subcommittee review and no public testimony. We are going to poll out a Bill that is the equivalent of a loaded gun on the Senate floor. Open carry -- it's on the floor, but now I understand that there is an objection on the Bill, so in the absence of some procedural mechanism, and I know we have some bright Senators. Senator MARTIN who is currently trying to poll out Bill S. 139, is smart, and he is trying to calculate how to maneuver that thing. However, I would ask this Body to just pause and read the headlines from across the country. In the school where the

shooting was yesterday, the officer shot a student because he thought the student was carrying a gun. I do not know if the student was carrying a gun. I believe it was Senator MARGIE BRIGHT MATTHEWS that told me, "Let's pass open carry. Let us see how much shooting we get after a Carolina/Clemson game." Everybody is going to be carrying his or her guns, because under that law, you will be allowed to carry your gun, anywhere. Therefore, we are going to have guns a blazing on Main Street, but yet we are going to have security at the front of the State House. Now, that Bill has an objection on it. I know I am going to get some calls. They are going to say, "Kimpson, how did you let open carry get on the floor of the Senate?" My response will be, "I didn't know it was going to be polled out of committee." I am thankful for Senator SCOTT objecting to the Bill. I just had to explain what happened with the Bill, and I had to do it briefly because I know my time is up. I ask for unanimous consent for an additional two minutes. I am concerned about this state's water quality. I have been reading the editorials of Sammy Fretwell. I encourage every member of this Body to read The State newspaper's editorials, and their in-depth reporting of the water quality in our rural areas. In that regard, it was incumbent upon me, as a member of the Senate Medical Affairs Committee -- who oversees DHEC -- to contact Director Toomey. In a letter to Director Toomey, I inquired about the water quality in areas like Bamberg and Barnwell, where folks are complaining about the water, and rightfully so. Members of the Medical Affairs Committee, I have sent you my letter to Director Toomey and his timely response. I hope you will take the time over the summer to read this information. I believe that instead of discussing tobacco, vaping and open carry we should be talking about water quality in this State, so that our children can enjoy a safe quality of life. Thank you, Mr. PRESIDENT.

On motion of Senator NICHOLSON, with unanimous consent, the remarks of Senator KIMPSON, were ordered printed in the Journal.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Aiken County Master-in-Equity, with the term to commence July 1, 2019, and to expire June 30, 2025

M. Anderson Griffith, 1397 Woodbine Road, Aiken, SC 29803

Reappointment, Lexington County Master-in-Equity, with the term to commence January 1, 2019, and to expire January 1, 2025
James Otto Spence, 6521 Edmund Highway, Lexington, SC 29073

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Kela E. Thomas, 22 Sunturf Circle, Columbia, SC 29223-6717
VICE Caroline Streater

Reappointment, Lee County Master-in-Equity, with the term to commence January 1, 2019, and to expire December 31, 2025
Stephen Bryan Doby, 321 Barnett Dr., Bishopville, SC 29010

Reappointment, Georgetown County Master-in-Equity, with the term to commence January 1, 2019, and to expire January 1, 2025
Joe M. Crosby, 110 Cedar Grove Lane, Pawleys Island, SC 29585

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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ADJOURNMENT

At 5:57 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

Thursday, May 9, 2019
(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:

Colossians 1:9b, 10

"We have not ceased praying for you and asking that you may be filled with the knowledge of God's will in all spiritual wisdom and understanding, so that you may lead lives worthy of the Lord, fully pleasing to him, as you bear fruit in every good work and as you grow in the knowledge of God."

Let us pray. Gracious and loving God, we are thankful that You are with us today and watching over all that happens to us. You go before us to make our way straight and productive. You are beside us as our companion and friend, and You are behind us to gently prod us when we become discouraged or overwhelmed with responsibilities. As this session draws to a close, may we dedicate the remainder of this year to You, O Lord, with the singular focus to reorder our priorities to our families, special friends, vocation and our quiet time with You in prayer. May each day be an opportunity for renewal and thankfulness for the gift of life. Through the power of Your Holy Spirit we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:10 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

THURSDAY, MAY 9, 2019

Local Appointment

Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Manuela Clayton, 1618 Bay Tree Lane, Myrtle Beach, SC 29575-5253

Doctor of the Day

Senator TALLEY introduced Dr. Tanya Tocharoen of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator VERDIN, at 11:10 A.M., Senator GOLDFINCH was granted a leave of absence until 5:00 P.M.

Leave of Absence

On motion of Senator BENNETT, at 11:10 A.M., Senator TURNER was granted a leave of absence until 5:00 P.M.

Leave of Absence

On motion of Senator DAVIS, at 11:48 A.M., Senator DAVIS was granted a leave of absence until 4:30 P.M.

Leave of Absence

On motion of Senator JOHNSON, at 1:50 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SENN, at 1:53 P.M., Senator SENN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 1:39 P.M., Senator SHEHEEN was granted a leave of absence for the balance of the day.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 836 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE OCONEE RELAY FOR LIFE UPON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO

COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE OCONEE COMMUNITY.
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The Senate Resolution was adopted.

S. 837 -- Senator Fanning: A SENATE RESOLUTION TO HONOR AND CELEBRATE DR. JOHN T. MCCOY ON THE OCCASION OF HIS TWENTIETH YEAR SHARING THE GLORY OF GOD AT NAZARETH BAPTIST CHURCH IN ROCK HILL, SOUTH CAROLINA, AND TO WISH HIM MANY MORE HAPPY YEARS ENGAGING IN HIS CALLING.
l:\council\bills\rt\17636sa19.docx

The Senate Resolution was adopted.

S. 838 -- Senator Reese: A BILL TO AMEND SECTION 50-25-1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE CERTAIN RESTRICTIONS ON DRONE SURVEILLANCE ON THE LAKE.
l:\council\bills\jn\3106cz19.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 839 -- Senator Reese: A BILL TO AMEND SECTION 5-31-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, RELATING TO MUNICIPALITIES IN WHICH THERE ARE NO BOARD OF COMMISSIONERS OF PUBLIC WORKS, SO AS TO VEST THE DUTIES OF THE COMMISSIONERS OF PUBLIC WORKS FOR SPARTANBURG IN THE SPARTANBURG SANITARY SEWER DISTRICT COMMISSIONERS.
l:\s-jud\bills\reese\jud0032.pb.docx

Read the first time and referred to the Committee on Judiciary.

S. 840 -- Senator Reese: A BILL TO PROHIBIT A VENDOR, CONTRACTOR, OR OTHER PROVIDER OF GOODS OR SERVICES FROM SUBMITTING A BID IN RESPONSE TO A REQUEST FOR PROPOSAL ISSUED BY THE SPARTANBURG WATER SYSTEM UNDER CERTAIN CONDITIONS, AND TO DEFINE RELEVANT TERMS.
l:\council\bills\cc\15600zw19.docx

Read the first time and ordered placed on the Calendar without reference.

S. 841 -- Senator Hembree: A BILL TO AMEND SECTION 16-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CHAPTER REGARDING OFFENSES INVOLVING WEAPONS, SO AS TO ADD NECESSARY TERMS; TO AMEND ARTICLE 1, CHAPTER 23, TITLE 16, BY ADDING SECTION 16-23-25, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, OR TRANSPORT FOR SALE IN THIS STATE ANY HANDGUN TO A PERSON WHO IS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNDER THE AGE OF EIGHTEEN TO POSSESS OR ATTEMPT TO POSSESS A HANDGUN WITHIN THIS STATE, AND TO PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 16-23-30, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, TRANSPORT FOR SALE INTO THIS STATE, OR OTHERWISE DISPOSE OF ANY FIREARM TO A PERSON KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON MEETS A CERTAIN CATEGORY; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES, DISPOSITION OF FINES, AND THE FORFEITURE AND DISPOSITIONS OF HANDGUNS, TO REDUCE THE PENALTY FOR A FIRST OFFENSE FIREARM VIOLATION, TO PROVIDE FOR ENHANCED PENALTIES FOR SUBSEQUENT VIOLATIONS, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM PURSUANT TO THIS SECTION SHALL ADMINISTRATIVELY RELEASE THE FIREARM TO AN INNOCENT OWNER UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTIONS 16-23-500 AND 23-31-1040 OF THE 1976 CODE.
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Read the first time and referred to the Committee on Judiciary.

H. 3309 -- Reps. Cobb-Hunter, Thigpen, Henderson-Myers, Collins, Rose, Dillard, Caskey, Bannister, Norrell and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL CREATE AND OPERATE A STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM.

Read the first time and referred to the Committee on Judiciary.

H. 3984 -- Reps. Bannister and Elliott: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

Read the first time and referred to the Committee on Finance.

H. 4509 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BERMUDA ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 9 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41 "DAN GRIMSLEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG BERMUDA ROAD CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator CAMPSEN, the Privilege of the Chamber, to that area behind the rail, was extended to R. Mac Burdette in recognition of his outstanding service with the Patriots Point Development Authority upon his retirement.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

The Senate proceeded to the consideration of the Bill.

Senator SETZLER proposed the following amendment (DG\ 4243C008.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. A.Section 12-6-3360 of the 1976 Code is amended by adding a subsection at the end to read:

"(O) The provisions of this section that specifically apply to a professional sports team only apply if that specific professional sports team creates the new full-time jobs in this State as specified in subsection (M)(17) by July 1, 2022, and the professional sports team otherwise meet the requirements to claim the credit allowed by this section. However, this subsection does not apply to a professional sports team that entered into a revitalization agreement with the South Carolina Coordinating Council for Economic Development before July 1, 2022."

B. The provisions of Sections 4-9-30 and 5-7-30 relating to a professional sports team, and the provisions of Section 5-3-20 only apply so long as the job and payroll provisions of Section 12-6-3360(M)(17) and (O) continue to be met by the professional sports team. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (DG\ 4243C010.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Chapter 10, Title 12 of the 1976 Code is amended by adding:

"Section 12-10-120. No credit may be awarded pursuant to this chapter until the minimum job requirement set forth in Section 12-6-3360(M)(17) has been fully met. Further the council may not award any partial credit if the same minimum job requirement is not fully met. The provisions of this section only apply to a professional sports team pursuant to Section 12-6-3360." /

Amend the bill further, SECTION 1, by striking Section 12-6-3360(M)(17) and inserting:

/ (17) 'Professional sports team' means a professional sports team or club included in a professional league, such as the National Football League, National Association for Stock Car Racing, or the National Basketball Association, primarily engaged in participating in live sporting events before a paying audience with an annual payroll for federal tax purposes of not less than one hundred ninety million dollars and not less than one hundred fifty full-time employees in this State. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (DG\ 4243C004.NBD.DG19), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Section 12-10-80(D)(2) of the 1976 Code is amended by adding an undesignated paragraph at the end to read:

"For purposes of this item, a significant business does not include a professional sports team as defined in Section 12-6-3360." /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was withdrawn.

Senator CASH proposed the following amendment (4243R007.SP.RJC), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. No state funds may be used for the construction of any interchange that serves a professional sports team park. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator CASH moved that the amendment be adopted.

Senator WILLIAMS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 13

AYES

Alexander	Allen	Bennett
Campbell	Climer	Cromer
Fanning	Gregory	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	*Matthews, John*	*Matthews, Margie*
McLeod	Nicholson	Peeler

Rankin	Reese	Sabb
Scott	Setzler	Williams
Young		

Total--28

NAYS

Campsen	Cash	Corbin
Gambrell	Grooms	Harpootlian
Martin	McElveen	Rice
Senn	Shealy	Talley
Verdin		

Total--13

The amendment was laid on the table.

Senator GROOMS proposed the following amendment (4243R008.SP.LKG), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Professional sports teams qualifying for the credit must hold at least two regular season home games in South Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

Point of Quorum

At 12:36 P.M., Senator HARPOOTLIAN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator GROOMS resumed speaking.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 9

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Cromer	Fanning	Gambrell
Gregory	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--32

NAYS

Cash	Corbin	Grooms
Harpootlian	Martin	Massey
Rankin	Rice	Senn

Total--9

The amendment was laid on the table.

Senator HARPOOTLIAN spoke on the Bill.
Senator SCOTT spoke on the Bill.
Senator LEATHERMAN spoke on the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 15

AYES

Alexander	Allen	Campbell
Climer	Cromer	Fanning
Gambrell	Goldfinch	Gregory
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	*Matthews, John*	*Matthews, Margie*
McLeod	Nicholson	Peeler

Rankin	Reese	Sabb
Scott	Senn	Williams

Total--27

NAYS

Bennett	Campsen	Cash
Corbin	Grooms	Harpootlian
Martin	Massey	McElveen
Rice	Setzler	Shealy
Talley	Verdin	Young

Total--15

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House with amendments.

Statement by Senator SHEHEEN

I was absent when the Senate voted on H. 4243. If present, I would have voted against the Bill.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM;

AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Very respectfully,

Speaker of the House

Received as information.

H. 4243--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator CLIMER, the Senate insisted upon its amendments to H. 4243.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CLIMER, HARPOOTLIAN and GREGORY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Simrill, Pope and Rutherford to the Committee of Conference on the part of the House on:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS

TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3174 -- Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

COMMITTEE AMENDMENT ADOPTED
HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS

FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND

THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3586.005), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 23-47-10 of the 1976 Code, is amended by adding the following appropriately numbered items at the end to read:

"( ) 'Board' means the board of the Revenue and Fiscal Affairs Office.

( ) 'Call' means any information, written communication, video, data, or voice that is delivered to the PSAP initiating an emergency response.

( )'IP-Enabled Services' means services and applications making use of Internet Protocol (IP) including, but not limited to, voice over IP and other services and applications provided through wireline, cable, wireless and satellite facilities, and any other facility that is capable of connecting users dialing or entering the digits 911 to public safety answering points.

( )'NextGen 9-1-1 (NG9-1-1)' includes the delivery of 911 calls over an IP-based network and provides multimedia data capabilities for PSAPs and other emergency service organizations.

( )'Communications service' means a service capable of accessing, connecting with, or interfacing with a 911 system by dialing, initializing, or otherwise activating the system exclusively through the digits 911 by means of a local telephone device or wireless communications device.

( )'Communications service provider' means a service provider, public or private, that transports information electronically via landline, wireless, internet, cable, or satellite, including, but not limited to, wireless communications service providers, personal communications service, telematics, and Voice over Internet Protocol (VoIP).

( )'Wireless communications service' means commercial mobile radio service. 'Wireless communications service' includes any wireless two-way communications used in cellular telephone service, a personal communications service, or a network access line. 'Wireless communications service' does not include a service whose customers do not have access to 911 or 911-like services.

( )'Wireless communications provider' means a company that offers wireless communication service to users of wireless devices including, but not limited to, cellular, personal communications services, mobile satellite services, and enhanced specialized mobile radio.

( )'ESInet' means an Emergency Services IP Network. An ESInet can be one or many networks, including local, regional, statewide, nationwide, or international.

( )'VoIP Network' or 'Voice over Internet Protocol Network' means a method in which voice communications are delivered via digital internet connections.

( )'Legacy systems' means any 911 system, whether basic or enhanced, operating in South Carolina prior to the board establishing an NG9-1-1 or subsequent systems.

( )'Strategic plan' means the defined strategy of South Carolina's 911 goals and objectives and the steps necessary to achieve those goals and objectives.

SECTION 2. Section 23-47-20 of the 1976 Code is amended to read:

"Section 23-47-20. (A)(1) The Revenue and Fiscal Affairs Office shall be responsible for creating, updating, and implementing a comprehensive strategic plan, including operating standards for a coordinated statewide 911 system to address changing technology, services, and operating efficiency and effectiveness. The standards must be developed and updated with comments and recommendations from the South Carolina 911 Advisory Committee, local officials, service providers, and the public. The plan must be approved by the board and may be amended as necessary.

Service available through a local 911 system includes law enforcement, fire, and emergency medical services. Other emergency and emergency personnel services may be incorporated into the 911 system at the discretion of the local government being served by the system. Public safety agencies within a local government 911 system, in all cases, must be notified by the PSAP of a request for service in their area. Written guidelines must be established to govern the assignment of calls for assistance to the appropriate public safety agency. There must be written agreements among state, county, and local public safety agencies with concurrent jurisdiction for a clear understanding of which specific calls for assistance will be referred to individual public safety agencies.

(2) The Revenue and Fiscal Affairs Office may request written verification from PSAPs regarding compliance with current or updated standards and may develop policies to address noncompliance.

(B)(1) A 911 system must include all of the territory of the local government, either county, municipality, or multi-jurisdictional government. A 911 system may be ~~a basic or~~ an enhanced 911 system until the board establishes NG9-1-1 or another subsequent system.

(2) Public safety agencies that provide emergency service within the territory of a 911 system shall participate in the countywide system. Each PSAP must be operated twenty-four hours a day, seven days a week.

(C) ~~As a minimum, the 911 systems implemented in South Carolina must include:~~

~~(1) a minimum of two lines from each serving telephone central office to the enhanced 911 tandem (controlling central office). A minimum of two lines from the enhanced 911 tandem to the PSAP. The grade of service must have sufficient lines to ensure no more than one busy signal per one hundred calls;~~

~~(2) equipment to connect the PSAP to all law enforcement, fire protection, and emergency medical or rescue agencies, or both within the boundaries of the system;~~

~~(3) first priority to answering 911 calls;~~

~~(4) electronic recording of all 911 calls and retained for a minimum of sixty days;~~

~~(5) immediate playback capability of all 911 calls;~~

~~(6) equipment connected by dedicated telephone lines to all adjacent PSAP's where there is a telephone exchange not covered by selective routing;~~

~~(7) adequate physical security to minimize the possibility of intentional disruption of the operation. This includes equipment safeguards;~~

~~(8) standby emergency power to operate the PSAP during power failures;~~

~~(9) written operational procedures;~~

~~(10) a minimum of one telecommunication device for the deaf (TDD) available in each PSAP;~~

~~(11) capability to answer eighty percent of calls within ten seconds;~~

~~(12) coin free dialing. Pay or coin telephones classified as such by a class of service code will be identified on the automatic location identification display in enhanced 911 systems;~~

~~(13) contingency plans for rerouting or relocating the PSAP in the event of a disaster or equipment failures;~~

~~(14) routing and capabilities to receive and process CMRS service and VoIP service capable of making 911 calls;~~

~~(15) telecommunication operators or dispatchers trained and certified by the Law Enforcement Training Council (Criminal Justice Academy). The Law Enforcement Training Council shall promulgate regulations to provide for this training. Expense of the training must be paid by the local government by which that person is employed and the department is authorized to establish and collect a fee for this training;~~

~~(16) all 911 lines have both audio and light indicators on incoming calls;~~

~~(17) a public safety agency whose services are available on the 911 system must maintain a separate secondary backup number for emergency calls and a separate number for nonemergency telephone calls;~~

~~(18) the primary published emergency number will be 911. The PSAP must have additional local telephone exchange service in addition to the 911 service. This nonemergency telephone number should be published directly below the 'emergency dial 911' listing;~~

~~(19) 911 is furnished for emergency reporting only. Nonemergency calls, whether by the general public or agency employees, should not be made to the 911 system;~~

~~(20) a designated person or 911 office staffed by a sufficient number of personnel to maintain data bases;~~

~~(21) an initial and continual plan for public education which must include the following:~~

~~(a) to make the public aware 911 is available;~~

~~(b) to have the majority of emergency calls received on 911 rather than the seven-digit emergency number;~~

~~(c) to make the public aware of the definition of an emergency;~~

~~(d) to make the public aware of what is a nonemergency.~~

~~(D) Enhanced 911 shall incorporate the following features:~~

~~(1) automatic location identification (ALI) automatically displays the addresses of the calling telephone during the course of the emergency call at the PSAP;~~

~~(2) automatic number identification (ANI) automatically displays the number of the caller's telephone at the PSAP;~~

~~(3) central office identification – when a PSAP serves more than one central office, dedicated lines or trunks are used to identify each central office;~~

~~(4) called party hold – enables the PSAP to control the connection for confirmation and tracing of the call;~~

~~(5) distinct tone – tone generated by equipment which alerts the PSAP personnel that calling party has disconnected;~~

~~(6) selective routing will automatically route a predetermined geographical area to a PSAP serving that area regardless of municipal and wire center boundary alignments.~~

~~(7) All enhanced 911 systems must be configured so as to disallow subsequent search of the address data base.~~

At a minimum, the legacy 911 or NG9-1-1 systems implemented in South Carolina must include:

(1) for legacy, a minimum of two lines from each serving telephone central office to the enhanced 911 tandem (controlling central office) and a minimum of two lines from the enhanced 911 tandem to the PSAP. For both legacy and NG9-1-1, the grade of service must have sufficient lines to ensure no more than one busy signal per one hundred calls;

(2) for both legacy and NG9-1-1, equipment within the PSAP to connect the PSAP to all law enforcement, fire protection, and emergency medical or rescue agencies, as well as to emergency responders;

(3) for both legacy and NG9-1-1, first priority to answering 911 calls;

(4) for both legacy and NG9-1-1, electronic recording of all 911 calls that are retained for a minimum of sixty days;

(5) for both legacy and NG9-1-1, immediate playback capability of all 911 calls;

(6) for legacy, equipment connected by dedicated telephone lines to all adjacent PSAPs where there is a telephone exchange not covered by selective routing;

(7) for both legacy and NG9-1-1, necessary physical security to minimize the possibility of intentional disruption of the operation. This includes equipment safeguards such as key fobs and biometrics as well as cyber security safeguards to prevent Denial of Service attacks and general 'hacking' of systems;

(8) for both legacy and NG9-1-1, standby emergency power to operate the PSAP during power failures;

(9) for both legacy and NG9-1-1, written operational procedures;

(10) for legacy and NG9-1-1, a minimum of one telecommunication device for the deaf (TDD) available in each PSAP;

(11) for both legacy and NG9-1-1, capability to answer ninety-five percent of calls within fifteen seconds and ninety-nine percent in forty seconds;

(12) for both legacy and NG9-1-1, coin-free dialing. Pay or coin telephones classified as such by a class of service code will be identified on the automatic location identification display in enhanced 911 systems;

(13) for both legacy and NG9-1-1, contingency plans for rerouting or relocating the PSAP in the event of a disaster or equipment failures;

(14) for both legacy and NG9-1-1, routing and capabilities to receive and process CMRS service and VoIP service capable of making 911 calls;

(15) for both legacy and NG9-1-1, telecommunication operators or dispatchers trained, or certified by the Law Enforcement Training Council (Criminal Justice Academy). The Law Enforcement Training Council shall promulgate regulations to provide for this training and/or certification. Expense of the training must be paid by the local government by which that person is employed. The Law Enforcement Training Council is authorized to establish, collect, and retain a fee not to exceed actual costs for this training or certification, or both;

(16) for both legacy and NG9-1-1, all 911 lines have both audio and visual indicators on incoming calls;

(17) for both legacy and NG9-1-1, a public safety agency whose services are available on the 911 system must maintain a separate secondary backup number for emergency calls and a separate number for nonemergency telephone calls;

(18) for both legacy and NG9-1-1, the primary published emergency number will be 911. The PSAP must have additional local telephone exchange service in addition to the 911 service. This nonemergency telephone number should be published directly below the 'emergency dial 911' listing;

(19) for both legacy and NG9-1-1, 911 is furnished for emergency reporting only. Nonemergency calls, whether by the general public or agency employees, should not be made to the 911 system;

(20) for both legacy and NG9-1-1, a designated person or 911 office staffed by a sufficient number of personnel to maintain databases and 911 network; and

(21) for both legacy and NG9-1-1, an initial and continual plan for public education, which must include:

(a) making the public aware 911 is available;

(b) making the majority of emergency calls received on 911 rather than the seven-digit emergency number;

(c) making the public aware of the definition of an emergency;

(d) making the public aware of what is a nonemergency;

(e) texting to 911 and other aspects of NG9-1-1 as they become available to the public;

(22) for NG9-1-1, the requirements contained in this section shall apply to all manner of devices capable of communicating requests for emergency assistance to PSAPs.

(D) Enhanced 911 shall incorporate the following features:

(1) for legacy, automatic location identification (ALI) - automatically displays the addresses of the calling telephone during the course of the emergency call at the PSAP;

(2) for legacy, automatic number identification (ANI) - automatically displays the number of the caller's telephone at the PSAP;

(3) for legacy, central office identification - when a PSAP serves more than one central office, dedicated lines or trunks are used to identify each central office;

(4) for both legacy and NG9-1-1, called party hold - enables the PSAP to control the connection for confirmation and tracing of the call;

(5) for both legacy and NG9-1-1, distinct tone - generated by equipment which alerts the PSAP personnel that the calling party has disconnected;

(6) for legacy, selective routing - will automatically route calls from a predetermined geographical area to a PSAP serving that area regardless of municipal and wire center boundary alignments; and

(7) for legacy, all enhanced 911 systems must be configured so as to disallow subsequent search of the address database.

(E) All systems also must include applicable services identified in the strategic plan to ensure comprehensive and coordinated statewide operations in accordance with Section 23-47-20(A), including, but not limited to:

(1) integration and standardization of local mapping data; and

(2) aerial imagery services that will support the strategic plan and public safety on an on-going basis. Aerial imagery also may be shared for other local and state governmental purposes including, but not limited to, South Carolina Code of Regulations R117-1740.2.C.5."

SECTION 3. Section 23-47-40 of the 1976 Code is amended to read:

"Section 23-47-40. (A) The local government is authorized to adopt an ordinance to impose a monthly 911 landline charge upon each local exchange access facility subscribed to by telephone subscribers whose local exchange access lines are in the area served or which would be served by the 911 service. The 911 landline charge must be uniform and may not vary according to the type of local exchange access facility used.

The ordinance must be adopted in the same fashion as ordinances that levy taxes under South Carolina law. No collection of charges may be commenced before adoption of the ordinance.

(B) ~~Funding~~ Landline funding must be used only to pay for the following enumerated items:

(1) the lease, purchase, lease-purchase, or maintenance of emergency telephone equipment, including necessary recording equipment, computer hardware, software and data base provisioning, addressing, mapping, and nonrecurring costs of establishing a 911 system;

(2) the rates associated with the service supplier's 911 service and other suppliers recurring charges;

(3) the cost of establishing and maintaining a county 911 office or maintaining as currently staffed a county 911 office for the purpose of operating and maintaining the data base of the 911 system. Costs are limited to salaries and compensations and those items necessary in the operation of the 911 office and normal operating costs;

(4) items enumerated may be subscriber billed for a period not to exceed thirty months before activation of the 911 service;

(5) items necessary to meet the standards outlined in this chapter, specifically in Section 23-47-20(C);

(6) enhancements either currently available or available in the future offered by service suppliers and approved by the Public Service Commission;

(7) a local government may contract to implement and establish a 911 system as set forth in this chapter.

(C) ~~Funding~~ Landline funding must not be used for:

(1) purchasing or leasing of real estate, cosmetic or remodeling of communications centers, except those building modifications necessary to maintain the security and environmental integrity of the PSAP;

(2) hiring or compensating dispatchers or call takers other than initial and in-service training;

(3) mobile communications vehicles, fire engines, law enforcement vehicles, ambulances, or other emergency vehicles, or other vehicles;

(4) ~~consultants or consultant fees for studies of implementation;~~ communications, or other equipment used by first responders or other public safety agents, such as radios, radio towers, and computers; and

(5) ~~aerial photography~~ consultants or consultant fees for studies of implementation not related to NG9-1-1.

(D) A local government may contract with a service supplier for any term negotiated by the service supplier and the local government and may make payments through subscriber billing to provide any payments required by the contract."

SECTION 4. Section 23-47-50 of the 1976 Code is amended to read:

"Section 23-47-50. (A) The maximum 911 landline charge that a subscriber may be billed for an individual local exchange access facility must be in accordance with the following scale:

Tier I—1,000 to 40,999 access lines— $1.50 for start-up costs, $1.00 for on-going costs.

Tier II—41,000 to 99,999 access lines— $1.00 for start-up costs, $.60 for on-going costs.

Tier III—more than 100,000 access lines— $.75 for start-up costs, $.50 for on-going costs.

Start-up includes a combination of recurring and nonrecurring costs and up to a maximum of fifty local exchange lines per account. For bills rendered on or after the effective date of this act, for any individual local exchange access facility that is capable of simultaneously carrying multiple voice and data transmissions, a subscriber must be billed a number of 911 charges equal to: (a) the number of outward voice transmission paths activated on such a facility in cases where the number of activated outward voice transmission paths can be modified by the subscriber only with the assistance of the service supplier; or (b) five, where the number of activated outward voice transmission paths can be modified by the subscriber without the assistance of the service supplier. The total number of 911 charges remains subject to the maximum of fifty 911 charges per account set forth above.

(B) Every local telephone subscriber served by the 911 system is liable for the 911 landline charge imposed. A service supplier has no obligation to take any legal action to enforce the collection of the 911 charges for which a subscriber is billed. However, a collection action may be initiated by the local government that imposed the charges. Reasonable costs and attorneys' fees associated with that collection action may be awarded to the local government collecting the 911 landline charges.

(C) The local government subscribing to 911 service is ultimately responsible to the service supplier for all 911 installation, service, equipment, operation, and maintenance charges owed to the service supplier. Upon request by the local government, the service supplier shall provide a list of amounts uncollected along with the names and addresses of telephone subscribers who have identified themselves as

refusing to pay the 911 landline charges. Taxes due on a 911 system service provided by the service supplier must be billed to the local government subscribing to the service. State and local taxes do not apply to the 911 charge billed to the telephone subscriber.

(D) Service suppliers that collect 911 landline charges on behalf of the local government are entitled to retain two percent of the gross 911 landline charges remitted to the local government as an administrative fee. The service supplier shall remit the remainder of charges collected during the month to the fiscal offices of the local government. The 911 landline charges collected by the service supplier must be remitted to the local government within forty-five days of the end of the month during which such charges were collected and must be deposited by and accounted for by the local government in a separate restricted fund known as the 'emergency telephone system fund' maintained by the local government. The local government may invest the money in the fund in the same manner that other monies of the local government are invested and income earned from the investment must be deposited into the fund. Monies from this fund are totally restricted to use in the 911 system.

(E)(1) ~~The~~ In order to ensure compliance with the provisions of this chapter and with generally accepted accounting standards, the 'emergency telephone system' fund must be included in the annual audit of the local government ~~in accordance with generally accepted auditing standards~~. The audit must include a review of the accounting controls over the collection, reporting, and disbursement of 911 funds and a supplementary schedule detailing revenue and expenses by category as authorized in this chapter. If the annual audit contains a finding of any inappropriate use of 911 funds, the local government must restore these funds within ninety days of the completion of the audit.

(2) The local government must provide the Revenue and Fiscal Affairs Office a copy of the audit report regarding this compliance within sixty days of the completion of the audit. The Revenue and Fiscal Affairs Office shall review these audits on a regular basis and report to the board any findings or concerns. In conducting this review, the Revenue and Fiscal Affairs Office may request additional information from the local government. If a local government fails to provide a copy of the audit or any requested additional information, or correct any findings identified in the audit, the board may withhold funding pursuant to subsection (G).

(F) Fees collected by the service supplier pursuant to this section are not subject to any tax, fee, or assessment, nor are they considered revenue of the service supplier. ~~A monthly CMRS 911 charge is levied~~

~~for each CMRS connection for which there is a mobile identification number containing an area code assigned to South Carolina by the North American Numbering Plan Administrator~~

A monthly 911 charge is levied for each Commercial Mobile Radio Service (CMRS) connection with a place of primary use in South Carolina as defined by the Federal Mobile Telecommunications Sourcing Act (4 U.S.C. 124C8), to include: (a) the residential street address or the primary business street address of the customer, and (b) within the licensed service area of the home service provider. The amount of the levy must be approved annually by the Revenue and Fiscal Affairs Office at a level not to exceed the average monthly landline telephone (local exchange access facility) 911 charges paid in South Carolina. The Revenue and Fiscal Affairs Office and the committee may calculate the CMRS 911 charge based upon a review of one or more months during the year preceding the calculation of landline telephone (local exchange access facility) charges paid in South Carolina. The CMRS 911 wireless charge must have uniform application and must be imposed throughout the State; however, trunks or service lines used to supply service to CMRS providers shall not be subject to a CMRS 911 levy. Prepaid wireless telecommunications service is subject to the 911 charge set forth in Section 23-47-68 and not to the CMRS 911 wireless charge set forth in this subsection. On or before the twentieth day of the second month succeeding each monthly collection of the CMRS 911 wireless charges, every CMRS provider shall file with the Department of Revenue a return under oath, in a form prescribed by the department, showing the total amount of fees collected for the month and, at the same time, shall remit to the department the fees collected for that month. The department shall place the collected fees on deposit with the State Treasurer. The funds collected pursuant to this subsection are not general fund revenue of the State and must be kept by the State Treasurer in a fund separate and apart from the general fund to be expended as provided in Section 23-47-65.

(G)(1) Fees collected by the service supplier pursuant to this section are not subject to any tax, fee, or assessment, nor are they considered revenue of the service supplier.

(2) Except as provided in Section 23-47-68(B), a 911 charge imposed under this chapter shall be added to the billing by the service supplier to the service subscriber and ~~may~~ must be stated separately.

(3) A billed subscriber shall be liable for any 911 charge imposed under this chapter until it has been paid to the service supplier."

SECTION 5. Section 23-47-60 of the 1976 Code is amended by adding the following appropriately lettered subsection at the end to read:

"( ) To help ensure these standards are implemented successfully throughout an entire county, the Revenue and Fiscal Affairs Office shall designate one office within each county as the addressing official."

SECTION 6. Section 23-47-65 of the 1976 Code, as last amended by Act 246 of 2018, is further amended to read:

"Section 23-47-65. (A)(1) The South Carolina 911 Advisory Committee is created to assist the Revenue and Fiscal Affairs Office in carrying out its responsibilities in implementing, maintaining, and updating an efficient ~~a~~ wireless ~~enhanced~~ 911 system ~~consistent with FCC Docket Number 94-102~~. ~~The committee shall consist of: an individual with technical or operational knowledge of E-911 systems who is appointed by the Executive Director of the Revenue and Fiscal Affairs Office; the Executive Director of the Revenue and Fiscal Affairs Office or his designee; two employees of CMRS providers licensed to do business in the State appointed by the Governor; two 911 system employees appointed by the Governor; and one employee of a telephone (local exchange access facility) service supplier licensed to do business in the State appointed by the Governor; and one consumer appointed by the Governor. Local governments and related organizations such as the National Emergency Number Association may recommend PSAP Committee members, and industry representatives may recommend wireline and CMRS Committee members to the Governor. There is no expense reimbursement or per diem payment from the fund created by the CMRS surcharge made to members of the committee~~ The committee must be comprised of twelve members and appointed as follows: eight members appointed by the Governor of which two must be employees of a local 911 system recommended by the South Carolina Association of Public Safety Communication Officials, two must be employees of a local 911 system recommended by the South Carolina National Emergency Number Association, two must be employees of CMRS providers licensed to do business in the State, one must be an employee of a telephone (local exchange access facility) service supplier licensed to do business in the State, and one consumer; and four members appointed by the Executive Director of the Revenue and Fiscal Affairs Office of which one must be its Executive Director or his designee, one must be an individual with GIS expertise, one must be an individual with knowledge of communication operations or technology, and one county administrator recommended by the South Carolina Association of Counties. There is no expense reimbursement or per diem payment made

to members of the committee for attendance in committee or subcommittee meeting. However, upon prior approval by the Executive Director of the Revenue and Fiscal Affairs Office, members of the committee may be reimbursed by the Revenue and Fiscal Affairs Office, pursuant to state travel guidelines, for travel associated with their service on the committee.

(2) All committee members, except the ~~ex officio members~~ executive director or his designee, must be appointed for a three-year term ~~by the Governor~~. These eleven committee members may be appointed to one ~~subsequent~~ consecutive term. A member may not be reappointed in a different capacity in order to circumvent the two consecutive term limitation. A member who has served the maximum consecutive terms is eligible for reappointment to a subsequent term after three years absence from the committee.

(3) In the event a vacancy arises, it must be filled for the remainder of the term in the manner of the original appointment. A partial term does not count toward the term limits; however, service for three-fourths or more of a term constitutes service for a term.

(4) Any committee member who terminates his holding of the office or employment which qualified him for appointment shall cease immediately to be a member of the committee; the person appointed to fill the vacancy shall do so for the unexpired term of the member whom he succeeds.

(5) The committee shall establish its own procedures with respect to the selection of officers, quorum, place, and conduct of meetings. The committee may create special committees or subcommittees as it deems necessary and may invite other knowledgeable individuals to participate on these special committees or subcommittees. However, the committee may not delegate any statutory duty to such other committees.

(B) The responsibilities of the committee with respect to CMRS emergency telephone services are to:

(1) advise the Revenue and Fiscal Affairs Office on technical, operational, and training issues regarding the development, implementation, and continuing evolution of a comprehensive wireless 911 system, especially matters concerning appropriate systems and equipment to be acquired by CMRS providers and PSAPs to assure the compatibility of the systems and equipment and the ability of the systems and equipment to comply with the ~~requirements of FCC Docket Number 94-102~~ strategic plan and operating model approved by the board;

(2) recommend systems and equipment for which reimbursement may be allowed to CMRS providers and PSAPs under the provisions of

this chapter, which are compatible with each other as needed for the public's safety, and will not result in wasteful spending on inappropriate or redundant technology; and

(3) review and approve continuing education training courses for which reimbursement may be allowed to CMRS providers and PSAPs under the provisions of this chapter.

(C) The responsibilities of the Revenue and Fiscal Affairs Office with respect to CMRS emergency telephone services are to:

(1) develop and oversee a strategic plan and manage or contract up to ten years for a 9-1-1 operating system in accordance with the provisions of the strategic plan as outlined in this chapter and as approved by the Board. In order to effectively manage the plan and system, the office in accordance with State procurement guidelines is authorized to:

(a) hire employees or contract for services and equipment to achieve all or parts of the model; and

(b) provide for statewide contracts for equipment and services identified in the plan for PSAPs to utilize;

(2) ~~direct the State Treasurer in the management and disbursal of the~~ manage and disburse funds in and from an interest-bearing account in the following manner:

(a) hold and distribute not more than thirty-nine and eight-tenths percent of the total monthly revenues in the interest-bearing account to PSAP administrators based on CMRS 911 wireless call volume for expenses incurred for the answering, routing, and proper disposition of CMRS 911 calls;

(b) hold and distribute not more than fifty-eight and two-tenths percent of the total monthly revenues in the interest-bearing account solely for the purposes of complying with ~~applicable requirements of FCC Docket Number 94-102~~ the provisions of this chapter and the strategic plan. These funds may be utilized by the office, ~~PSAP~~ the PSAPs, and the CMRS providers licensed to do business in this State for the following purposes in connection with compliance with ~~the FCC requirements~~ this chapter and the strategic plan including, but not limited to: ~~upgrading,~~ acquiring, upgrading, maintaining, programming, and installing necessary data, networks, services, hardware, and software. Invoices detailing specific expenses for these purposes must be presented for approval to the Revenue and Fiscal Affairs Office in connection with any request for reimbursement, and the request must be approved by the Revenue and Fiscal Affairs Office, upon recommendation of the committee. Any invoices presented to the Revenue and Fiscal Affairs

Office for reimbursements of costs not described by this section may be ~~approved only by a unanimous vote of the committee~~ considered by the board, but only upon unanimous approval of the committee, but in no event shall reimbursement be made for costs ~~unrelated to compliance with applicable requirements of FCC Docket Number 94-102~~ inconsistent with the strategic plan; and

(c) hold and distribute not more than two percent of the total monthly revenues in the interest-bearing account to compensate the independent auditor provided for herein and for expenses which the Revenue and Fiscal Affairs Office is authorized to incur by contract, or otherwise, for provision of any administrative, legal, support, or other services to assist the Revenue and Fiscal Affairs Office in fulfilling its responsibilities under this act;

~~(2)~~(3) ~~with the State Treasurer,~~ prepare annual reports outlining fees collected and monies disbursed to PSAP and CMRS providers, and monies disbursed for operations of the Revenue and Fiscal Affairs Office, and submit annual reports ~~outlining monies disbursed for operations of the Revenue and Fiscal Affairs Office~~ to the South Carolina 911 Advisory Committee and the State Treasurer's Office;

~~(3)~~(4) retain an independent, private auditor, as necessary in carrying out its responsibilities and as provided in the Consolidated Procurement Code, such as for the purposes of receiving, maintaining, and verifying the accuracy of proprietary information submitted to the Revenue and Fiscal Affairs Office by CMRS providers or PSAPs, and assisting the committee in its duties including its annual calculation of the average 911 charges pursuant to Section 23-47-50(F) and in cost studies it may conduct. Due to the confidential and proprietary nature of the information submitted by CMRS providers, the information may not be released to a party other than the independent private auditor and is expressly exempt from disclosure pursuant to Chapter 4, Title 30. The information collected by the auditor may be released only in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual CMRS provider;

~~(4)~~(5) conduct a cost study to be submitted to the House Ways and Means Committee and Senate Finance Committee one year from the effective date of this section and thereafter at the Revenue and Fiscal Affairs Office's discretion. The Revenue and Fiscal Affairs Office may include any information it considers appropriate to assist the General Assembly in determining whether future legislation is necessary or appropriate, but the report must include information to assist in determining whether to adjust the CMRS 911 charge to reflect actual

costs incurred by PSAPs or CMRS providers for compliance with applicable requirements of ~~FCC Docket Number 94-102~~ the strategic plan;

~~(5)~~(6) convene the committee and consult with it concerning the performance of the responsibilities assigned to the Revenue and Fiscal Affairs Office and to the committee in this chapter, and the development and maintenance of the state's CMRS emergency telephone services and system;

~~(6)~~(7) report as required or suggested by this chapter, promulgate any regulations, and take further actions as are appropriate in implementing it;

(8) work with the Department of Revenue to ensure all reporting requirements are being met; and

(9) act as the State 9-1-1 coordinator for the purposes of any relevant state or federal law or program requirements.

(D) The Revenue and Fiscal Affairs Office and committee must:

(1) annually calculate the average 911 charge as provided in Section 23-47-50(F); and

(2) take appropriate measures to maintain the confidentiality of the proprietary information described in this section. This information may be disclosed to Revenue and Fiscal Affairs Office and committee members only in the event a dispute arises with respect to the Revenue and Fiscal Affairs Office's and committee's discharge of their responsibilities under Section 23-47-65(B)(2) which necessitates such disclosure. The information also shall be exempt from disclosure pursuant to Chapter 4, Title 30. Members of the Revenue and Fiscal Affairs Office may not disclose the information to any third parties, including their employers~~;~~

~~(3) take appropriate measures to see that all prepaid wireless sellers comply with the requirements of Section 23-47-68(F) and that all other CMRS service suppliers comply with the requirements of Section 23-47-50(F)~~.

(E) CMRS providers are entitled to retain two percent of the fees collected as reimbursement for collection and handling of the CMRS 911 charge."

SECTION 7. Section 23-47-75 of the 1976 Code is amended to read:

"Section 23-47-75. (A) CMRS location information obtained by safety personnel or for public safety personnel for public safety purposes is not public information under the Freedom of Information Act.

(B) A person may not disclose or use, for any purpose other than for the 911 or other emergency calling system, information contained in the

data base of the telephone network portion of a 911 or other emergency calling system established pursuant to this chapter.

(C) For all information not covered by subsections (A) and (B), a local government may exempt from disclosure:

(1) individual identifying information of an individual calling a 911 center, individual identifying information of a victim, or individual identifying information of a witness; or

(2) images or video from a place where the 911 caller would have a reasonable expectation of privacy as defined in Section 16-17-470(D)(1).

The local government is responsible for the release of its information.

(D) This section shall not apply if the local government or a court order determines that the public interest in disclosure outweighs the interest in nondisclosure.

(E) As used in this section, the term 'identifying information' includes name, telephone number, and home address. The term does not include:

(1) the location of the incident, unless the location is the caller's, victim's, or witness' home address or the disclosure of the location would compromise the identity of the caller, victim, or witness; or

(2) the street block identifier, the cross street, or the mile marker nearest the scene of the incident, which shall be public."

SECTION 8. Section 23-47-80 of the 1976 Code is amended to read:

"Section 23-47-80. It is unlawful for a person anonymously or otherwise to:

(1) use any words or language of a profane, vulgar, lewd, lascivious, or indecent nature on an emergency 911 number with the intent to intimidate or harass a dispatcher;

(2) ~~telephone~~ contact the emergency 911 number, whether or not conversation ensues for the purpose of annoying or harassing the dispatcher or interfering with or disrupting emergency 911 service;

(3) make ~~a telephone call to~~ contact with a 911 dispatcher and intentionally fail to hang up or disengage the connection for the purpose of interfering with or disrupting emergency service;

(4) ~~telephone~~ contact the emergency 911 number and intentionally make a false report.

A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than six months or fined not more than two hundred dollars, or both."

SECTION 9. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of with amendments.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY

COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING

ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (CZ\ 3760C007.JN.CZ19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-79-150 and inserting:

/ Section 38-79-150. Any licensed health care provider ~~in a category in which the department has declared an emergency exists~~ is entitled to apply to the association for coverage. The application may be made on behalf of the applicant by a licensed agent or broker authorized in writing by the applicant. If the association determines that the applicant meets the underwriting standards of the association as set forth in the approved plan of operation and there is no unpaid, uncontested premium due from the applicant for any prior insurance of the same kind, the association, upon receipt of the premium, or a portion thereof as prescribed by the plan of operation, shall cause to be issued a policy of medical malpractice liability insurance for a term of one year.

The rates, rating plans, rating rules, rating classifications, territories, and policy forms applicable to insurance written by the association and the statistical and experience data relating thereto are subject to this article and to those provisions of Chapter 73 of this title which are not inconsistent with the purposes and provisions of this article. /

Amend the bill further, SECTION 1, by striking Section 38-79-125(1) and inserting:

/ Section 38-79-125. (1) As of January 1, 2020, all insurers authorized to write on a direct basis bodily injury liability insurance, other than automobile bodily injury insurance, homeowners liability

insurance, an insurer which insures only churches and their property, and farmowners liability insurance including monoline farm liability insurance, including insurers covering such peril in multiple peril package policies and bodily injury insurance, must pay an assessment equal to their proportional share of twenty percent of the accumulated deficit of the association as contained in their most recently reported financial statements as of June 30, 2019 as determined by the director. Each insurer's share of the assessment must be calculated based upon the net-direct written premiums for the insurer's liability lines as identified in this subsection on the most recent year preceding the effective date of this section. All money collected from this assessment must be applied to the accumulated deficit of the association. Each insurer may pay the assessment in one lump sum or, at the insurer's option, in equal installments over a period not to exceed five years. The assessment may be incorporated into the rate filings of the insurer. Upon satisfaction of the assessment, each insurer may withdraw as members of the association upon submission of:

(a) an application for withdrawal in the format prescribed by the director or his designee;

(b) evidence that it has not written any medical malpractice insurance, medical professional liability insurance, hospital professional liability insurance, or any other type of professional liability insurance in this State covering the professional liability risks of licensed health care providers in the consecutive five years preceding the insurer's withdrawal application; and

(c) certification by the association and the director or his designee that all obligations to the association have been fully satisfied. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Shealy
Talley	Verdin	Williams
Young		

Total--37

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of with amendments.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE

OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND

SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND

SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3205 -- Rep. B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.

H. 3621 -- Reps. V.S. Moss, D.C. Moss, Erickson and W. Cox: A BILL TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO

CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100, RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A

REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3728 -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST

RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

RECOMMITTED

H. 4119 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO GENERAL LICENSING PROVISIONS; SPEECH-LANGUAGE PATHOLOGY ASSISTANTS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4858, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Bill was recommitted to the Committee on Medical Affairs.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4276 -- Rep. Hayes: A BILL TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY'S MILL PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

H. 4330 -- Rep. McCravy: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

THURSDAY, MAY 9, 2019

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 829 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED IN REGULATION DOCUMENT NUMBER 4860, WITH THE EXCEPTION OF REGULATION 123-204 Z., RELATING TO A PROHIBITION OF ACCESS TO CERTAIN PUBLIC TRUST LANDS, WHICH IS DISAPPROVED, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR

RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD3243.004), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 35 through 39, in Section 8-21-310(A), as contained in SECTION 1, and inserting therein the following:

/ (A) Except as otherwise expressly provided, the clerks of court, registers of deeds, or county treasurers, as may be determined by the governing body of a county, shall collect the following uniform filing fees:

(1) fifteen dollars for a deed to real estate; and

(2) twenty-five dollars for the following documents: /

Amend the bill further, as and if amended, page 5, by striking lines 5 through 20, in Section 8-21-310(A) and (B), as contained in SECTION 1, and inserting therein the following:

/ (f) a lease for real estate;

(g) an order for partition of real estate;

(h) an easement agreement or other document affecting title or possession of real property not otherwise provided for in this section;

(i) a power of attorney, provided, however, that upon presentation of a copy of deployment orders to a combat zone by or on behalf of a member of the armed forces of the United States, the filing fee for a power of attorney for the person deployed is waived;

(j) a notice of a mechanic's lien; or

(k) any other document affecting a title or the possession of real estate that is required by law to be recorded or filed, except judicial records, including restrictive covenants, bylaws, and amendments to restrictive covenants and bylaws.

(B) Except as otherwise expressly provided, the clerks of court, registers of deeds, or county treasurers, as may be determined by the governing body of a county, shall collect a uniform filing /

Amend the bill further, as and if amended, page 6, by striking lines 39 through 41, in Section 8-21-310(C), as contained in SECTION 1, and inserting therein the following:

/ (C) Except as otherwise expressly provided, the clerks of court or county treasurers, as may be determined by the governing body of the county, shall: /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Leatherman
Loftis	Malloy	Massey
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Verdin	Williams	Young

Total--36

NAYS

Corbin	Martin	Talley

Total--3

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of with amendments.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

RECOMMITTED

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G.M. Smith, G.R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Simmons and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT" BY ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

On motion of Senator ALEXANDER, the Bill was recommitted to the Committee on Finance.

ADOPTED

S. 818 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH THE ORANGEBURG/DORCHESTER COUNTY LINE TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 "COUNCILMAN WILLIE RICHARD DAVIS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS

OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

H. 3011 -- Rep. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES STORE CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY THE "REVEREND TONY L. DAISE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 3791 -- Reps. Brown, Bamberg, Kimmons and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE CSX RAIL LINE ALONG THE ACE BASIN PARKWAY IN COLLETON COUNTY "MOLLY GRAHAM MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

RECOMMITTED

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice, Bennett and Senn: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

On motion of Senator HUTTO, the Bill was recommitted to the Committee on Judiciary.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:48 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THURSDAY, MAY 9, 2019

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Very respectfully,
Speaker of the House

Received as information.

H. 3357--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator CAMPBELL the Senate insisted upon its amendments to H. 3357 and asked for a Committee of Conference.

THURSDAY, MAY 9, 2019

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CAMPBELL, JOHNSON and CLIMER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF

REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA

RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House
Received as information.

THURSDAY, MAY 9, 2019

H. 4004--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 4004 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators DAVIS, GAMBRELL and KIMPSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Ridgeway, Herbkersman and Clary to the Committee of Conference on the part of the House on:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 4000--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators LEATHERMAN, JACKSON and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

THURSDAY, MAY 9, 2019

Received as information

H. 4001--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators LEATHERMAN, JACKSON and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 9, 2019

S. 455--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator DAVIS, the Senate insisted upon its amendments to S. 455 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators GAMBRELL, SCOTT and DAVIS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Very respectfully,
Speaker of the House

Received as information.

CONCURRENCE

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED

TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR

THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE

ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT

ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE

STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

THURSDAY, MAY 9, 2019

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

CONCURRENCE

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE

CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF

THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY

ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING

TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

H. 3821--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 3821 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators DAVIS, M.B. MATTHEWS, and GAMBRELL were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Clary, Ridgeway and Herbkersman to the Committee of Conference on the part of the House on:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH

CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Very respectfully,
Speaker of the House

Received as information.

H. 3789--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 3789 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators GROOMS, JOHNSON and CLIMER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Thigpen, Yow and Bennett to the Committee of Conference on the part of the House on:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-72, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANAGERS OF ELECTION, SO AS TO PROVIDE THAT CLERKS APPOINTED

FROM THE POLL MANAGERS FOR EACH POLLING PLACE MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE COUNTIES IN WHICH THEY ARE APPOINTED TO WORK OR IN ADJOINING COUNTIES; TO AMEND SECTION 7-13-80, RELATING TO ORGANIZATION OF BOARD OF VOTER REGISTRATION AND ELECTIONS MANAGERS AND CLERKS, SO AS TO PROVIDE THAT A CHAIRMAN OF A BOARD OF POLL MANAGERS MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR AN ADJOINING COUNTY; AND SECTION 7-13-110, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL MANAGERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA, TO SPECIFY THAT A CLERK OR CHAIRMAN MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY, AND TO REQUIRE THAT ANY PERSON QUALIFIED TO SERVE AS A MANAGER WHO REQUESTS TO WORK IN HIS RESIDENT OR AN ADJOINING COUNTY MUST BE GIVEN PRIORITY OVER QUALIFIED PERSONS FROM OTHER COUNTIES FOR APPOINTMENT TO WORK IN THE RESIDENT OR AN ADJOINING COUNTY.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-72, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANAGERS OF ELECTION, SO AS TO PROVIDE THAT CLERKS APPOINTED FROM THE POLL MANAGERS FOR EACH POLLING PLACE MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE COUNTIES IN WHICH THEY ARE APPOINTED TO WORK OR IN ADJOINING COUNTIES; TO AMEND SECTION 7-13-80, RELATING TO ORGANIZATION OF BOARD OF VOTER REGISTRATION AND ELECTIONS MANAGERS AND CLERKS, SO AS TO PROVIDE THAT A CHAIRMAN OF A BOARD OF POLL MANAGERS MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR AN ADJOINING COUNTY; AND SECTION 7-13-110,

RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL MANAGERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA, TO SPECIFY THAT A CLERK OR CHAIRMAN MUST BE A RESIDENT AND REGISTERED ELECTOR FROM THE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY, AND TO REQUIRE THAT ANY PERSON QUALIFIED TO SERVE AS A MANAGER WHO REQUESTS TO WORK IN HIS RESIDENT OR AN ADJOINING COUNTY MUST BE GIVEN PRIORITY OVER QUALIFIED PERSONS FROM OTHER COUNTIES FOR APPOINTMENT TO WORK IN THE RESIDENT OR AN ADJOINING COUNTY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, MAY 9, 2019

CONCURRENCE

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

Very respectfully,
Speaker of the House

Received as information.

CONCURRENCE

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE

MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Very respectfully,
Speaker of the House

Received as information.

S. 309--SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator DAVIS, the Senate insisted upon its amendments to S. 309 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators GREGORY, CLIMER and HARPOOTLIAN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Reps. Simrill, Pope and Rutherford to the Committee of Conference on the part of the House on:

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Very respectfully,
Speaker of the House

Received as information.

NONCONCURRENCE

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

asks for a Committee of Conference, and has appointed Reps. Rose, McCoy and Pendarvis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3601--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HEMBREE, TALLEY and M.B. MATTHEWS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

On motion of Senator CROMER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

asks for a Committee of Conference, and has appointed Reps. Willis, Rose and Caskey to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3986--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CROMER, McELVEEN and CORBIN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS

FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Recorded Vote

Senator SHEHEEN abstained from voting on the Resolution.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL

APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.
asks for a Committee of Conference, and has appointed Reps. Lucas, Ott and G.M. Smith to the committee on the part of the House.
Very respectfully,
Speaker of the House
Received as information.

H. 4287--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SETZLER, RANKIN and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:
The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:
H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE

DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.
asks for a Committee of Conference, and has appointed Reps. Rose, G.M. Smith and Johnson to the committee on the part of the House.
Very respectfully,
Speaker of the House
Received as information.

H. 3602--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators DAVIS, GAMBRELL and JOHNSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

HOUSE CONCURRENCES

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.
Returned with concurrence.
Received as information.

S. 676 -- Senator M.B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
Returned with concurrence.
Received as information.

S. 799 -- Senators Alexander, Cash and Gambrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME TWO MILES ON INTERSTATE-85 IN ANDERSON COUNTY AND TWO MILES ON INTERSTATE-85 IN OCONEE COUNTY FROM THE ANDERSON-OCONEE COUNTY LINE "CHRISTINA ADAMS HIGHWAY" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 801 -- Senators Sabb, Leatherman, Johnson and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE UNITED STATES HIGHWAY 378 BYPASS OVER UNITED STATES HIGHWAY 52 IN LAKE CITY "FARRAH TURNER MEMORIAL BYPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3

OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

THURSDAY, MAY 9, 2019

NONCONCURRENCE

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

On motion of Senator CROMER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson,

Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

asks for a Committee of Conference, and has appointed Reps. Bannister, Finley and Cobb-Hunter to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3137--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CROMER, SCOTT and CORBIN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

CONCURRENCE

S. 575 -- Senators Campsen, McElveen and Martin: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH

TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

On motion of Senator CAMPSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE

EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE

EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SHEALY explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

On motion of Senator SHEALY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Concurrent Resolution to the Senate with amendments:

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN

TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate concurred in the House amendments and a message was sent to the House accordingly.

Recorded Vote

Senator GROOMS desired to be recorded as voting against concurrence in the House amendments.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Concurrent Resolution to the Senate with amendments:

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator SABB explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Shealy
Talley	Verdin	Williams
Young		

Total--37

NAYS

Total--0

On motion of Senator SABB, the Senate concurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO

ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator TALLEY explained the amendments.

On motion of Senator TALLEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE

THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,
Speaker of the House

Received as information.

CONCURRENCE

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1,

TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL

RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPBELL explained the amendments.

On motion of Senator CAMPBELL, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

Very respectfully,
Speaker of the House

Received as information.

CONCURRENCE

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator TALLEY explained the amendments.

On motion of Senator TALLEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Recorded Vote

Senator YOUNG abstained from voting on the Bill.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED,

RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

On motion of Senator CROMER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator ALEXANDER explained the amendments.

On motion of Senator ALEXANDER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

NONCONCURRENCE

S. 16 -- Senators Rankin and Cash: A BILL TO AMEND SECTION 40-43-86(P) OF THE 1976 CODE, RELATING TO EMERGENCY REFILLS OF PRESCRIPTIONS BY PHARMACISTS, TO INCREASE THE AMOUNT OF A PRESCRIPTION THAT MAY BE REFILLED WHEN AUTHORIZATION FROM THE PRESCRIBER IS NOT OBTAINABLE FROM A TEN-DAY SUPPLY TO A THIRTY-DAY SUPPLY, AND TO PROVIDE CONDITIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 39

AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn

Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

On motion of Senator VERDIN, the Senate refused to concur in the House amendments and a message was sent to the House accordingly.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

Remarks by Senator SHEALY

Fellow Senators, I rarely take Points of Personal Interest. In fact I can probably county them on 3 fingers but today I feel that the time has come to just say what needs to be said.

For the last several weeks the tension in this "building" has been growing but it just didn't start this year -- it's getting worse and worse and it's time for someone to say stop. We as a Senate, being the deliberative Body have tried to have the, let's be calm about this, attitude and find a way to work around it while we get worked over by our "friends" across the hall or ignored by our "friends" downstairs. We all have jobs that we feel we are supposed to do, or missions we want to accomplish. This week we sent 28 House Bills back across the hall while all week they have sent back 8 of our Bills. On a personal note. I work on primarily Bills driven by the Children's Committee. These Bills work to protect those who are unable to protect or speak for themselves. South Carolina's children don't have high paid lobbyist standing at the rail every time we walk out the door. They don't have someone sending you a text when their Bill comes up to remind you how to vote. These children are depending on us and yes, the House to look after them. No one is going to contribute to our campaign when we fight for them but you darn well will sleep better at night when you win one for them. Because the House is upset about S.1 and because I said they were working on House Bills when I felt they should be passing Senate Bills yesterday they have held children's Bills hostage. There are Bills sitting on the house floor or in someone's desk that can keep "CHILDREN" from being charged as prostitutes. Bills that can give information to Children's trust to help us find ways to solve more children's issues and move the ball forward. There is the Kinship Care Bill allowing payment to caregivers, the child torture Bill…I could go on but most of these Bills passed the Senate unanimously and most, early in the session. Senator

McELVEEN has an adoption Bill on the floor that is being held up because of an "OLD" dispute over a magistrate. Really? We can decide if we are going to continue to be called Romper Room and petty. We can decide if we can be told from the floor of the House to take our problems down stairs and straighten them out and keep the House out of the middle of them or we can decide to take back the Senate. This is too much work to at the end of the day feel like you fight to come back another day to lose again. If we want to talk about Romper Room or Captain Kangaroo or on a local note Mr. Knozit, look no further than what everyone does when they look at the author of a Bill instead of the content. Look no further than who has the most powerful lobby and forget what you are really voting for, and who it effects. We need to lead. I will continue to fight for the children, veterans and seniors and when something happens to someone because we failed to protect them because of one of these loopholes we left uncovered, that we tried to put in place and it is sitting on the floor or someone's desk, I will have the names of those who held it up and when the media calls I will tell them I don't have the answer, but they might.

It is time to start caring about people and not politics. Thank you.

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator SHEALY, were ordered printed in the Journal.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (JUD0021.004), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 11-12, in Section 44-1-310, as contained in SECTION 3 and inserting therein the following:

/ (D) The department must not disclose any information collected under this section that would identify the mother or baby with anyone outside the /

Renumber sections to conform.

Amend title to conform.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was ordered returned to the House of Representatives with amendments.

THURSDAY, MAY 9, 2019

Message from the House

Columbia, S.C., May 9, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Conservation Bank, Executive Director:

Raleigh West, SC

On motion of Senator CAMPBELL, the question was confirmation of Raleigh West.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree

Total--2

The appointment of Raleigh West was confirmed.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

3rd Congressional District:

Karl Derek Wessinger, 1046 Jeremiah Dr., Gray Court, SC 29645-4764 *VICE* Brent Roy Goodson

On motion of Senator CAMPBELL, the question was confirmation of Karl Derek Wessinger.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 4

THURSDAY, MAY 9, 2019

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto
Verdin		

Total--4

The appointment of Karl Derek Wessinger was confirmed.

Having received a favorable report from the Banking and Insurance Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Mortgage Lending:

Charles Henry Stuart, 2191 Andover Way, Mt. Pleasant, SC 29466-7077 *VICE* Rhonda B. Marcum

On motion of Senator CROMER, the question was confirmation of Charles Henry Stuart.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Charles Henry Stuart was confirmed.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2017, and to expire June 30, 2021

Banking:

John F. Windley, 322 Wateree Avenue, Columbia, SC 29205-3045

On motion of Senator CROMER, the question was confirmation of John F. Windley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of John F. Windley was confirmed.

Initial Appointment, South Carolina Commission on Consumer Affairs, with the term to commence September 30, 2018, and to expire September 30, 2022

At-Large:

John L. Pressly, 4001 Kenilworth Rd., Columbia, SC 29205-1541 *VICE* Linda C. Gamble

On motion of Senator CROMER, the question was confirmation of John L. Pressly.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Verdin	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto
Rankin		

Total--4

The appointment of John L. Pressly was confirmed.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Cooperative Credit Unions:

Billy D. Byrd II, 2119 Bobwhite Lane, Hartsville, SC 29550-2871 *VICE* Hansel B. Hart

On motion of Senator CROMER, the question was confirmation of Billy D. Byrd II.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Billy D. Byrd II was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Gary J. Coleman, 1230 Highway 187 S, Anderson, SC 29626-5630 *VICE* Steven Lieze

On motion of Senator HEMBREE, the question was confirmation of Gary J. Coleman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Gary J. Coleman was confirmed.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2016, and to expire June 30, 2019

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223 *VICE* Charles R. Pate

On motion of Senator HEMBREE, the question was confirmation of Bhavna Vasudeva.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Bhavna Vasudeva was confirmed.

Reappointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223

On motion of Senator HEMBREE, the question was confirmation of Bhavna Vasudeva.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Bhavna Vasudeva was confirmed.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Linda C. Stern, 2134 Bermuda Hills Rd., Columbia, SC 29223-6733
VICE Elizabeth Ann Brasington-Soward

On motion of Senator HEMBREE, the question was confirmation of Linda C. Stern.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Linda C. Stern was confirmed.

Reappointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Alton O. Smith, Jr., 164 Cardinal Court, Chesnee, SC 29323-9686

On motion of Senator HEMBREE, the question was confirmation of Alton O. Smith, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Alton O. Smith, Jr. was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Juwan X. Ayers, 22 Routhland Court, Columbia, SC 29209-3084 *VICE* Eddie Clay Guess

On motion of Senator RANKIN, the question was confirmation of Juwan X. Ayers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Juwan X. Ayers was confirmed.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2017, and to expire June 30, 2021

At-Large:

Andrea C. Sancho-Baker, 2612 Sheryl Lane, Columbia, SC 29204-2253 *VICE* Louis C. Chavis

On motion of Senator RANKIN, the question was confirmation of Andrea C. Sancho-Baker.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Talley	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto

Total--3

The appointment of Andrea C. Sancho-Baker was confirmed.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

4th Congressional District:

Karen W. McGill, 150 Cheek Road, Spartanburg, SC 29303

On motion of Senator RANKIN, the question was confirmation of Karen W. McGill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Verdin	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Goldfinch	Hembree	Hutto
Rankin		

Total--4

The appointment of Karen W. McGill was confirmed.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Kenneth D. McKellar, 108 Haywain Dr., Chapin, SC 29036-9713 *VICE* Kimberly H. Frederick

On motion of Senator RANKIN, the question was confirmation of Kenneth D. McKellar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 0; Abstain 7

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Grooms	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Verdin	Williams
Young		

Total--34

NAYS

Total--0

ABSTAIN

Allen	Goldfinch	Hembree
Hutto	Malloy	*Matthews, Margie*
McElveen		

Total--7

The appointment of Kenneth D. McKellar was confirmed.

Initial Appointment, Director of State Accident Fund, with a term to commence June 11, 2016, and to expire June 11, 2022.

Director:

Amy Virginia Cofield, 121 Driftwood Drive, Lexington, SC 29072 *VICE* Harry Gregory

On motion of Senator RANKIN, the question was confirmation of Amy Virginia Cofield.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 12

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Grooms
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	McLeod	Nicholson
Peeler	Reese	Rice
Scott	Shealy	Talley
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Hembree	Hutto	*Matthews, John*
Matthews, Margie	McElveen	Rankin
Sabb	Setzler	Young

Total--12

The appointment of Amy Virginia Cofield was confirmed.

THURSDAY, MAY 9, 2019

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

General Public:

Robert J. Wolff, 104 Cyclamen Court, Columbia, SC 29212-2052 *VICE* James E. Mallory

On motion of Senator VERDIN, the question was confirmation of Robert J. Wolff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Grooms	Hembree
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Talley
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Goldfinch	Hutto

Total--2

The appointment of Robert J. Wolff was confirmed.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Manuela Clayton, 1618 Bay Tree Lane, Myrtle Beach, SC 29575-5253

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 9, 2019, at 5:00 P.M. and the following Acts and Joint Resolution were ratified:

(R43, S. 12) -- Senator Reese: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS "BARBERS' DAY" IN SOUTH CAROLINA.
L:\COUNCIL\ACTS\12WAB19.DOCX

(R44, S. 109) -- Senator Massey: AN ACT TO AMEND SECTION 40-79-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, SO AS TO ADD A DEFINITION FOR "ELECTRIC FENCE", TO ADD AND REVISE OTHER DEFINITIONS, AND TO MAKE TECHNICAL CORRECTIONS.
L:\COUNCIL\ACTS\109WAB19.DOCX

(R45, S. 132) -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: AN ACT TO AMEND SECTION 40-47-195, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICIAN SUPERVISION OF CERTAIN PRACTITIONERS, SO AS TO MAKE VARIOUS CHANGES CONCERNING SCOPE OF PRACTICE GUIDELINES; AND TO AMEND ARTICLE 7, CHAPTER 47, TITLE 40, RELATING TO THE

SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE ARTICLE IN ITS ENTIRETY.
L:\COUNCIL\ACTS\132WAB19.DOCX

(R46, S. 196) -- Senators Shealy, Hutto, Jackson, Senn and Climer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 20-1-300 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO MINORS WHEN THE FEMALE IS PREGNANT OR HAS GIVEN BIRTH TO A CHILD.
L:\COUNCIL\ACTS\196VR19.DOCX

(R47, S. 277) -- Senator Senn: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO REVISE CERTAIN EXEMPTIONS; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGY ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.
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(R48, S. 310) -- Senator Alexander: AN ACT TO AMEND SECTION 12-21-2870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, SO AS TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.
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(R49, S. 401) -- Senators Campbell and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO DEFINE CERTAIN TERMS, PROVIDE AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO PROVIDE A SUNSET PROVISION.
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(R50, S. 439) -- Senators Leatherman, Grooms, Campbell, Williams and Reese: AN ACT TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.
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(R51, S. 463) -- Senator Martin: AN ACT TO AMEND SECTION 40-43-86, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, SO AS TO PROVIDE PHARMACISTS MAY EXERCISE THEIR PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION FOR EACH REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN RELATED REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.
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(R52, S. 530) -- Senator Leatherman: AN ACT TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO

CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATIONS, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND

SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALLY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO

PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO

REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT

CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220, RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER

REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF "PUBLIC PROCUREMENT UNIT"; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A

SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; BY ADDING SECTION 11-35-4900 SO AS TO PROVIDE FOR APPROVAL OF CERTAIN INTERGOVERNMENTAL ACQUISITIONS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL PUBLISH INTERIM REGULATIONS IT WILL FOLLOW TO IMPLEMENT CERTAIN CHANGES; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS"; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.
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(R53, S. 546) -- Senator Alexander: AN ACT TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R54, S. 607) -- Senators Grooms and Campbell: AN ACT TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, TO ELIMINATE TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R55, S. 675) -- Senators Turner and Allen: AN ACT TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL, AND TO REVISE THE CONDITIONS UNDER WHICH A RESIDENTIAL OR COMMERCIAL ENTITY LOCATED IN THE NORTHERN GREENVILLE AREA OF REWA MAY TAP INTO THE SERVICES PROVIDED BY REWA.
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(R56, S. 712) -- Senator Gambrell: AN ACT TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.
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(R57, H. 3346) -- Reps. Yow, Lucas and Henegan: AN ACT TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY.
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(R58, H. 3698) -- Reps. Bailey, Hewitt, Hardee and Clemmons: AN ACT TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO DEEM CERTAIN COASTAL ZONE CONSISTENCY CERTIFICATIONS APPROVED WITHIN THIRTY DAYS OF AN ADMINISTRATIVELY COMPLETE APPLICATION.
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(R59, H. 3699) -- Reps. Bailey, Hewitt and Hardee: AN ACT TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.
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(R60, H. 3700) -- Reps. Bailey, Hewitt, Hardee and Clemmons: AN ACT TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES; AND TO AMEND SECTION 48-39-130, AS AMENDED, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO PROVIDE THAT A

PERMIT IS NOT REQUIRED TO UNDERTAKE ACTIONS PROTECTING CERTAIN EXISTING EROSION CONTROL DEVICES.
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(R61, H. 4413) -- Reps. G.M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.
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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. David Palmer, Jr. of Saluda, S.C. David was a United States Veteran and employed with Monsanto of Greenwood. Shortly after his retirement, he began a second career as a barber at Shealy's Barber Shop. He was a member of Sardis Baptist Church. David was a loving father and devoted grandfather who will be dearly missed.

Motion Adopted

At 5:00 P.M., the Senate adjourned pursuant to S. 785, the *Sine Die* Resolution.

* * *

Monday, May 20, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, 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 118: 24

"This is the day that the Lord hath made; Let us rejoice and be glad in it."

Let us pray. O Lord, though we now begin an additional session of the Senate, we do so…not with regret, but with praise…for this is the day that You have made for us. Give us a watchful eye and an open mind to Your hand in this hour. May what we say and what we do be in accordance with Your will. Grant, O Lord, that we might look beyond ourselves and make this a special week for the people of South Carolina. 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 12:06 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:

Bennett	Campbell	Campsen
Cash	Climer	Corbin
Cromer	Davis	Goldfinch
Grooms	Hembree	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy

Talley Turner Williams
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, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Tracey Carroll, 1930 University Parkway, Suite 1500, Aiken, SC 29801-0009

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sheridan L. Lynn, Jr., 537 Edgefield Road, North Augusta, SC 29841-2474

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Yvonne A. Rushton, 129 Langely Dam Road, Langely, SC 29834

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Patrick D. Sullivan, 227 Gateway Drive, Suite 133, Aiken, SC 29803-9193

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Donna H. Williamson, P. O. Box 99, Wagener, SC 29164-0099

Initial Appointment, Cherokee County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

William Dean Cobb, P. O. Box 204, Blacksburg, SC 29702-0204 *VICE* Bruce Wayne Byars

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Angela Boyd, 1229 Old Richburg Rd., Chester, SC 29706-5775 *VICE* Lenard Price

Reappointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Angel C. Underwood, 2240 Colvin Road, Chester, SC 29706

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Theodore Wilder, Jr., 111 Graham Street, Chester, SC 29706-2603 *VICE* Yale Zamore

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Olivia Williford, 1024 Center Road, Chester, SC 29706-7141 *VICE* Barbara Hinnant Cameron

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Katina Capers-Washington, 307 Robinson Avenue, Winnsboro, SC 29180-6153 *VICE* William D. Robinson

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Vannessa Hollins, 445 Maple Street, Winnsboro, SC 29180-1821 *VICE* Carol A. Tolen

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Danielle Miller, 628 Old Chester Road, Winnsboro, SC 29180-7153 *VICE* Johnny Dewese

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Jonathan A. Horne, 50 Tindal Road, Greenville, SC 29617-7631

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Matthew Bruce Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
James Davis, P.O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Kershaw County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Carrie Tanner, 944 Sessions Road, Elgin, SC 29045-9098 *VICE* Scott Rankin

Reappointment, Kershaw County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Roderick Todd, P. O. Box 1528, Camden, SC 29021-8528

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
D. Allen Trapp, P. O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Tracy E. Richards, 107 Lewis Lane, Laurens, SC 29360 *VICE* Mareno C. Foggie

Reappointment, Marlboro County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mia Weaver, 128 Springdale Drive, Bennettsville, SC 29512-2106

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Diedra Hightower, 613 Dulaney Bvd., Columbia, SC 29229-7416 *VICE* Josef Robinson

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Clayburn S. Barnette, 3131 Oak Park Road, Rock Hill, SC 29730-7746

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lynne H. Benfield, 247 Lauren Pines Drive, York, SC 29745-7771

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Clifford E. Berinsky, 4319 Inwood Drive, Rock Hill, SC 29732-9267

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
John C. Dover, 1517 Ole Cambridge Circle, Clover, SC 29710-8214 *VICE* Douglas W. Sexton

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Johnny H. Grayson, 387 Boyd Road, Clover, SC 29710-7750

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lewis D. Malphrus, 608 Pine Street, Fort Mill, SC 29715-1749

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ashley B. Rhodes, 12088 Smith Ford Road, Hickory Grove, SC 29717-7765

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Michael L. Scurlock, 2773 Bonnybrook Circle, Rock Hill, SC 29732-9415

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Douglas W. Sexton, 3035 Riker Street, Clover, SC 29710-6723 *VICE* Johnny Grayson

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Stephanie A. Wood, 4609 Emily Place, Rock Hill, SC 29732-8992

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Leon E. Yard, 2072 Dunlap Roddey Road, Rock Hill, SC 29730-8642

MONDAY, MAY 20, 2019

Motion Adopted

On motion of Senator HEMBREE, with unanimous consent, Senators TALLEY, M.B. MATTHEWS and HEMBREE were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Leave of Absence

On motion of Senator MALLOY, at 12:09 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator YOUNG, at 12:09 P.M., Senator GAMBRELL was granted a leave of absence until 1:30 P.M.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SHEHEEN rose for an Expression of Personal Interest.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 842 -- Senator M. B. Matthews: A SENATE RESOLUTION TO CONGRATULATE SAMUEL TERRY ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
l:\s-res\mbm\016samu.kmm.mbm.docx

The Senate Resolution was adopted.

S. 843 -- Senators McElveen, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Harpootlian, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE DR. WILLIAM CLAY SMITH UPON THE OCCASION OF HIS TWENTY-FIFTH ANNIVERSARY AS PASTOR OF ALICE DRIVE BAPTIST CHURCH AND TO COMMEND HIM

FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE COMMUNITY OF SUMTER.
l:\s-res\jtm\021clay.kmm.jtm.docx
The Senate Resolution was adopted.

S. 844 -- Senator Talley: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. DAVID H. MRUZ OF GREENVILLE, SOUTH CAROLINA, FOR HIS MANY ACCOMPLISHMENTS AND TO WISH HIM CONTINUED SUCCESS, HEALTH, AND HAPPINESS FOR MANY YEARS TO COME.
l:\s-res\sft\024davi.kmm.sft.docx
The Senate Resolution was adopted.

S. 845 -- Senator Scott: A SENATE RESOLUTION TO EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO THE LOVING FAMILY AND MANY FRIENDS OF FORDYCE HARWOOD "FORD" MASON III OF RICHLAND COUNTY UPON HIS PASSING.
l:\council\bills\gm\24239vr19.docx
The Senate Resolution was adopted.

S. 846 -- Senators McElveen and Johnson: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. DEBRA HAMM FOR HER SERVICE AS INTERIM SUPERINTENDENT TO THE SUMTER SCHOOL DISTRICT AND TO WISH HER MUCH CONTINUED SUCCESS IN ALL OF HER FUTURE ENDEAVORS.
l:\council\bills\rt\17643wab19.docx
The Senate Resolution was adopted.

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, Department of Children's Advocacy, with the term to commence July 1, 2019, and to expire July 1, 2025

State Child Advocate:

Amanda F. Whittle, 1072 Eastwood Court, Aiken, SC 29801-8106

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

H. 3137--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

On motion of Senator CROMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CROMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	McLeod	Nicholson
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3137--Conference Report

The General Assembly, Columbia, S.C., May 17, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND

REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/09/19-H.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 27, Title 6 of the 1976 Code is amended to read:

"CHAPTER 27

State Aid to Subdivisions Act

Section 6-27-10. This chapter may be cited as the 'State Aid to Subdivisions Act'.

Section 6-27-20. There is created the Local Government Fund administered by the State Treasurer. This fund is part of the general fund of the State. ~~It is the intent of the General Assembly that this fund not be subject to mid-year cuts. However, if mid-year cuts are mandated by the State Budget and Control Board to avoid a year-end deficit, this fund is not subject to such cuts, except by a majority vote of the entire State Budget and Control Board which is separate and apart from any other reduction. These cuts are permitted only to the extent that counties and municipalities do not receive less funding than received in the immediate preceding fiscal year.~~ The Local Government Fund must be financed as provided in this chapter.

Section 6-27-30. (A) In the annual general appropriations act, ~~an amount equal to not less than four and one-half percent of general fund revenues of the latest completed fiscal year must be appropriated~~ the General Assembly must appropriate funds to the Local Government Fund.

(B)(1) In any fiscal year in which general fund revenues are projected to increase or decrease, the appropriation to the Local Government Fund for the upcoming fiscal year must be adjusted by the same projected percentage change, but not to exceed five percent, when compared to the appropriation in the current fiscal year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the percentage adjustment in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination.

(2) The Governor shall include the appropriation required by this chapter to the Local Government Fund in the Executive Budget.

(3) The Revenue and Fiscal Affairs Office shall determine the current fiscal year's recurring general fund expenditure base, and determine any projected adjustment in general fund revenues. If a change is projected, the appropriation for the upcoming fiscal year must be adjusted accordingly.

(C) For purposes of this section:

(1) 'Recurring general fund revenue' means the forecast of recurring general fund revenues pursuant to Section 11-9-1130 after the amount apportioned to the Trust Fund for Tax Relief, as required in Section 11-11-150, is deducted.

(2) 'Recurring general fund expenditure base' means the total recurring general fund appropriations authorized in the current general appropriations act less any reduced appropriations mandated by the General Assembly or the Executive Budget Office pursuant to Section 11-9-1140(B).

Section 6-27-40. (A) Not later than thirty days after the end of the calendar quarter, the State Treasurer shall distribute the monies appropriated to the Local Government Fund as follows:

(1) Eighty-three and two hundred seventy-eight thousandths percent must be distributed to counties. Of the total distributed to counties, each county must receive an amount based on the ratio that the county's population is of the whole population of this State according to the most recent United States Census.

(2) Sixteen and seven hundred twenty-two thousandths percent must be distributed to municipalities. Of the total distributed to municipalities, each municipality must receive an amount based on the ratio that the municipality's population is of the population of all municipalities in this State according to the most recent United States Census.

(B) In making the quarterly distribution to counties, the State Treasurer must notify each county of the amount that must be used for educational purposes relating to the use of alcoholic liquors and for the rehabilitation of alcoholics and drug addicts. Counties may pool these funds with other counties and may combine these funds with other funds for the same purposes. The amount that must be used as provided in this subsection is equal to twenty-five percent of the revenue derived pursuant to Section 12-33-245 allocated on a per capita basis according to the most recent United States Census.

~~Section 6-27-50. No section of this chapter may be amended or repealed except in separate legislation solely for that purpose.~~

Section 6-27-55. From funds distributed to the county pursuant to Section 6-27-40, a county council shall provide a reasonable amount of funds for all county offices of state agencies for which the council is required to provide funding by state law."

SECTION 2. This act takes effect upon approval by the Governor and first applies to the annual general appropriations bill process for Fiscal Year 2020-2021. /

Amend title to read:

/ TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE ADJUSTED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE OR DECREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO

REQUIRE THAT THE ADJUSTMENT, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION. /

/s/Sen. Ronnie W. Cromer	Rep. Gilda Yevette Cobb-Hunter
/s/Sen. John L. Scott, Jr.	/s/Rep. Bruce Wyche Bannister
/s/Sen. Thomas D. "Tom" Corbin	/s/Rep. Kirkman Finlay III
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

H. 4243--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

On motion of Senator GREGORY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator GREGORY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 17

AYES

Alexander	Allen	Campbell
Climer	Cromer	Fanning
Goldfinch	Gregory	Jackson
Johnson	Leatherman	Loftis
Malloy	*Matthews, John*	McLeod
Peeler	Rankin	Reese
Sabb	Scott	Senn
Turner	Williams	

Total--23

NAYS

Bennett	Campsen	Cash
Corbin	Davis	Grooms
Harpootlian	Hembree	Martin
Massey	Rice	Setzler
Shealy	Sheheen	Talley
Verdin	Young	

Total--17

Statement by Senator McELVEEN

I was present but outside of the Senate Chamber during the Senate's roll call vote on the conference report on H. 4243, which has been referred to as the "Carolina Panthers' " Bill. During the roll call vote, I was in the House of Representatives' chamber speaking with a Sumter County Legislative Delegation member about several local issues.

Had I been present for the vote, I would have voted "no". Although it would not have changed the outcome of the vote on the conference report. This is consistent with the "no" vote I previously cast for H. 4243 during the Senate's roll call vote following debate on the matter which took place on May 9, 2019.

The Committee of Conference Committee was adopted as follows:

H. 4243 --Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/9/19-S.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 12-6-3360(A) and (M) of the 1976 Code is amended to read:

"(A) Taxpayers that operate manufacturing, tourism, processing, agricultural packaging, warehousing, distribution, research and development, corporate office, qualifying service-related facilities, agribusiness operations, extraordinary retail establishment, <u>professional sports teams,</u> and qualifying technology intensive facilities, and banks as defined pursuant to this title are allowed an annual jobs tax credit as provided in this section. In addition, taxpayers that operate retail facilities and service-related industries qualify for an annual jobs tax

credit in counties designated as 'Tier IV'. As used in this section, 'corporate office' includes general contractors licensed by the South Carolina Department of Labor, Licensing and Regulation. Credits pursuant to this section may be claimed against income taxes imposed by Section 12-6-510 or 12-6-530, bank taxes imposed pursuant to Chapter 11 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38, and are limited in use to fifty percent of the taxpayer's South Carolina income tax, bank tax, or insurance premium tax liability. In computing a tax payable by a taxpayer pursuant to Section 38-7-90, the credit allowable pursuant to this section must be treated as a premium tax paid pursuant to Section 38-7-20.

(M) As used in this section:

(1) 'Taxpayer' means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes as contained in Section 12-6-510, Section 12-6-530, Chapter 11, Title 12, or Chapter 7, Title 38.

(2) 'Appropriate agency' means the Department of Revenue, except that for taxpayers subject to the premium tax imposed by Chapter 7, Title 38, it means the Department of Insurance.

(3) 'New job' means a job created in this State at the time a new facility or an expansion is initially staffed. Except as otherwise provided in this item, the term does not include a job created when an employee is shifted from an existing location in this State to a new or expanded facility whether the transferred job is from, or to, a facility of the taxpayer or a related person. <u>However, for a professional sports team, 'new job' means all jobs located at the professional sports team park regardless of whether an employee previously worked at an existing location in this State before 2019 as an employee of the same professional sports team.</u> A related person includes any entity or person that bears a relationship to the taxpayer as described in Section 267 of the Internal Revenue Code. However, this exclusion of a new job created by employee shifting does not extend to a job created at a new or expanded facility located in a county in which is located an 'applicable federal facility' as defined in Section 12-6-3450(A)(1)(b). The term 'new job' also includes an existing job at a facility of an employer which is reinstated after the employer has rebuilt the facility due to:

(a) its destruction by accidental fire, natural disaster, or act of God;

(b) involuntary conversion as a result of condemnation or exercise of eminent domain by the State or any of its political subdivisions or by the federal government.

Destruction for purposes of this provision means that more than fifty percent of the facility was destroyed. For purposes of this section, involuntary conversion as a result of condemnation or exercise of eminent domain includes a legally binding agreement for the purchase of a facility of an employer entered into between an employer and the State of South Carolina or a political subdivision of the State under threat of exercise of eminent domain by the State or its political subdivision.

The year of reinstatement is the year of creation of the job. All reinstated jobs qualify for the credit pursuant to this section, and a comparison is not required to be made between the number of full-time jobs of the employer in the taxable year and the number of full-time jobs of the employer with the corresponding period of the prior taxable year.

(4) 'Full-time' means a job requiring a minimum of thirty-five hours of an employee's time a week for the entire normal year of company operations or a job requiring a minimum of thirty-five hours of an employee's time for a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. <u>For members of a professional sports team, 'full-time' means a job requiring a minimum of one hundred eighty days of an employee's time a year of which at least eighty percent of such days must be spent at a professional sports team park located in South Carolina.</u> For the purposes of this section, two half-time jobs are considered one full-time job. A 'half-time job' is a job requiring a minimum of twenty hours of an employee's time a week for the entire normal year of the company's operations or a job requiring a minimum of twenty hours of an employee's time a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For agricultural packaging and agribusiness operations, seasonal workers may be considered a full-time employee; however, a seasonal employee only counts as a fraction of a full-time worker, with the numerator being the number of hours worked a week multiplied by the number of weeks worked, and the denominator being the number one thousand eight hundred twenty.

(5) 'Manufacturing facility' means an establishment where tangible personal property is produced or assembled.

(6) 'Processing facility' means an establishment that prepares, treats, or converts tangible personal property into finished goods or another form of tangible personal property. The term includes a business engaged in processing agricultural, aquacultural, or maricultural

products and specifically includes meat, poultry, and any other variety of food processing operations. It does not include an establishment in which retail sales of tangible personal property are made to retail customers.

(7) 'Warehousing facility' means an establishment where tangible personal property is stored but does not include any establishment where retail sales of tangible personal property are made to retail customers.

(8) 'Distribution facility' means an establishment where shipments of tangible personal property are processed for delivery to customers. The term does not include an establishment where retail sales of tangible personal property are made to retail customers on more than twelve days a year except for a facility which processes customer sales orders by mail, telephone, or electronic means, if the facility also processes shipments of tangible personal property to customers and if at least seventy-five percent of the dollar amount of goods sold through the facility are sold to customers outside of South Carolina. Retail sales made inside the facility to employees working at the facility are not considered for purposes of the twelve-day and seventy-five percent limitation. For purposes of this definition, 'retail sale' and 'tangible personal property' have the meaning provided in Chapter 36 of this title.

(9) 'Research and development facility' means an establishment engaged in laboratory, scientific, or experimental testing and development related to new products, new uses for existing products, or improving existing products. The term does not include an establishment engaged in efficiency surveys, management studies, consumer surveys, economic surveys, advertising, promotion, banking, or research in connection with literary, historical, or similar projects.

(10) 'Corporate office facility' means a corporate headquarters that meets the definition of a 'corporate headquarters' contained in Section 12-6-3410(J)(1). The corporate headquarters of a general contractor licensed by the South Carolina Department of Labor, Licensing and Regulation qualifies even if it is not a regional or national headquarters as those terms are defined in Section 12-6-3410(J)(1).

(11) The terms 'retail sales' and 'tangible personal property' for purposes of this section are defined in Chapter 36 of this title.

(12) 'Tourism facility' means an establishment used for a theme park; amusement park; historical, educational, or trade museum; botanical garden; cultural center; theater; motion picture production studio; convention center; arena; auditorium; or a spectator or participatory sports facility; and similar establishments where entertainment, education, or recreation is provided to the general public.

Tourism facility also includes new hotel and motel construction, except that to qualify for the credits allowed by this section and regardless of the county in which the facility is located, the number of new jobs that must be created by the new hotel or motel is twenty or more. It does not include that portion of an establishment where retail merchandise or retail services are sold directly to retail customers.

(13) 'Qualifying service-related facility' means:

(a) an establishment engaged in an activity or activities listed under the North American Industry Classification System Manual (NAICS) Section 62, subsectors 621, 622, and 623, or Sector 4881, subsector 488190; or

(b) a business, other than a business engaged in legal, accounting, banking, or investment services (including a business identified under NAICS Section 55) or retail sales, which has a net increase of at least:

(i) one hundred seventy-five jobs at a single location;

(ii) one hundred fifty jobs at a single location comprised of a building or portion of building that has been vacant for at least twelve consecutive months prior to the taxpayer's investment;

(iii) one hundred jobs at a single location and the jobs have an average cash compensation level of more than one and one-half times the lower of state per capita income or per capita income in the county where the jobs are located;

(iv) fifty jobs at a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

(v) twenty-five jobs at a single location and the jobs have an average cash compensation level of more than two and one-half times the lower of state per capita income or per capita income in the county where the jobs are located.

A taxpayer shall use the most recent per capita income data available as of the end of the taxable year in which the jobs are filled. Determination of the required number of jobs is in accordance with the monthly average described in subsection (F).

(14) 'Technology intensive facility' means:

(a) a facility at which a firm engages in the design, development, and introduction of new products or innovative manufacturing processes, or both, through the systematic application of scientific and technical knowledge. Included in this definition are the following North American Industrial Classification Systems Codes,

NAICS, published by the Office of the Management and Budget of the federal government:

(i) 5114 database and directory publishers;

(ii) 5112 software publishers;

(iii) 54151 computer systems design and related services;

(iv) 541511 custom computer programming services;

(v) 541512 computer systems design services;

(vi) 541711 research and development in biotechnology; 2007 NAICS;

(vii) 541712 research and development in physical, engineering, and life sciences; 2007 NAICS;

(viii) 518210 data processing, hosting, and related services;

(ix) 9271 space research and technology; or

(b) a facility primarily used for one or more activities listed under the 2002 version of the NAICS Codes 51811 (Internet Service Providers and Web Search Portals).

(15) 'Extraordinary retail establishment' as defined in Sections 12-21-6520 and 12-21-6590.

(16) 'Agricultural packaging' means the technology of enclosing or protecting or preserving agricultural products for distribution, storage, sale, and use. Packaging also refers to the process of design, evaluation, and production of packages used for agricultural products. Packaging can be described as a coordinated system of preparing agricultural goods for transport, warehousing, logistics, sale, and end use.

(17) 'Professional sports team' means a professional sports team or club included in a professional league, such as the National Football League, National Association for Stock Car Racing, or the National Basketball Association, primarily engaged in participating in live sporting events before a paying audience with an annual payroll for federal tax purposes of not less than one hundred ninety million dollars and not less than one hundred fifty full-time employees in this State.

(18) 'Professional sports team park' means a sports facility designed for use primarily as a professional park or stadium. Such a facility may include, without limitation, practice fields and features such as parking areas and facilities, office facilities for team use or other users of the facility as authorized by the professional sports team, and other ancillary facilities necessary for the sports facility. Such a facility also includes the landscaped grounds surrounding the park, stadium, and ancillary facilities.

(19) 'Members of a professional sports team' means active players, players on the disabled list, and any other persons required to travel and

who do travel with and perform services on behalf of the professional sports team on a regular basis. This includes coaches, managers, and trainers."

SECTION 2. Section 4-9-30(12) of the 1976 Code is amended to read:

"(12) to levy uniform license taxes upon persons and businesses engaged in or intending to engage in a business, occupation, or profession, in whole or in part, within the county but outside the corporate limits of a municipality except those persons who are engaged in the profession of teaching or who are ministers of the gospel and rabbis, except persons and businesses acting in the capacity of telephone, telegraph, gas and electric utilities, suppliers, or other utility regulated by the Public Service Commission and except an entity which is exempt from license tax under another law or a subsidiary or affiliate of any such exempt entity. No county license fee or tax may be levied on insurance companies. No county license fee or tax may be levied on a professional sports team as defined in Section 12-6-3360(M)(17). The license tax must be graduated according to the gross income of the person or business taxed. A business engaged in making loans secured by real estate is subject to the license tax only if it has premises located in the county but outside the corporate limits of a municipality. If the person or business taxed pays a license tax to another county or to a municipality, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality."

SECTION 3. Section 5-7-30 of the 1976 Code is amended to read:

"Section 5-7-30. Each municipality of the State, in addition to the powers conferred to its specific form of government, may enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of powers in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it, including the authority to levy and collect taxes on real and personal property and as otherwise authorized in this section, make assessments, and establish uniform service charges relating to them; the authority to abate nuisances; the authority to provide police protection in contiguous municipalities and in unincorporated areas located not more than three miles from the municipal limits upon the request and agreement of the governing body of such contiguous

municipality or the county, including agreement as to the boundaries of such police jurisdictional areas, in which case the municipal law enforcement officers shall have the full jurisdiction, authority, rights, privileges, and immunities, including coverage under the workers' compensation law, which they have in the municipality, including the authority to make arrests, and to execute criminal process within the extended jurisdictional area; provided, however, that this shall not extend the effect of the laws of the municipality beyond its corporate boundaries; grant franchises for the use of public streets and make charges for them; grant franchises and make charges for the use of public beaches; engage in the recreation function; levy a business license tax on gross income, but a wholesaler delivering goods to retailers in a municipality is not subject to the business license tax unless he maintains within the corporate limits of the municipality a warehouse or mercantile establishment for the distribution of wholesale goods; and a business engaged in making loans secured by real estate is not subject to the business license tax unless it has premises located within the corporate limits of the municipality and no entity which is exempt from the license tax under another law nor a subsidiary or affiliate of an exempt entity is subject to the business license tax; and a business engaged in operating a professional sports team as defined in Section 12-6-3360(M)(17) is not subject to the business license tax; borrow in anticipation of taxes; and pledge revenues to be collected and the full faith and credit of the municipality against its note and conduct advisory referenda. The municipal governing body may fix fines and penalties for the violation of municipal ordinances and regulations not exceeding five hundred dollars or imprisonment not exceeding thirty days, or both. If the person or business taxed pays a business license tax to a county or to another municipality where the income is earned, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality.

For the purpose of providing and maintaining parking for the benefit of a downtown commercial area, a municipality may levy a surtax upon the business license of a person doing business in a designated area in an amount not to exceed fifty percent of the current yearly business license tax upon terms and conditions fixed by ordinance of the municipal council. The area must be designated by council only after a petition is submitted by not less than two-thirds of the persons paying a business license tax in the area and who paid not less than one-half of the total business license tax collected for the preceding calendar year requesting the designation of the area. The business within the designated area

which is providing twenty-five or more parking spaces for customer use is required to pay not more than twenty-five percent of a surtax levied pursuant to the provisions of this paragraph."

SECTION 4. Chapter 3, Title 5 of the 1976 Code is amended by adding:

"Section 5-3-20. No municipality may annex, under the provisions of this chapter, any real property owned by a professional sports team as defined in Section 12-6-3360(M)(17) without prior written consent of the professional sports team."

SECTION 5. Section 12-6-3360 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) If a professional sports team claims the credit allowed by this section, then the Department of Revenue shall report the net number of new full-time jobs created in this State by the professional sports team, the average cash compensation of the new full-time jobs created by the professional sports team, and the aggregated residency status of the employee or employees filling the new full-time jobs created by the professional sports team. The department shall provide the report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor beginning on May first of the year immediately following the year in which the first new full-time job is created by the professional sports team, and on May first each year thereafter. In reporting statistics pursuant to this subitem, the department must comply with the requirements of Section 12-54-240(B)(1)."

SECTION 6. Section 11-9-805 of the 1976 Code, as amended by Act 246 of 2018, is further amended by adding an appropriately numbered item to read:

"( ) 'Tax expenditure' means an amount of state revenue unavailable for general fund appropriation when the loss of revenue is attributable to a provision of the South Carolina Code of Laws which allow a special exclusion, exemption, or deduction from gross income, which provide a special credit, a preferential rate of tax, or a deferral of tax liability or which allocate or distribute state funds pursuant to an incentive program or fund."

SECTION 7. Section 11-9-830 of the 1976 Code, as last amended by Act 246 of 2018, is further amended by adding an appropriately numbered item to read:

"( ) compile and report to the General Assembly, not later than the first day of March each year, a list of each individual tax expenditure from the prior fiscal year and the estimated tax expenditure for the

current fiscal year. The report must indicate the specific enactment and program which authorized the expenditure and apply to all tax expenditures in excess of one hundred thousand dollars."

SECTION 8. Section 12-6-3360(C) of the 1976 Code is amended to read:

"(C)(1)Subject to the conditions provided in subsection (M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full-time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers that increase employment by ten or more full-time jobs, and no credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of ten. The amount of the initial job credit is as follows:

(a) ~~Eight~~ twenty-five thousand dollars for each new full-time job created in 'Tier IV' counties.

(b) ~~Four~~ twenty thousand two hundred fifty dollars for each new full-time job created in 'Tier III' counties.

(c) two thousand seven hundred fifty dollars for each new full-time job created in 'Tier II' counties.

(d) one thousand five hundred dollars for each new full-time job created in 'Tier I' counties.

(2)(a) Subject to the conditions provided in subsection (M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full-time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers with ninety-nine or fewer employees that increase employment by two or more full-time jobs, and may be received only if the gross wages of the full-time jobs created pursuant to this section amount to a minimum of one hundred twenty percent of the county's or state's average per capita income, whichever is lower. No credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of two. The amount of the initial job credit is as described in subsection (C)(1).

(b) If the taxpayer with ninety-nine or fewer employees increases employment by two or more full-time jobs but the gross wages do not amount to a minimum one hundred twenty percent of the county's or state's average per capita income, whichever is lower, then the amount of the initial job credit is ~~as follows:~~

~~(i) Four thousand dollars for each new full-time job created in "Tier IV" counties.~~

~~(ii) Two thousand one hundred twenty-five dollars for each new full-time job created in "Tier III" counties.~~

~~(iii) One thousand three hundred seventy-five dollars for each new full-time job created in "Tier II" counties.~~

~~(iv) Seven hundred fifty dollars for each new full-time job created in "Tier I" counties~~ reduced by fifty percent."

SECTION 9. A.Section 12-6-3360 of the 1976 Code is amended by adding a subsection at the end to read:

"(O) The provisions of this section that specifically apply to a professional sports team only apply if that specific professional sports team creates the new full-time jobs in this State as specified in subsection (M)(17) by July 1, 2022, and the professional sports team otherwise meets the requirements to claim the credit allowed by this section. However, this subsection does not apply to a professional sports team that entered into a revitalization agreement with the South Carolina Coordinating Council for Economic Development before July 1, 2022."

B. The provisions of Sections 4-9-30 and 5-7-30 relating to a professional sports team, and the provisions of Section 5-3-20 only apply so long as the job and payroll provisions of Section 12-6-3360(M)(17) and (O) continue to be met by the professional sports team.

SECTION 10. Chapter 10, Title 12 of the 1976 Code is amended by adding:

"Section 12-10-120. No credit may be awarded pursuant to this chapter until the minimum job requirement set forth in Section 12-6-3360(M)(17) has been fully met. Further, the council may not award any partial credit if the same minimum job requirement is not fully met. The provisions of this section only apply to a professional sports team pursuant to Section 12-6-3360."

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect upon approval by the Governor./

Amend title to read:

/ TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM AND TO PROVIDE REQUIREMENTS THAT SPECIFICALLY APPLY TO A PROFESSIONAL SPORTS TEAM, AND TO INCREASE JOBS TAX CREDIT AMOUNTS IN TIER IV AND TIER III COUNTIES; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM; TO AMEND SECTIONS 11-9-805 AND 11-9-830, AS AMENDED, BOTH RELATING TO THE REVENUE AND FISCAL AFFAIRS OFFICE, SO AS TO REQUIRE THE OFFICE ANNUALLY TO SUBMIT TAX EXPENDITURE REPORTS TO THE GENERAL ASSEMBLY AND TO DEFINE "TAX EXPENDITURE"; AND BY ADDING SECTION 12-10-120 SO AS TO SPECIFY CERTAIN JOB DEVELOPMENT CREDIT REQUIREMENTS THAT APPLY TO A PROFESSIONAL SPORTS TEAM. /

/s/Sen. Chauncey K. Gregory
/s/Sen. David Wesley Climer
/s/Sen. Richard A. Harpootlian
On Part of the Senate.

/s/Rep. J. Gary Simrill
/s/Rep. James Todd Rutherford
/s/Rep. Thomas E. "Tommy" Pope
On Part of the House.

, and a message was sent to the House accordingly.

H. 3601--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

On motion of Senator HEMBREE, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3601--Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/9/19.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 16-17-530 of the 1976 Code is amended to read:

"Section 16-17-530. (A) ~~Any~~ A person who ~~shall (a) be~~ is: (1) found on any highway or at any public place or public gathering in a grossly intoxicated condition or otherwise ~~conducting~~ conducts himself in a disorderly or boisterous manner~~,~~; ~~(b)~~(2) ~~use~~ uses obscene or profane language on any highway or at any public place or gathering or in hearing distance of any schoolhouse or church; or ~~(c)~~(3) while under the influence or feigning to be under the influence of intoxicating liquor, without just cause or excuse, ~~discharge~~ discharges any gun, pistol, or other firearm while upon or within fifty yards of any public road or highway, except upon his own premises, ~~shall be deemed~~ is guilty of a misdemeanor and, upon conviction, ~~shall~~ must be fined not more than one hundred dollars or be imprisoned for not more than thirty days. However, conditional discharge may be granted by the court in accordance with the provisions of this section upon approval by the circuit solicitor.

(B) When a person who has not previously been convicted of an offense pursuant to this section or any similar offense under any state or federal statute relating to drunk or disorderly conduct pleads guilty to or is found guilty of a violation of this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him on probation upon terms and conditions as it requires, including the requirement that the person cooperate in a

treatment and rehabilitation program of a state-supported facility, if available. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him. Discharge and dismissal pursuant to this section is without court adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. However, a nonpublic record must be forwarded to and retained by the South Carolina Law Enforcement Division solely for the purpose of use by the courts in determining whether or not a person has committed a subsequent offense pursuant to this section. Discharge and dismissal pursuant to this section may occur only once with respect to any person.

(C) Upon the dismissal of the person and discharge of the proceedings against him pursuant to subsection (B), the person may apply to the court for an order to expunge from all official records (other than the nonpublic records to be retained as provided in subsection (B)) all recordation relating to his arrest, indictment or information, trial, finding of guilty, and dismissal and discharge pursuant to this section. If the court determines, after a hearing, that the person was dismissed and the proceedings against him discharged, it shall enter the order. The effect of the order is to restore the person, in the contemplation of the law, to the status he occupied before the arrest or indictment or information. No person as to whom the order has been entered may be held pursuant to another provision of law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge the arrest, or indictment or information, or trial in response to an inquiry made of him for any purpose.

(D) Before a person may be discharged and the proceedings dismissed pursuant to this section, the person must pay a fee to the summary court of one hundred fifty dollars. No portion of the fee may be waived, reduced, or suspended, except in cases of indigency. If the court determines that a person is indigent, the court may partially or totally waive, reduce, or suspend the fee. The revenue collected pursuant to this subsection must be retained by the jurisdiction that heard or processed the case and paid to the State Treasurer within thirty days of receipt. The State Treasurer shall transmit these funds to the Prosecution Coordination Commission which shall then apportion these funds among the sixteen judicial circuits on a per capita basis equal to the population in that circuit compared to the population of the State as a whole based

on the most recent official United States census. The funds must be used for drug treatment court programs only. The amounts generated by this subsection are in addition to any amounts presently being provided for drug treatment court programs and may not be used to supplant funding already allocated for these services. The State Treasurer may request the State Auditor to examine the financial records of a jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to this subsection. The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination."

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Greg Hembree	/s/Rep. Peter M. McCoy, Jr.
Sen. Margie Bright Matthews	Rep. Marvin R. Pendarvis
/s/Sen. Scott Talley	/s/Rep. Seth C. Rose
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 13, 2019, at 2:30 P.M. and the following Acts were ratified:

(R62, S. 21) -- Senators Hutto, Shealy and Jackson: AN ACT TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL

FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED AND FOR OTHER PURPOSES; TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 44-1-310, RELATING TO THE MATERNAL MORBIDITY AND MORTALITY REVIEW COMMITTEE, SO AS TO CHANGE THE OPERATION OF THE COMMITTEE BY ASSIGNING CERTAIN RESPONSIBILITIES TO STAFF OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FUNDING CONTINGENCIES, AND FOR OTHER PURPOSES.
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(R63, S. 105) -- Senators Campbell, Sheheen, Verdin and Rankin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-225 SO AS TO REQUIRE THAT MAGISTRATES AND MUNICIPAL COURT JUDGES RECEIVE AT LEAST TWO HOURS OF INSTRUCTIONS ON ISSUES CONCERNING ANIMAL CRUELTY EVERY FOUR YEARS; TO AMEND SECTION 47-3-10, RELATING TO DEFINITIONS APPLICABLE TO DOMESTIC PETS, SO AS TO DEFINE THE TERM "LITTER"; TO AMEND SECTION 47-3-60, RELATING TO THE DISPOSITION OF IMPOUNDED ANIMALS, SO AS TO AUTHORIZE AN ANIMAL SHELTER TO TURN OVER A LITTER OF UNIDENTIFIABLE DOGS OR CATS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 47-1-145 SO AS TO PROVIDE FOR THE CUSTODY AND CARE OF AN ANIMAL AFTER THE ARREST OF THE ANIMAL'S OWNER FOR CHARGES RELATED TO ANIMAL CRUELTY; TO AMEND SECTION 56-3-9600, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, SO AS TO ESTABLISH CERTAIN PROCEDURES FOR THE AWARD OF GRANTS TO SPAYING AND NEUTERING PROGRAMS; TO AMEND SECTION 40-69-30, RELATING TO A LICENSE TO PRACTICE VETERINARY MEDICINE, SO AS TO PROVIDE THAT A VETERINARIAN LICENSED IN ANOTHER JURISDICTION MAY OBTAIN AN EMERGENCY LIMITED LICENSE DURING AN EMERGENCY OR NATURAL DISASTER; TO AMEND SECTIONS 47-3-470, 47-3-480, AND 47-3-490, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, SO

AS TO REMOVE REFERENCES TO "ANIMAL REFUGE" AND REPLACE IT WITH "RESCUE ORGANIZATION".
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(R64, S. 281) -- Senators Talley, Campbell and Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 47-3-980 AND 47-3-990 SO AS TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS UNLAWFUL, TO ESTABLISH PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 56-7-10, RELATING TO OFFENSES FOR WHICH UNIFORM TRAFFIC TICKETS MUST BE USED, SO AS TO ADD THE OFFENSE OF MISREPRESENTING SERVICE ANIMALS; TO AMEND SECTIONS 47-3-920 AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 31-21-70, RELATING TO FAIR HOUSING APPLICATIONS, SO AS TO ALLOW LANDLORDS TO ASK CERTAIN QUESTIONS REGARDING A TENANT'S OR PROSPECTIVE TENANT'S ANIMAL FOR PURPOSES OF REASONABLE ACCOMMODATIONS.
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(R65, S. 314) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3800 SO AS TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS; AND TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO ALLOW A DEDUCTION FOR CERTAIN ROTATIONS FOR WHICH NO INCOME TAX CREDIT IS AVAILABLE.
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(R66, S. 323) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO

REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.
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(R67, S. 329) -- Senators Cromer, Scott, Verdin, Reese and Nicholson: AN ACT TO EXTEND THE TAX CREDITS FOR THE PURCHASE AND INSTALLATION OF GEOTHERMAL MACHINERY AND EQUIPMENT UNTIL JANUARY 1, 2022, BY RE-ENACTING PROVISIONS OF SECTION 12-6-3587.
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(R68, S. 359) -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM PERFORMING CERTAIN ACTIONS OR DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.
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(R69, S. 408) -- Senators Reese, Turner and Campbell: AN ACT TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM AND A VIDEO SERVICE ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.
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(R70, S. 440) -- Senators Talley and Reese: AN ACT TO AMEND SECTION 12-65-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS; AND BY ADDING SECTION 12-67-170 SO AS TO PROVIDE FOR AN EXTENSION OF THE PLACED IN SERVICE DATE FOR A REHABILITATED ABANDONED BUILDING UNDER CERTAIN CIRCUMSTANCES.
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(R71, S. 575) -- Senators Campsen, McElveen and Martin: AN ACT TO AMEND SECTION 50-11-544, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, SO AS TO DELETE THE TERM "WILD TURKEY TRANSPORTATION TAGS" AND REPLACE IT WITH THE TERM "WILD TURKEY TAG", TO PROVIDE THE TAG WILL NO LONGER BE ISSUED AT NO COST, AND TO REVISE THE NUMBER OF TAGS RESIDENTS AND NONRESIDENTS MAY OBTAIN OR POSSESS; TO AMEND SECTION 50-11-580, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, SO AS TO REVISE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO REVISE THE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, TO PROVIDE FOR THE TAKING OF FEMALE WILD TURKEYS, AND TO DELETE AN OBSOLETE PROVISION; BY ADDING SECTION 50-11-590 SO AS TO

PROVIDE FOR YOUTH TURKEY HUNTING WEEKEND; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TAGS SHALL BE USED FOR CERTAIN PURPOSES; BY ADDING SECTION 50-9-640 SO AS TO PROVIDE FEES FOR WILD TURKEY TAGS; BY ADDING SECTION 50-11-546 SO AS TO PROVIDE FOR AN ELECTRONIC HARVEST REPORTING SYSTEM, AND REQUIREMENTS FOR REPORTING THE HARVEST OF A WILD TURKEY; TO AMEND SECTION 50-9-1120, RELATING TO THE POINT SYSTEM ESTABLISHED FOR VIOLATIONS OF CERTAIN PROVISIONS OF LAW, SO AS TO PROVIDE FAILING TO REPORT THE HARVEST OF WILD TURKEY IS A SIX POINT VIOLATION; TO REPEAL SECTION 50-11-520 RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015 RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.
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(R72, S. 595) -- Senators Shealy and Hutto: AN ACT TO AMEND SECTION 63-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BACKGROUND CHECKS FOR CHILDCARE FACILITY EMPLOYMENT, SO AS TO PROVIDE THAT CHILDCARE FACILITIES AND FEDERALLY SUBSIDIZED CHILDCARE PROVIDERS MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, OR HAS BEEN CONVICTED OF CERTAIN OFFENSES, TO REQUIRE EMPLOYEES TO UNDERGO CERTAIN BACKGROUND CHECKS, TO AUTHORIZE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION TO RETAIN, STORE, AND SHARE BACKGROUND CHECK RECORDS, TO PROVIDE A FEE FOR BACKGROUND CHECKS, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-13-50, RELATING TO FINGERPRINT REVIEW EXEMPTIONS, SO AS TO CHANGE THE PERIOD OF TIME DURING WHICH THE EXEMPTION APPLIES; TO AMEND SECTIONS 63-13-420 AND

63-13-430, RELATING TO LICENSING OR RENEWAL REQUIREMENTS FOR PRIVATE CHILDCARE CENTERS AND GROUP CHILDCARE HOMES, SO AS TO MAKE CONFORMING CHANGES, TO REQUIRE CERTAIN BACKGROUND CHECKS FOR OLDER YOUTH RESIDING IN GROUP FAMILY CHILDCARE HOMES, AND FOR OTHER PURPOSES; TO AMEND SECTIONS 63-13-620 AND 63-13-630, RELATING TO ISSUANCE OR RENEWAL OF A STATEMENT OF APPROVAL FOR PUBLIC CHILDCARE CENTERS AND GROUP CHILDCARE HOMES, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 63-13-810, 63-13-820, AND 63-13-830, ALL RELATING TO FAMILY CHILDCARE HOME REGISTRATION ISSUANCE OR RENEWAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES AND TO REQUIRE CERTAIN BACKGROUND CHECKS FOR OLDER YOUTH RESIDING IN FAMILY CHILDCARE HOMES; TO AMEND SECTION 63-13-1010, RELATING TO CHURCH AND RELIGIOUS CENTER REGISTRATION ISSUANCE OR RENEWAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY ADDING ARTICLE 10 TO CHAPTER 13, TITLE 63 SO AS TO PROHIBIT INDIVIDUALS ON THE SEX OFFENDER REGISTRY FROM WORKING, WITH OR WITHOUT COMPENSATION, WITH MINORS, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.
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(R73, S. 621) -- Senators Setzler, Campbell, Williams and Corbin: AN ACT TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.
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(R74, H. 3035) -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: AN ACT TO AMEND SECTION 7-13-72, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANAGERS OF ELECTION, SO AS TO PROVIDE THAT A CLERK APPOINTED FROM AMONG THE MANAGERS FOR EACH POLLING PLACE MUST BE A RESIDENT AND REGISTERED ELECTOR OF THE RESPECTIVE COUNTY IN WHICH HE IS

APPOINTED TO WORK OR IN AN ADJOINING COUNTY; TO AMEND SECTION 7-13-80, RELATING TO THE ORGANIZATION OF BOARDS OF VOTER REGISTRATION AND ELECTIONS AND MANAGERS AND CLERKS, SO AS TO PROVIDE THAT A CHAIRMAN OF A BOARD OF MANAGERS MUST BE A RESIDENT AND REGISTERED ELECTOR OF THE RESPECTIVE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY; AND TO AMEND SECTION 7-13-110, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT A CHAIRMAN OR CLERK APPOINTED FROM AMONG THE MANAGERS FOR THE VARIOUS POLLING PLACES MUST BE A RESIDENT AND REGISTERED ELECTOR OF THE RESPECTIVE COUNTY IN WHICH HE IS APPOINTED TO WORK OR IN AN ADJOINING COUNTY, TO PROVIDE THAT A MANAGER WHO IS NOT APPOINTED TO SERVE AS A CHAIRMAN OR CLERK MUST BE A RESIDENT AND A REGISTERED ELECTOR OF THE STATE OF SOUTH CAROLINA, AND TO REQUIRE THAT ANY PERSON QUALIFIED TO SERVE AS A MANAGER WHO REQUESTS TO WORK IN HIS RESIDENT COUNTY OR IN AN ADJOINING COUNTY MUST BE GIVEN PRIORITY OVER QUALIFIED PERSONS FROM OTHER COUNTIES FOR APPOINTMENT TO WORK IN THE RESIDENT COUNTY OR IN AN ADJOINING COUNTY.
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(R75, H. 3036) -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-37-30, RELATING TO NEONATAL TESTING OF CHILDREN, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A NEWBORN SCREENING ADVISORY COMMITTEE TO REVIEW THE DESIRABILITY AND ADVISABILITY OF INCLUDING ADDITIONAL METABOLIC, GENETIC, AND CONGENITAL DISORDERS IN CERTAIN NEONATAL TESTING.
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(R76, H. 3145) -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D.C. Moss, G.R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G.M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: AN ACT TO AMEND SECTION 33-49-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF COOPERATIVES AND FOREIGN CORPORATIONS FROM THE JURISDICTION AND CONTROL OF THE PUBLIC SERVICE COMMISSION, SO AS TO MODIFY THIS EXEMPTION; BY ADDING SECTION 33-49-150 SO AS TO VEST THE OFFICE OF REGULATORY STAFF WITH AUTHORITY AND JURISDICTION TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF SPECIFIED ELECTRIC COOPERATIVES AND TO PROVIDE EXCEPTIONS AND A PROCESS RESOLVING DISPUTED ISSUES; TO AMEND SECTION 33-49-255, RELATING TO RESTRICTIONS ON THE INTERRUPTION OF ELECTRIC SERVICE TO RESIDENTIAL CUSTOMERS OF ELECTRIC COOPERATIVES AND COMPLAINTS BY CUSTOMERS FOR VIOLATION OF THESE PROVISIONS, SO AS TO PROVIDE THAT THESE COMPLAINTS MUST BE MADE TO THE OFFICE OF REGULATORY STAFF AND THEN, IF NECESSARY, TO COURTS OF APPROPRIATE JURISDICTION; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS WHERE AN ELECTION IS TO BE HELD TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO REQUIRE POLLING LOCATIONS TO BE OPEN FOR A MINIMUM OF FOUR HOURS AND TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED

AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO PROVIDE THAT A TRUSTEE'S PRINCIPAL RESIDENCE MUST BE SERVED BY THE COOPERATIVE AND REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE DISCLOSURE OF COMPENSATION AND BENEFITS OF MEMBERS OF THE BOARD OF TRUSTEES AND THE DATE WHEN THESE PROVISIONS ARE EFFECTIVE; BY ADDING SECTION 33-49-621 SO AS TO PROVIDE THAT WITHIN EIGHTEEN MONTHS OF THE EFFECTIVE DATE OF THIS SECTION, EACH DISTRIBUTION COOPERATIVE MUST PUT THE QUESTION OF SINGLE-MEMBER VOTING DISTRICTS TO ITS MEMBERSHIP AT AN ANNUAL MEETING; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF CERTAIN MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; TO AMEND SECTION 33-49-630, RELATING TO COMPENSATION OR EMPLOYMENT OF TRUSTEES, SO AS TO PROHIBIT CERTAIN ACTIONS OR CONDUCT BY TRUSTEES WITH SPECIFIED EXCEPTIONS; TO AMEND SECTION 33-49-640, RELATING TO THE ANNUAL ELECTION AND TERMS OF TRUSTEES, SO AS TO PROVIDE THAT INCUMBENT TRUSTEES SEEKING REELECTION SHALL NOT DIRECTLY OR INDIRECTLY INFLUENCE THE NOMINATION OR CREDENTIALS PROCESS; BY ADDING SECTION 33-49-645 SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH TRUSTEE AND OTHER ELECTIONS MUST BE CONDUCTED; TO AMEND SECTION 58-4-50, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT WHEN CONSIDERED NECESSARY BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF AND IN THE PUBLIC INTEREST, THE OFFICE OF REGULATORY STAFF SHALL CONDUCT INSPECTIONS AND AUDITS OF, AND EXAMINATIONS OF COMPLIANCE BY ELECTRIC

COOPERATIVES; TO AMEND SECTION 58-4-55, RELATING TO THE PRODUCTION OF RECORDS TO THE OFFICE OF REGULATORY STAFF WHEN CONDUCTING INSPECTIONS, AUDITS, AND EXAMINATIONS, SO AS TO INCLUDE ELECTRIC COOPERATIVES WITHIN THE SECTION, AND TO PROVIDE FOR HOW THE EXPENSES OF THE OFFICE OF REGULATORY STAFF MUST BE CERTIFIED AND ASSESSED TO AUDITED ELECTRIC COOPERATIVES; TO AMEND SECTION 58-27-840, RELATING TO PREFERENCES AND UNREASONABLE DIFFERENCES IN RATES, SO AS TO PROVIDE FOR THE MANNER IN WHICH THIS PROHIBITION APPLIES TO DISTRIBUTION ELECTRIC COOPERATIVES; BY ADDING SECTION 33-49-160 SO AS TO PROVIDE THAT AN ASSOCIATION FORMED BY A GROUP OF ELECTRIC COOPERATIVES THAT MEETS THE REQUIREMENTS OF SECTION 501(C)(6) OF THE INTERNAL REVENUE CODE, IS ORGANIZED UNDER THE LAWS OF THIS STATE AND HAS AS ITS PURPOSE THE REPRESENTATION OF THE INTERESTS OF ELECTRIC COOPERATIVES IN THIS STATE, IS SUBJECT TO CERTAIN REQUIREMENTS, TO REQUIRE CERTAIN DISCLOSURES BY THE ASSOCIATION, TO AUTHORIZE THE ASSOCIATION TO COMPENSATE ITS BOARD OF TRUSTEES AND PROVIDE FOR SPECIFIC REQUIREMENTS IN REGARD TO THIS COMPENSATION, AND TO PROVIDE FOR SPECIFIED ETHICAL AND OTHER RULES OF CONDUCT, INCLUDING PROHIBITED ACTIONS BY TRUSTEES AND OFFICERS OF THE ASSOCIATION.
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(R77, H. 3205) -- Rep. B. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-16-150 SO AS TO PROVIDE THAT THE TRIBE IS NOT REQUIRED TO PAY ANY FEE IN LIEU OF SCHOOL TAXES BEGINNING WITH SCHOOL YEARS AFTER 2007-2008; AND TO AMEND SECTION 27-16-130, RELATING TO THE TAXATION OF THE TRIBE, SO AS TO DELETE A CONTRARY PROVISION.
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(R78, H. 3243) -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: AN ACT TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE FOR VARIOUS DOCUMENTS.
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(R79, H. 3383) -- Reps. Ott, Hosey, Ridgeway and Cogswell: AN ACT TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.
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(R80, H. 3586) -- Reps. Sandifer and Forrester: AN ACT TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF

INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT OR DISCLOSURE, SO AS TO PROVIDE A LOCAL GOVERNMENT MAY EXEMPT CERTAIN INFORMATION FROM DISCLOSURE AND TO DEFINE THE TERM "IDENTIFYING INFORMATION"; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.
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(R81, H. 3621) -- Reps. V.S. Moss, D.C. Moss, Erickson and W. Cox: AN ACT TO AMEND SECTION 44-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE ATHLETIC TRAINERS' ACT OF SOUTH CAROLINA, SO AS TO CHANGE THE DEFINITION OF "ATHLETIC TRAINER"; TO AMEND SECTION 44-75-50, RELATING TO CERTIFICATION OF ATHLETIC TRAINERS, SO AS TO REVISE THE NAME OF THE REQUIRED EXAMINATION; TO AMEND SECTION 44-75-100,

RELATING TO EMPLOYEES OF ORGANIZATIONS THAT ARE CONSIDERED ATHLETIC TRAINERS, SO AS TO ADD CERTAIN ORGANIZATIONS; AND TO AMEND SECTION 44-75-120, RELATING TO PENALTIES FOR VIOLATING A PROVISION OF THE ACT, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TAKE CERTAIN DISCIPLINARY ACTIONS, INCLUDING THE IMPOSITION OF MONETARY PENALTIES.
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(R82, H. 3659) -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 41 TO TITLE 58 ENTITLED "RENEWABLE ENERGY PROGRAMS" SO AS TO DEFINE RELEVANT TERMS, TO PROVIDE REVIEW AND APPROVAL PROCEEDINGS BY THE PUBLIC SERVICE COMMISSION FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH VOLUNTARY RENEWABLE ENERGY PROGRAMS; BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF "CUSTOMER-GENERATOR", AND TO DEFINE "SOLAR CHOICE METERING MEASUREMENT"; TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING RATES, SO AS TO DECLARE THE INTENT OF THE GENERAL ASSEMBLY, TO REQUIRE NET ENERGY METERING, AND TO ESTABLISH ADDITIONAL REQUIREMENTS FOR THE PUBLIC SERVICE COMMISSION; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION

58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO, AMONG OTHER THINGS, ESTABLISH MANDATORY CONTENTS OF INTEGRATED RESOURCE PLANS AND PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; BY ADDING SECTION 58-37-60 SO AS TO AUTHORIZE AN INDEPENDENT STUDY TO EVALUATE THE INTEGRATION OF RENEWABLE ENERGY AND EMERGING ENERGY TECHNOLOGIES INTO THE ELECTRIC GRID; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY TO BE BUILT HAS BEEN COMPARED TO OTHER GENERATION OPTIONS IN TERMS OF COST, RELIABILITY, AND OTHER REGULATORY IMPLICATIONS DEEMED LEGALLY OR REASONABLY NECESSARY FOR CONSIDERATION BY THE COMMISSION; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, REQUIRE THE PUBLIC SERVICE COMMISSION TO PERIODICALLY REVIEW THE STANDARDS FOR INTERCONNECTION AND PARALLEL OPERATION OF GENERATING FACILITIES TO AN ELECTRICAL UTILITY'S DISTRIBUTION AND TRANSMISSION SYSTEM; BY ADDING SECTION 58-27-2660 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF AND THE DEPARTMENT OF CONSUMER AFFAIRS TO DEVELOP CONSUMER PROTECTION REGULATIONS REGARDING THE SALE OR LEASE OF RENEWABLE ENERGY GENERATION FACILITIES; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF MUST BE CONSIDERED A PARTY OF RECORD IN ALL FILINGS, APPLICATIONS, OR PROCEEDINGS BEFORE THE PUBLIC SERVICE COMMISSION; AND TO AMEND SECTION 58-4-100, RELATING TO THE EMPLOYMENT OF EXPERT WITNESSES, SO AS TO EXEMPT THE OFFICE OF REGULATORY STAFF FROM THE STATE PROCUREMENT CODE IN THE SELECTION AND EMPLOYMENT OF CERTAIN EXPERT WITNESSES AND THIRD-PARTY CONSULTANTS.
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(R83, H. 3662) -- Rep. McCoy: AN ACT TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.
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(R84, H. 3703) -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: AN ACT TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXAMINATION REQUIRED FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS THE EXAMINATION FROM THREE TO SIX, TO PROVIDE A PERSON WHO FAILS THE EXAMINATION A FIFTH TIME FIRST MUST TAKE COURSES THE BOARD MAY REQUIRE AND FURNISH EVIDENCE OF COMPLETING THESE COURSES BEFORE TAKING THE EXAMINATION A SIXTH TIME, AND TO PROVIDE A PERSON WHO FAILS THE EXAMINATION SIX OR MORE TIMES MAY NOT BE LICENSED BY THE BOARD; AND TO AMEND SECTION 40-45-260, RELATING TO THE PROHIBITION OF THE BOARD FROM GRANTING LICENSURE TO APPLICANTS WHO FAIL THE EXAMINATION THREE OR MORE TIMES, SO AS INCREASE THE NUMBER OF ALLOWED ATTEMPTS TO SIX.
L:\COUNCIL\ACTS\3703WAB19.DOCX

(R85, H. 3728) -- Reps. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HEALTH CARE FACILITIES TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION

IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING; AND TO AMEND SECTION 44-53-360, AS AMENDED, RELATING TO PRESCRIPTIONS, SO AS TO PROVIDE FOR THE USE OF ELECTRONIC PRESCRIPTIONS.
L:\COUNCIL\ACTS\3728VR19.DOCX

(R86, H. 3754) -- Reps. Sandifer, Thayer, Clemmons and Rutherford: AN ACT TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE DECLARATION"; TO AMEND SECTION 27-32-410, RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED IN THE CASE OF AN INSTALLMENT SALES CONTRACT, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27 SO AS TO ENACT THE "VACATION TIME SHARING PLAN EXTENSION AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME SHARING INTERESTS MAY TERMINATE VACATION TIME SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY; AND TO AMEND SECTION 27-30-120, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO HOMEOWNERS ASSOCIATIONS, SO AS TO REVISE THE DEFINITION OF "HOMEOWNERS ASSOCIATION".
L:\COUNCIL\ACTS\3754SD19.DOCX

(R87, H. 3760) -- Rep. Sandifer: AN ACT TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO MERGE THE JOINT UNDERWRITING ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND AND TO RENAME THE SURVIVING ENTITY THE SOUTH CAROLINA MEDICAL MALPRACTICE ASSOCIATION, TO DEFINE NECESSARY TERMS, TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO REQUIRE THE MEMBERS OF THE ASSOCIATION TO PAY AN ASSESSMENT EQUAL TO THE MEMBER'S PROPORTIONAL SHARE OF THE ACCUMULATED DEFICIT OF THE ASSOCIATION, TO INCREASE POLICY LIMITS FOR POLICIES ISSUED BY THE ASSOCIATION ON BEHALF OF ITS MEMBERS, TO REQUIRE THE ASSOCIATION TO SUBMIT ALL POLICY FORMS, CLASSIFICATIONS, RATES, RATING PLANS, OR RULES TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, TO ESTABLISH A UNIFORM ASSESSMENT ON THE MEMBERSHIP OF THE ASSOCIATION AND PROVIDE FOR AN ADDITIONAL SURCHARGE ON PREMIUMS THAT MUST BE ASSESSED ON ASSOCIATION POLICYHOLDERS, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, TO PROVIDE THE EFFECTIVE DATE OF THE MERGER OF THE PATIENTS' COMPENSATION FUND AND THE JOINT UNDERWRITING ASSOCIATION, TO PROVIDE FOR THE WINDING DOWN OF PATIENTS' COMPENSATION FUND, AND TO PROVIDE FOR THE COMPOSITION OF THE BOARD AND THE DUTIES OF THE ASSOCIATION; AND BY ADDING SECTION 38-79-400 SO AS TO REPEAL THE ARTICLE 5, CHAPTER 79, TITLE 38, RELATING TO THE PATIENTS' COMPENSATION FUND, UPON THE MERGER OF THE PATIENTS' COMPENSATION FUND INTO THE JOINT UNDERWRITING ASSOCIATION.
L:\COUNCIL\ACTS\3760CZ19.DOCX

(R88, H. 3785) -- Reps. Sandifer, Howard, Thayer, West and Weeks: AN ACT TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PURPOSES FOR WHICH MEETINGS OF THE BOARD OF ACCOUNTANCY MAY BE CLOSED TO THE PUBLIC, SO AS TO PROVIDE MEETINGS MAY BE CLOSED TO PROTECT CERTAIN CONFIDENTIAL INFORMATION; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER-BASED; TO AMEND SECTION 40-2-40, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT OWNERS OF CERTIFIED PUBLIC ACCOUNTING FIRMS, SO AS TO INCLUDE CERTAIN ETHICS REQUIREMENTS; TO AMEND SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT WHEN THE SUBJECT OF AN INVESTIGATION WAIVES CONFIDENTIALITY OF THE EXISTENCE OF THE COMPLAINT; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES AND ALL EVIDENCE MUST BE MADE PART OF THE RECORD IN THE PROCEEDINGS; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO PROVIDE ALTERNATIVE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE REQUIRED AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.
L:\COUNCIL\ACTS\3785WAB19.DOCX

(R89, H. 3916) -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: AN ACT TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.
L:\COUNCIL\ACTS\3916SA19.DOCX

(R90, H. 3951) -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: AN ACT TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES FOR SHERIFF, TO MAKE TECHNICAL CHANGES, TO PROVIDE A SHERIFF HOLDING OFFICE ON THE EFFECTIVE DATE OF THIS SECTION IS NOT REQUIRED TO BE AN EXPERIENCED CERTIFIED LAW ENFORCEMENT OFFICER OR BE ELIGIBLE TO OBTAIN A CLASS 1 LAW ENFORCEMENT OFFICER CERTIFICATE UPON THE COMMENCEMENT OF HIS TERM OF OFFICE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.
L:\COUNCIL\ACTS\3951CM19.DOCX

(R91, H. 3973) -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoon, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE WHO IS UNDER THE AGE OF EIGHTEEN YEARS OR WHO IS UNABLE TO CONSENT, TO CREATE A FELONY OFFENSE OF FEMALE GENITAL MUTILATION, WITH EXCEPTIONS, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO

THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".
L:\COUNCIL\ACTS\3973VR19.DOCX

(R92, H. 4010) -- Reps. Hixon, Tallon, Johnson and R. Williams: AN ACT TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.
L:\COUNCIL\ACTS\4010AHB19.DOCX

(R93, H. 4011) -- Reps. Hixon, Tallon, Johnson and R. Williams: AN ACT TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REVISE THESE MATTERS.
L:\COUNCIL\ACTS\4011CZ19.DOCX

(R94, H. 4012) -- Reps. Hixon, Tallon, Johnson and R. Williams: AN ACT TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION

DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.
L:\COUNCIL\ACTS\4012AHB19.DOCX

(R95, H. 4013) -- Reps. Hixon, Tallon, Johnson and R. Williams: AN ACT TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.
L:\COUNCIL\ACTS\4013CZ19.DOCX

(R96, H. 4020) -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: AN ACT TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51 RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.
L:\COUNCIL\ACTS\4020AHB19.DOCX

(R97, H. 4133) -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: AN ACT TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO INCREASE AN AGGREGATE CREDIT PROVISION, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023; AND BY ADDING SECTION 12-6-3775 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT

PLACES IT IN SERVICE IN CERTAIN PLACES IN THIS STATE, AND TO DEFINE NECESSARY TERMS.
L:\COUNCIL\ACTS\4133DG19.DOCX

(R98, H. 4239) -- Rep. Hewitt: AN ACT TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.
L:\COUNCIL\ACTS\4239CZ19.DOCX

(R99, H. 4245) -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS “MEAT” OR “CLEAN MEAT” ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK, POULTRY, FISH, OR CRUSTACEANS, TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO PLANT-BASED MEAT SUBSTITUTES, AND TO PROVIDE A PENALTY.
L:\COUNCIL\ACTS\4245CM19.DOCX

(R100, H. 4276) -- Rep. Hayes: AN ACT TO AMEND SECTION 7-7-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN DILLON COUNTY, SO AS TO ELIMINATE THE GADDY’S MILL PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\4276ZW19.DOCX

(R101, H. 4330) -- Rep. McCravy: AN ACT TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\4330ZW19.DOCX

(R102, H. 4380) -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: AN ACT TO AMEND SECTION 58-23-1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO DISPLAY LICENSE PLATE NUMBERS FROM THE FRONT, TO ESTABLISH ADDITIONAL REQUIREMENTS REGARDING THE FRONT-DISPLAYED LICENSE PLATE NUMBERS, AND TO ESTABLISH MISDEMEANOR OFFENSES FOR MISREPRESENTING ONESELF AS AN AUTHORIZED TNC DRIVER AND KNOWINGLY USING TNC TRADE DRESS OR TNC RIDESHARING APPLICATIONS IN THE FURTHERANCE OF CRIMINAL ACTIVITY.
L:\COUNCIL\ACTS\4380ZW19.DOCX

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow at 1:00 P.M.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Tracey Carroll, 1930 University Parkway, Suite 1500, Aiken, SC 29801-0009

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Sheridan L. Lynn, Jr., 537 Edgefield Road, North Augusta, SC 29841-2474

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Yvonne A. Rushton, 129 Langely Dam Road, Langley, SC 29834

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Patrick D. Sullivan, 227 Gateway Drive, Suite 133, Aiken, SC 29803-9193

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Donna H. Williamson, P. O. Box 99, Wagener, SC 29164-0099

Initial Appointment, Cherokee County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
William Dean Cobb, P. O. Box 204, Blacksburg, SC 29702-0204 *VICE* Bruce Wayne Byars

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Angela Boyd, 1229 Old Richburg Rd., Chester, SC 29706-5775 *VICE* Lenard Price

Reappointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Angel C. Underwood, 2240 Colvin Road, Chester, SC 29706

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Theodore Wilder, Jr., 111 Graham Street, Chester, SC 29706-2603 *VICE* Yale Zamore

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Olivia Williford, 1024 Center Road, Chester, SC 29706-7141 *VICE* Barbara Hinnant Cameron

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Katina Capers-Washington, 307 Robinson Avenue, Winnsboro, SC 29180-6153 *VICE* William D. Robinson

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Vannessa Hollins, 445 Maple Street, Winnsboro, SC 29180-1821 *VICE* Carol A. Tolen

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Danielle Miller, 628 Old Chester Road, Winnsboro, SC 29180-7153 *VICE* Johnny Dewese

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Jonathan A. Horne, 50 Tindal Road, Greenville, SC 29617-7631

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Matthew Bruce Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
James Davis, P.O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Kershaw County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Carrie Tanner, 944 Sessions Road, Elgin, SC 29045-9098 *VICE* Scott Rankin

Reappointment, Kershaw County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Roderick Todd, P. O. Box 1528, Camden, SC 29021-8528

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
D. Allen Trapp, P. O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Tracy E. Richards, 107 Lewis Lane, Laurens, SC 29360 *VICE* Mareno C. Foggie

Reappointment, Marlboro County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mia Weaver, 128 Springdale Drive, Bennettsville, SC 29512-2106

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Diedra Hightower, 613 Dulaney Bvd., Columbia, SC 29229-7416 *VICE* Josef Robinson

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Clayburn S. Barnette, 3131 Oak Park Road, Rock Hill, SC 29730-7746

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lynne H. Benfield, 247 Lauren Pines Drive, York, SC 29745-7771

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Clifford E. Berinsky, 4319 Inwood Drive, Rock Hill, SC 29732-9267

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
John C. Dover, 1517 Ole Cambridge Circle, Clover, SC 29710-8214 *VICE* Douglas W. Sexton

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Johnny H. Grayson, 387 Boyd Road, Clover, SC 29710-7750

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Lewis D. Malphrus, 608 Pine Street, Fort Mill, SC 29715-1749

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ashley B. Rhodes, 12088 Smith Ford Road, Hickory Grove, SC 29717-7765

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Michael L. Scurlock, 2773 Bonnybrook Circle, Rock Hill, SC 29732-9415

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Douglas W. Sexton, 3035 Riker Street, Clover, SC 29710-6723 *VICE* Johnny Grayson

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Stephanie A. Wood, 4609 Emily Place, Rock Hill, SC 29732-8992

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Leon E. Yard, 2072 Dunlap Roddey Road, Rock Hill, SC 29730-8642

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators McELVEEN and JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Valeria H. Ford of Sumter, S.C. Vickie was a member of Sumter First Church of God. She was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators McELVEEN and JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. William "Bill" Thomas Painter of Sumter, S.C. Bill earned his Doctorate in Education from the University of South Carolina. He was a U.S. Marine Corps veteran and a member of First Presbyterian Church. Bill was a public school administrator and educator for more than 38 years and was selected to Governor Edwards' Task Force for Early Childhood Education and Governor Riley's Education Reform Act Task Force. He served on the board of United Way and was serving as Chairman of the Board of Directors for the Sumter Education Foundation to mention a few. Bill was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:23 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M., under the provisions of S. 785, the *Sine Die* Resolution.

* * *

Tuesday, May 21, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 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 acting Chaplain, Senator ALEXANDER, as follows:

Numbers 15: 22,23

"But suppose you unintentionally fail to carry out all these commands that the Lord has given you through Moses. And suppose your descendants in the future fail to do everything the Lord has commanded through Moses."

Let us pray. Thank you gracious God for the day You have created for us. We rejoice in the opportunity to serve You and the people of South Carolina. We are grateful for the staff You provide us daily. Please continue to work through us all in all we do for Your glory.

As we near the Memorial Day weekend, we remember all those who gave the ultimate sacrifice for our freedom. In Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Lauren Maurice, 290 Springhouse Dr., Aiken, SC 29803-8748 *VICE* Melanie Dubose

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Alvin E. Bligen, 1305 Joshua Dr., Charleston, SC 29407-5112

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Frances L. Cain-Lofton, P. O. Box 459, McClellanville, SC 29458-0459

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James B. Gosnell, Jr., 1233 Bamboo Drive, Charleston, SC 29407-5325

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Henry W. Guerard, P. O. Box 941, Charleston, SC 29402-0941

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Stephen Harris, Jr., 3224 Hydrangea Trail, Johns Island, SC 29455

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Amanda Stilley Haselden, 7 Glenwood Ave., Charleston, SC 29403-4325

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Thomas E. Lynn, 1432 Pine Island View, Mt. Pleasant, SC 29464-3838

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Richardine Singleton-Brown, 2172 Edward D. Singleton Drive, Charleston, SC 29412-8557

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

New Seat:

Tiffany R. Spann-Wilder, 16977 Dorchester Rd., North Charleston, SC 29418

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ellen Soffar Steinberg, 34 Smith Street, Charleston, SC 29401-1748

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Laura Campbell Waring, 15 Moore Drive, Charleston, SC 29407-7229 *VICE* Leroy Linen

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Dana Greenleaf, 102 Magnolia Ave., Great Falls, SC 29055-1118 *VICE* Wylie G. Frederick

Initial Appointment, Dorchester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ryan Templeton, 5208 Fernland Way, North Charleston, SC 29420-7569

Initial Appointment, Fairfield County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Russell Feaster, 396 Dawkins Road, Blair, SC 29015-8925 *VICE* William Frederic Pope

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jannita Gaston, 66 Buckberry Lane, Winnsboro, SC 29180-7042

Reappointment, Hampton County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Algernon Gibson Solomons, 259 Martin Luther Boulevard, Estill, SC 29918-9370

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Rebecca Loadholt Adams, 56 Palmetto Wood Parkway , Irmo, SC 29063-2881

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Brian N. Buck, 104 Oaks Court, Lexington, SC 29072-7496

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Matthew A. Johnson, 3144 Sierra Drive, West Columbia, SC 29170-2713

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Bradley S. Melton, 332 Annapolis Road, Lexington, SC 29072-2283

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gary S. Morgan, 217 Peach Place Court, Gilbert, SC 29054-8594

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gary W. Reinhart, 126D Breezes Drive, Lexington, SC 29072-6978

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Scott D. Whittle, 4601 Fish Hatchery Road, Gaston, SC 29053-9045

Reappointment, Orangeburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Stephanie McKune-Grant, 410 Tecza Drive, Orangeburg, SC 29115-9192

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Paul D. Abbott, Jr., 111 North Bennington Drive, Spartanburg, SC 29307-2632 *VICE* John Moore

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Samuel Adams, 111 Builders Court, Suite A, Spartanburg, SC 29316-6001

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Edward Addington, Post Office Box 1301, Cowpens, SC 29330-1301

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Whitner Bishop, 504 Audubon Dr., Spartanburg, SC 29302-2857 *VICE* Nancy Atkins

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Daniel Ray Burns, 1645 Caldwell Road, Campbello, SC 29322

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Karry Guillory, 905 Fenway Court, Spartanburg, SC 29316-6154

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Charles Jones, 1502 Shadicrest Terrace, Spartanburg, SC 29301-5647

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
John J. Kesler, 454 Moores Crossing, Roebuck, SC 29376-3528

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Teresa Ledbetter, 1445 Edwards Road, Inman, SC 29349-9607

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Vicki Rae Morgan-Smith, 110 North Main Street, Woodruff, SC 29388-1846

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jacqueline A. Moss, 1450 Dover Rd., Apartment F, Spartanburg, SC 29301-1346 *VICE* Freddie Brown

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Keith Sherlin, 180 Magnolia Street, Room 105, Spartanburg, SC 29306-2359

TUESDAY, MAY 21, 2019

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

W. Mattison Gamble, 6 Clematis Court, Sumter, SC 29150-2336 *VICE* Kristi Curtis

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

David S. Wood, 209 Country Club Drive, Fort Mill, SC 29715-2348

Presentation of Service Pins

In commemoration of continuous service with the State of South Carolina, Senator PEELER, PRESIDENT of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pin
Lisa B. Dial

20 Year Pin
Barbara A. Morris

30 Year Pins
Kathleen M. Burns
Claude R. McMillan III

All were highly commended for their years of devoted and loyal service.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 21, 2019, at 1:05 P.M. and the following Act was ratified:

(R103, H. 4243) -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: AN ACT TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM AND TO PROVIDE

REQUIREMENTS THAT SPECIFICALLY APPLY TO A PROFESSIONAL SPORTS TEAM, AND TO INCREASE JOBS TAX CREDIT AMOUNTS IN TIER IV AND TIER III COUNTIES; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM; TO AMEND SECTIONS 11-9-805 AND 11-9-830, AS AMENDED, BOTH RELATING TO THE REVENUE AND FISCAL AFFAIRS OFFICE, SO AS TO REQUIRE THE OFFICE ANNUALLY TO SUBMIT TAX EXPENDITURE REPORTS TO THE GENERAL ASSEMBLY AND TO DEFINE "TAX EXPENDITURE"; AND BY ADDING SECTION 12-10-120 SO AS TO SPECIFY CERTAIN JOB DEVELOPMENT CREDIT REQUIREMENTS THAT APPLY TO A PROFESSIONAL SPORTS TEAM.
L:\COUNCIL\ACTS\4243DG19.DOCX

Leave of Absence

On motion of Senator MARTIN, at 1:06 P.M., Senator MALLOY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HUTTO, at 1:06 P.M., Senator M.B. MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

At 1:06 P.M., Senator TALLEY requested a leave of absence for Senator GAMBRELL until 3:00 P.M.

Leave of Absence

On motion of Senator SABB, at 1:21 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

TUESDAY, MAY 21, 2019

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks by Senator ALEXANDER

It is the Veteran

It is the Veteran, not the preacher, who has given us freedom of religion.
It is the Veteran, not the reporter, who has given us freedom of the press.
It is the Veteran, not the poet, who has given us freedom of speech.
It is the Veteran, not the campus organizer, who has given us freedom to assemble.
It is the Veteran, not the lawyer, who has given us the right to a fair trial.
It is the Veteran, not the politician, who has given us the right to vote.
It is the Veteran, who salutes the Flag.
It is the Veteran, who serves under the Flag,
To be buried by the Flag,
So the protester can burn the Flag.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 847 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DUKE ENERGY'S WORLD OF ENERGY AT OCONEE NUCLEAR STATION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND IT FOR ITS MANY YEARS OF SERVICE TO ITS COMMUNITY.
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The Senate Resolution was adopted.

S. 848 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE BOUNTYLAND QUICK STOP UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE BUSINESS FOR ITS MANY YEARS OF SERVICE TO ITS COMMUNITY.
l:\s-res\tca\039boun.kmm.tca.docx

The Senate Resolution was adopted.

S. 849 -- Senator Sabb: A SENATE RESOLUTION TO HONOR AND RECOGNIZE KINGSTREE COMMUNICATIONS, INC. FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE KINGSTREE COMMUNITY.
l:\s-res\ras\009king.kmm.ras.docx
The Senate Resolution was adopted.

S. 850 -- Senator Kimpson: A SENATE RESOLUTION TO CONGRATULATE THE BURKE HIGH SCHOOL CLASS OF 1959 UPON THE OCCASION OF ITS SIXTIETH ANNIVERSARY.
l:\s-res\mek\012burk.kmm.mek.docx
The Senate Resolution was adopted.

S. 851 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE OCONEE COUNTY CHAPLAINS ASSOCIATION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE OCONEE COMMUNITY.
l:\s-res\tca\042ocon.kmm.tca.docx
The Senate Resolution was adopted.

S. 852 -- Senator Hembree: A SENATE RESOLUTION TO CONGRATULATE THE GRAND STRAND AMATEUR RADIO CLUB AND OTHER AMATEUR RADIO CLUBS AND USERS IN SOUTH CAROLINA AS THE MEMBERS CELEBRATE AMATEUR RADIO WEEK DURING JUNE 16 TO 23, 2019.
l:\council\bills\gm\24244sd19.docx
The Senate Resolution was adopted.

S. 853 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE AND CELEBRATE WITH JIM GANDY ON THE OCCASION OF HIS RETIREMENT AFTER TWENTY YEARS AS "SOUTH CAROLINA'S WEATHERMAN" WITH WLTX AND TO WISH HIM MANY HOURS OF HAPPINESS IN HIS HARD-EARNED RETIREMENT.
l:\council\bills\rt\17650dg19.docx
The Senate Resolution was adopted.

S. 854 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE THE CARDINAL NEWMAN BOYS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR CAPTURING THEIR SECOND SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 3A CHAMPIONSHIP TITLE IN THREE YEARS AND TO WISH THEM MUCH CONTINUED SUCCESS.
l:\council\bills\rt\17646sa19.docx
The Senate Resolution was adopted.

S. 855 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE AND HONOR LEE MARIE SERRALTA MCELVEEN, HISPANIC/LATINO PROGRAM COORDINATOR FOR THE SOUTH CAROLINA COMMISSION FOR MINORITY AFFAIRS, UPON THE OCCASION OF HER RETIREMENT AFTER YEARS OF OUTSTANDING SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
l:\council\bills\gm\24237dg19.docx
The Senate Resolution was adopted.

S. 856 -- Senators McElveen, Jackson, Scott, McLeod and Harpootlian: A SENATE RESOLUTION TO CONGRATULATE COLUMBIA MAYOR STEVE BENJAMIN ON EARNING THE POSITION OF PRESIDENT OF THE UNITED STATES CONFERENCE OF MAYORS ON MAY 7, 2018, AND TO WISH HIM MUCH CONTINUED SUCCESS IN HIS ENDEAVORS TO BETTER THE CAPITAL OF OUR GREAT STATE.
l:\council\bills\jn\3114cz19.docx
The Senate Resolution was adopted.

Message from the House

Columbia, S.C., May 20, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R.60, H. 3700 by a vote of 60 to 43:

(R60, H3700) -- Reps. Bailey, Hewitt, Hardee and Clemmons: AN ACT TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF

THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES; AND TO AMEND SECTION 48-39-130, AS AMENDED, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO UNDERTAKE ACTIONS PROTECTING CERTAIN EXISTING EROSION CONTROL DEVICES.

Very respectfully,
Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE ADJUSTED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE OR DECREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE ADJUSTMENT, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET

PROCESS, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Very respectfully,

Speaker of the House

Received as information.

H. 3137--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3137 -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

TUESDAY, MAY 21, 2019

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Very respectfully,
Speaker of the House

Received as information.

H. 3601--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Rose, M. Smith and Johnson to the Committee of Free Conference on the part of the House on:

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Very respectfully,
Speaker of the House
Received as information.

H. 3602--FREE CONFERENCE POWERS GRANTED FREE CONFERENCE COMMITTEE APPOINTED REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

H. 3602--Free Conference Powers Granted Free Conference Committee Appointed

Senator DAVIS asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice

Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators DAVIS, GAMBRELL and JOHNSON were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

H. 3602--Free Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/09/19.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-66-30(A) of the 1976 Code is amended to read:

"(A) Where a patient is unable to consent, decisions concerning his health care may be made by the following persons in the following order of priority:

(1) a guardian appointed by the court pursuant to Article 5, Part 3 of the South Carolina Probate Code, if the decision is within the scope of the guardianship;

(2) an attorney-in-fact appointed by the patient in a durable power of attorney executed pursuant to Section 62-5-501, if the decision is within the scope of his authority;

~~(3) a person given priority to make health care decisions for the patient by another statutory provision;~~

~~(4)~~(3) a spouse of the patient unless the spouse and the patient are separated pursuant to one of the following:

(a) entry of a pendente lite order in a divorce or separate maintenance action;

(b) formal signing of a written property or marital settlement agreement; or

(c) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties;

~~(5)~~(4) an adult child of the patient, or if the patient has more than one adult child, a majority of the adult children who are reasonably available for consultation;

~~(6)~~(5) a parent of the patient;

~~(7)~~(6) an adult sibling of the patient, or if the patient has more than one adult sibling, a majority of the adult siblings who are reasonably available for consultation;

~~(8)~~(7) a grandparent of the patient, or if the patient has more than one grandparent, a majority of the grandparents who are reasonably available for consultation;

~~(9)~~(8) any other adult relative by blood or marriage who reasonably is believed by the health care professional to have a close personal relationship with the patient, or if the patient has more than one other adult relative, a majority of those other adult relatives who are reasonably available for consultation;

(9) a person given authority to make health care decisions for the patient by another statutory provision;

(10) if, after good faith efforts, the hospital or other health care facility determines that the persons listed in items (1) through (9) are unavailable to consent on behalf of the patient, a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient's wishes but who is not a paid caregiver or a provider of health care services to the patient. For the purposes of this item, a person with an established relationship is an adult who has exhibited special care and concern for the patient, who is generally familiar with the patient's health care views and desires, and who is willing and able to become involved in the patient's health care decisions and to act in the patient's best interest. The person with an established relationship shall sign and date a notarized acknowledgement form, provided by the hospital or other health care facility in which the patient is located, for placement in the patient's records, setting forth the nature and length of the relationship and certifying that he meets such criteria. Along with the notarized acknowledgment form, the hospital or other health care facility shall include in the patient's medical record documentation of its effort to locate persons with higher priority under this statute as required by subsection (B)."

SECTION 2. Section 44-26-40 of the 1976 Code is amended to read:

"Section 44-26-40. If a client resides in a facility operated by or contracted to by the department, the determination of that client's competency to consent to or refuse major medical treatment must be

made pursuant to Section 44-66-20~~(6)~~ of the Adult Health Care Consent Act. The department shall abide by the decision of a client found competent to consent."

SECTION 3. Section 44-26-50 of the 1976 Code is amended to read:

"Section 44-26-50. If the client is found incompetent to consent to or refuse major medical treatment, the decisions concerning his health care must be made pursuant to Section 44-66-30 of the Adult Health Care Consent Act. An authorized designee of the department may make a health care decision pursuant to Section 44-66-30~~(8)~~(A)(9) of the Adult Health Care Consent Act. The person making the decision must be informed of the need for major medical treatment, alternative treatments, and the nature and implications of the proposed health care and shall consult the attending physician before making decisions. When feasible, the person making the decision shall observe or consult with the client found to be incompetent."

SECTION 4. Section 44-26-60(C) of the 1976 Code is amended to read:

"(C) Priority under this section must not be given to a person if a health care provider, responsible for the care of a client who is unable to consent, determines that the person is not reasonably available, is not willing to make health care decisions for the client, or is unable to consent as defined in Section 44-66-20~~(6)~~ of the Adult Health Care Consent Act."

SECTION 5. This act takes effect upon approval by the Governor./

Amend title to conform.

/s/Sen. Tom Davis	/s/Rep. Seth Cole Rose
/s/Sen. Michael W. "Mike" Gambrell	/s/Rep. George Murrell Smith, Jr.
Sen. Kevin L. Johnson	/s/Rep. Jeffery Edwin "Jeff" Johnson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

H. 3602--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Very respectfully,
Speaker of the House

Received as information.

H. 3789--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND

EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

On motion of Senator GROOMS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator GROOMS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	McElveen
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3789--Conference Report
The General Assembly, Columbia, S.C., May 17, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/07/19.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56-1-35 of the 1976 Code is amended to read:

"Section 56-1-35. A member of the armed services of the United States ~~and his dependents, who become~~ or his dependent who becomes a permanent ~~residents~~ resident of this State, ~~have~~ has ninety days to apply for a South Carolina driver's license, and ~~they~~ he must be issued a license without examination except for the visual test required by Section 56-1-210 if ~~they have~~ he has a valid driver's license from another state or territory of the United States~~, or the District of Columbia~~. The license expires ~~on the licensee's birth date which occurs within the fourth calendar year in which the license is issued~~ eight years from the date of issue."

SECTION 2. Section 56-1-40(7) of the 1976 Code is amended to read:

"(7) who is not a resident of South Carolina. For purposes of determining eligibility to obtain or renew a South Carolina driver's license, the term 'resident of South Carolina' shall expressly include all persons authorized by the United States Department of Justice, the United States Immigration and Naturalization Service, or the United States Department of State to live, work, or study in the United States on a temporary or permanent basis who present documents indicating their intent to live, work, or study in South Carolina. These persons and their dependents are eligible to obtain a motor vehicle driver's license or have one renewed pursuant to this provision. A driver's license issued pursuant to this item to a person who is not a lawful permanent resident of the United States shall expire on the later of: (1) the expiration date of the driver's license applicant's authorized period of stay in the United States; or (2) the expiration date of the driver's license applicant's employment authorization document. However, ~~in no event shall~~ a driver's license issued pursuant to this item ~~expire less than~~ is valid for at least one year ~~or~~ but not more than ~~five~~ eight years from the date of its issue. Under this provision, a driver's license valid for not more than four years must be issued upon payment of a fee of twelve dollars and fifty cents. A driver's license that is valid for more than four years must be issued upon payment of a fee of twenty-five dollars. In addition, a person pending adjustment of status who presents appropriate documentation to the Department of Motor Vehicles shall be granted a one-year extension of his driver's license which is renewable annually;"

SECTION 3. Section 56-1-140 of the 1976 Code is amended to read:

"Section 56-1-140. (A) Upon payment of a fee of twenty-five dollars for a license that is valid for eight years, the department shall issue to

every qualified applicant a driver's license as applied for by law. The license must bear on it a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a brief description and laminated colored photograph of the licensee, any marking otherwise required or in compliance with law, and a facsimile of the signature of the licensee. No license is valid until it has been so signed by the licensee. The license authorizes the licensee to operate only those classifications of vehicles as indicated on the license.

(B) An applicant for a new, renewed, or replacement driver's license may apply to the department to obtain a veteran designation on the front of his driver's license by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, ~~Form 4,~~ that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States armed forces;

(2) National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person's eligibility for retirement pay at age sixty (twenty-year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C) The department may determine the appropriate form of the veteran designation on the driver's license authorized pursuant to this section.

~~(C)~~(D) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund."

SECTION 4. Section 56-1-210(A) of the 1976 Code is amended to read:

"(A) A license ~~issued or renewed on or after October 1, 2017,~~ expires eight years from the date of issue ~~on the licensee's birth date on the eighth calendar year in which it is issued~~."

SECTION 5. Section 56-1-2100(E) of the 1976 Code is amended to read:

"(E) Upon payment of a fee of twenty-five dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is no associated HAZMAT endorsement issued by the

department expires eight years from the date of issue ~~on the licensee's birth date on the fifth calendar year after the calendar year in which it is issued~~. Upon payment of a fee of fifteen dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is an associated HAZMAT endorsement issued by the department expires five years from the date the applicant passed the Transportation Security Administration threat assessment."

SECTION 6. Section 56-1-3350(B), (C) and (D) of the 1976 Code is amended to read:

"(B) An applicant for a new, renewed, or replacement South Carolina ~~driver's license~~ identification card may apply to the Department of Motor Vehicles to obtain a veteran designation on the front of his ~~driver's license~~ identification card by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States armed forces; ~~and~~

(2) ~~payment of a one dollar fee that must be collected by the department and placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167~~ National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person's eligibility for retirement pay at age sixty (twenty-year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C)(1) The fee for the issuance of the special identification card is ~~five~~ fifteen dollars for a person between the ages of five and sixteen years.

(2) ~~An~~ One identification card must be issued free to a person aged seventeen years or older per issuance cycle. A ten-dollar fee must be charged to replace a special identification card before its expiration date.

(D) The identification card expires ~~five~~ eight years from the date of issuance. A person is not permitted to have more than one valid motor vehicle driver's license or identification card at any time."

SECTION 7. Section 56-1-2080(3) of the 1976 Code is amended to read:

"(3) The commercial driver instruction permit may not be issued for longer than ~~six months~~ one year. ~~Only one renewal or reissuance may be granted within a two-year period.~~"

SECTION 8. This act takes effect six months after approval by the Governor. /

Amend title to conform.

/s/Sen. Lawrence Kelly "Larry" Grooms
/s/Sen. Kevin L. Johnson
/s/Sen. David Wesley "Wes" Climer
On Part of the Senate.

/s/Rep. Ivory Torrey Thigpen
/s/Rep.Richard Lloyd Yow
/s/Rep. Linda C. Bennett
On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A

PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED

PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

H. 3821--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL

CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Martin
Massey	*Matthews, John*	McElveen
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3821--Conference Report
The General Assembly, Columbia, S.C., May 15, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO

REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/07/19-S.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act must be known and may be cited as the "Advanced Practice Registered Nurse Act".

SECTION 2. Section 40-33-34(D)(2) and (F)(1)(e) and (f) of the 1976 Code, as last amended by Act 234 of 2018, is further amended to read:

"(2) Notwithstanding any provisions of state law other than this chapter and Chapter 47, and to the extent permitted by federal law, an APRN may perform the following medical acts unless otherwise provided in the practice agreement:

(a) provide noncontrolled prescription drugs at an entity that provides free medical care for indigent patients;

(b) certify that a student is unable to attend school but may benefit from receiving instruction given in his home or hospital;

(c) refer a patient to physical therapy for treatment;

(d) pronounce death, certify the manner and cause of death, and sign death certificates pursuant to the provisions of Chapter 63, Title 44 and Chapter 8, Title 32;

(e) issue an order for a patient to receive appropriate services from a licensed hospice as defined in Chapter 71, Title 44; ~~and~~

(f) certify that an individual is handicapped and declare that the handicap is temporary or permanent for purposes of the individual's application for a placard; and

(g) execute a do not resuscitate order pursuant to the provisions of Chapter 78, Title 44.

(e) may include Schedule II narcotic substances if listed in the practice agreement and as authorized by Section 44-53-300, provided, however, that the prescription must not exceed a five-day supply and another prescription must not be written without the written agreement of the physician with whom the nurse practitioner, certified nurse-midwife, or clinical nurse specialist has entered into a practice agreement, unless the prescription is written for patients in hospice or palliative care or for patients residing in long-term care facilities;

(f) may include Schedule II narcotic substances for patients in hospice or palliative care, or for patients in long-term care facilities, if listed in the practice agreement as authorized by Section 44-53-300, provided, however, that each such prescription must not exceed a thirty-day supply;"

SECTION 3. This act takes effect sixty days after approval by the Governor. /

Amend title to conform.

/s/Sen. Tom Davis	/s/Rep. William G. Herbkersman
/s/Sen. Margie Bright Matthews	/s/Rep. Gary E. Clary
/s/Sen. Michael W. "Mike" Gambrell	/s/Rep. Robert Lee Ridgeway III
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE

REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

TUESDAY, MAY 21, 2019

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Very respectfully,
Speaker of the House

Received as information.

H. 3986--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

On motion of Senator CROMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CROMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3986--Conference Report

The General Assembly, Columbia, S.C., May 21, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/07/19-S.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 3, Chapter 5, Title 11 of the 1976 Code is amended to read:

"Article 3

Palmetto ABLE Savings Program

Section 11-5-400. There is established the '~~South Carolina~~ Palmetto ABLE Savings Program'. The purpose of the ~~South Carolina~~ Palmetto ABLE Savings Program is to authorize the establishment of savings accounts empowering individuals with a disability and their families to save private funds which can be used to provide for disability related expenses in a way that supplements, but does not supplant, benefits provided through private insurance, the Medicaid program under Title XIX of the Social Security Act, the supplemental security income program under Title XVI of the Social Security Act, the beneficiary's employment, and other sources; and to provide guidelines for the maintenance of these accounts.

Section 11-5-410. As used in this article:

(1) 'Palmetto ABLE ~~savings~~ account' or 'account' means an individual savings account established in accordance with the provisions of this article and pursuant to Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) 'Account owner' means the person who enters into ~~an~~ a Palmetto ABLE ~~savings~~ account agreement pursuant to the provisions of this article. The account owner also must be the designated beneficiary; however, a trustee, guardian, or conservator may be appointed as an account owner for a designated beneficiary who is a minor or lacks capacity to enter into an agreement. Also, the agent of the designated beneficiary acting under durable power of attorney may open and manage an account on behalf of and in the name of a designated beneficiary who lacks capacity.

(3) 'Designated beneficiary' means an eligible individual whose qualified disability expenses may be paid from the account. The designated beneficiary must be an eligible individual at the time the account is established. The account owner may change the designated beneficiary so long as the new beneficiary is an eligible individual who

is a qualified member of the family of the designated beneficiary at the time of the change.

(4) 'Eligible individual', as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended, means:

(a) an individual who is entitled to benefits based on blindness or disability pursuant to 42 U.S.C. Section 401, et seq. or 42 U.S.C. Section 1381, as amended, and the blindness or disability occurred before the date on which the individual attained age twenty-six; or

(b) an individual with respect to which a disability certification, as defined in Section 529A(e)(2) of the federal Internal Revenue Code of 1986, as amended, to the satisfaction of the Secretary of the United States Treasury is filed with the Secretary for a taxable year and the blindness or disability occurred before the date on which the individual attained age twenty-six.

(5) 'Financial organization' means an organization authorized to do business in this State and is:

(a) licensed or chartered by the Director of Insurance;

(b) licensed or chartered by the State Commissioner of Banking;

(c) chartered by an agency of the federal government; or

(d) subject to the jurisdiction and regulation of the federal Securities and Exchange Commission.

(6) 'Management contract' means a contract executed by the State Treasurer and a program manager selected to act as a depository or manager of the program, or both.

(7) 'Member of the family' has the meaning defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(8) 'Nonqualified withdrawal' means a withdrawal from an account which is not:

(a) a qualified withdrawal; or

(b) a rollover distribution.

(9) 'Program' means the ~~South Carolina~~ Palmetto ABLE Savings Program established pursuant to this article.

(10) 'Program manager' means a financial organization or an agency or department of another state that has been designated to administer a qualified ABLE ~~Savings~~ Program selected by the State Treasurer to act as a depository or manager of the program, or both.

(11) 'Qualified disability expense' means any qualified disability expense included in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(12) 'Qualified withdrawal' means a withdrawal from an account to pay the qualified disability expenses of the designated beneficiary of the account.

(13) 'Rollover distribution' means a rollover distribution as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(14) 'Savings agreement' means an agreement between the program manager or the State Treasurer and the account owner.

(15) 'Secretary' means the Secretary of the United States Treasury.

Section 11-5-420. (A) The State Treasurer shall implement and administer the program under the terms and conditions established by this article. The State Treasurer has the authority and responsibility to:

(1) develop and implement the program in a manner consistent with the provisions of this article;

(2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;

(3) seek rulings and other guidance from the Secretary and the federal Internal Revenue Service relating to the program;

(4) make changes to the program required for the participants in the program to obtain the federal income tax benefits or treatment provided by Section 529A of the federal Internal Revenue Code of 1986, as amended;

(5) charge, impose, and collect administrative fees and service charges in connection with any agreement, contract, or transaction relating to the program;

(6) develop marketing plans and promotional materials;

(7) establish the methods by which the funds held in accounts must be dispersed;

(8) establish the method by which funds must be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of this article;

(10) adopt rules and promulgate regulations necessary to effectuate the provisions of this article;

(11) prepare an annual report of the Palmetto ABLE Savings Program to the Governor, the Senate, and the House of Representatives; and

(12) notify the Secretary when an account has been opened for a designated beneficiary and submit other reports concerning the program required by the Secretary.

(B) The State Treasurer may contract with other states in developing the program.

Section 11-5-430. (A) The State Treasurer may implement the program through use of program managers as account depositories or managers, or both. The State Treasurer may solicit proposals from program managers to act as depositories or managers of the program, or both. Program managers submitting proposals shall describe the investment instruments to be held in accounts. The State Treasurer may select more than one program manager and investment instrument for the program. The State Treasurer may select as program depositories or managers the program managers, from among the bidding program managers, that demonstrate the most advantageous combination, both to potential program participants and this State, of the following factors:

(1) financial stability and integrity of the program manager;

(2) the safety of the investment instrument being offered;

(3) the ability of the program manager to satisfy recordkeeping and reporting requirements;

(4) the program manager's plan for promoting the program and the investment the organization is willing to make to promote the program;

(5) the fees, if any, proposed to be charged to the account owners;

(6) the minimum initial deposit and minimum contributions that the financial organization requires;

(7) the ability of the program manager to accept electronic withdrawals, including payroll deduction plans; and

(8) other benefits to the State or its residents included in the proposal, including fees payable to the State to cover expenses of the operation of the program.

(B) The State Treasurer may enter into contracts with program managers necessary to effectuate the provisions of this article. A management contract must include, at a minimum, terms requiring the program managers to:

(1) take action required to keep the program in compliance with requirements of this article and take actions not contrary to its contract to manage the program to qualify as a 'qualified ABLE ~~Savings~~ Program' as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended;

(2) keep adequate records of each account, keep each account segregated, and provide the State Treasurer with the information necessary to prepare the statements required by Section 11-5-440;

(3) compile and total information contained in statements required to be prepared under Section 11-5-440 and provide compilations to the State Treasurer;

(4) if there is more than one program manager, provide the State Treasurer with information as is necessary to determine compliance with Section 11-5-440;

(5) provide the State Treasurer with access to the books and records of the program manager to the extent needed to determine compliance with the contract, this article, and Section 529A of the federal Internal Revenue Code of 1986, as amended;

(6) hold all accounts for the benefit of the account owner, owners, or the designated beneficiary;

(7) be audited at least annually by a firm of certified public accountants selected by the program manager, with the approval of the State Treasurer, and provide the results of the audit to the State Treasurer;

(8) provide the State Treasurer with copies of all regulatory filings and reports made by the program manager during the term of the management contract or while the program manager is holding any accounts, other than confidential filings or reports that are not part of the program. The program manager shall make available for review by the State Treasurer the results of the periodic examination of the manager by any state or federal banking, insurance, or securities commission, except to the extent that a report or reports may not be disclosed under law; and

(9) ensure that any description of the program, whether in writing or through the use of any media, is consistent with the marketing plan developed pursuant to the provisions of this article.

(C) The State Treasurer may:

(1) enter into contracts as he considers necessary and proper for the implementation of the program;

(2) require that an audit be conducted of the operations and financial position of the program depository and manager at any time if the State Treasurer has any reason to be concerned about the financial position, the recordkeeping practices, or the status of accounts of the program depository and manager; and

(3) terminate or not renew a management agreement. If the State Treasurer terminates or does not renew a management agreement, the State Treasurer shall take custody of accounts held by the program manager and shall seek to promptly transfer the accounts to another financial organization that is selected as a program manager or

depository and into investment instruments as similar to the original instruments as possible.

(D) The State Treasurer, the Department of Social Services, the Department of Health and Human Services, and the Department of Disability and Special Needs are authorized to exchange data regarding eligible individuals to carry out the purposes of this article.

Section 11-5-440. (A) ~~An~~ A Palmetto ABLE ~~savings~~ account established pursuant to the provisions of this article must be opened by a designated beneficiary, a designated beneficiary's agent under a durable power of attorney, a trustee holding funds for the benefit of a designated beneficiary, or a court appointed guardian or conservator of a designated beneficiary. Each designated beneficiary may have only one account. The State Treasurer may establish a nonrefundable application fee. An application for an account must be in the form prescribed by the State Treasurer and contain the following:

(1) name, address, and social security number of the account owner;

(2) name, address, and social security number of the designated beneficiary, if the account owner is the beneficiary's trustee or guardian;

(3) certification relating to no excess contributions; and

(4) additional information as the State Treasurer may require.

(B) A person may make contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account after the account is opened, subject to the limitations imposed by Section 529A of the federal Internal Revenue Code of 1986, as amended, or any adopted rules and regulations promulgated by the State Treasurer pursuant to this article.

(C) Contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account may be made only in cash. The State Treasurer or program manager shall reject or withdraw contributions promptly:

(1) in excess of the limits established pursuant to subsection (B); or

(2) the total contributions if the:

(a) value of the account is equal to or greater than the account maximum established by the State Treasurer. The account maximum must be equal to the account maximum for post secondary education savings accounts; or

(b) designated beneficiary is not an eligible individual in the current calendar year.

(D)(1) An account owner may:

(a) change the designated beneficiary of an account to an individual who is a qualified member of the family of the prior

designated beneficiary in accordance with procedures established by the State Treasurer; and

(b) transfer all or a portion of an account to another ABLE ~~savings~~ account, the designated beneficiary of which is a member of the family as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) An account owner may not use an interest in an account as security for a loan. A pledge of an interest in an account is of no effect.

(E)(1) If there is any distribution from an account to an individual or for the benefit of an individual during a calendar year, the distribution must be reported to the federal Internal Revenue Service and each account owner, the designated beneficiary, or the distributee to the extent required by state or federal law.

(2) A statement must be provided to each account owner annually and at other increments established by the State Treasurer in the program guidelines. The statement must contain the information the State Treasurer requires to be reported to the account owner.

(3) A statement and information relating to an account must be prepared and filed to the extent required by this article and other state or federal law.

(F)(1) The program shall provide separate accounting for each designated beneficiary. An annual fee may be imposed upon the account owner for the maintenance of an account.

(2) Funds held in ~~an~~ a Palmetto ABLE ~~savings~~ account:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary;

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid; and

(c) following the death of a designated beneficiary, may be subject to recovery by the South Carolina Department of Health and Human Services up to an amount equal to the total of Medicaid benefits, if any, paid on behalf of the designated beneficiary by the state Medicaid program, but only to the extent recovery is required by state or federal law. Recovery by the State is subject to regulations imposed by the Secretary.

(3) The amount distributed from ~~an~~ a Palmetto ABLE ~~savings~~ account for the purposes of paying qualified disability expenses:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary; and

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid.

(G) To the extent earnings in an ABLE ~~savings~~ account and distributions from an ABLE ~~savings~~ account, or a qualified account under Section 529A located in another state, are not subject to federal income tax, they will not be subject to state income tax.

Section 11-5-450. (A) Nothing in this article may create or be construed to create any obligation of the State Treasurer, the State, or any agency or instrumentality of the State to guarantee for the benefit of an account owner or designated beneficiary with respect to the:

(1) return of principal;

(2) rate of interest or other return on an account; or

(3) payment of interest or other return on an account.

(B) The State Treasurer may adopt rules and promulgate regulations to provide that each contract, application, or other similar document that may be used in connection with opening an account clearly indicates that the account is not insured by the State and that the principal deposited and the investment return are not guaranteed by the State.

Section 11-5-460. (A) The ~~South Carolina~~ Palmetto ABLE Savings Program Trust Fund is established in the Office of the State Treasurer. The trust fund must be utilized if the State Treasurer elects to accept deposits from contributors rather than have deposits sent directly to the program manager. The trust fund must consist of any monies deposited by account owners and other contributors pursuant to the provisions of this article which are not deposited directly with the program manager. All interest derived from the deposit and investment of monies in the trust fund must be credited to the fund. At the end of each fiscal year, all unexpended and unencumbered monies in the trust fund must remain in the fund and not be credited or transferred to the state general fund or to another fund.

(B)(1) The ~~South Carolina~~ Palmetto ABLE Savings Expense Fund is established in the Office of the State Treasurer. The expense fund must consist of monies received from the Palmetto ABLE Savings Program manager or managers, governmental or private grants, and state general fund appropriations, if any, for the program.

(2) All expenses incurred by the State Treasurer in developing and administering the Palmetto ABLE Savings Program must be payable from the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund."

SECTION 2. Section 12-6-1140(12)(b) of the 1976 Code is amended to read:

"(b) Any interest, dividends, gains, property, or income accruing on the payments made to an investment trust agreement pursuant to Article 3, Chapter 5, Title 11, or on any account in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or a qualified fund under Section 529A located in another state, must be excluded from the gross income of any such account owner, contributor, or beneficiary for purposes of South Carolina income taxes, to the extent the amounts remain on deposit in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or are withdrawn pursuant to a qualified withdrawal."

SECTION 3. The Code Commissioner is directed to change or correct all references to the "ABLE Savings Program" to the "Palmetto ABLE Savings Program." References to the ABLE Savings Program in the 1976 Code or other provisions of law are considered to be and must be construed to mean the "Palmetto ABLE Savings Program."

SECTION 4. This act takes effect upon approval by the Governor. /

Amend title to read:

/ TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "PALMETTO ABLE SAVINGS PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES. /

/s/Sen. Cromer	/s/Rep. Willis
/s/Sen. McElveen	/s/Rep. Rose
/s/Sen. Corbin	/s/Rep. Caskey
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

H. 3986--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 4000--GENERAL APPROPRIATIONS BILL

Senator LEATHERMAN was recognized to give a status report on the Committee of Conference.

Senator LEATHERMAN moved under Rule 24B to allow inclusion of Part 1B, Proviso 109.13 in the Report of the Committee of Conference.

109.13. *(DOR: Food Manufacturing Equipment) Clothing required by Current Good Manufacturing Practices pursuant to 21 C.F.R. Section 111.10, as it may be amended, at perishable prepared food manufacturing facilities defined by the North American Industry Classification System 311991 to prevent health hazards, including outer garments, gloves of an impermeable material, hairnets, headbands, beard covers, caps, hair covers or other effective hair restraints, and other attire required pursuant to 21 C.F.R. Section 110.10 for persons working in direct contact with food, food contact services, and food packaging materials to protect against contamination of food in perishable prepared food manufacturing facilities shall be exempt from all sales and use taxes.*

Senator LEATHERMAN spoke on the proviso.

The question then was the adoption of proviso 109.13.

The proviso was adopted.

H. 4000--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.
Senator JACKSON spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cromer
Davis	Fanning	Goldfinch
Gregory	Harpootlian	Hutto
Jackson	Johnson	Leatherman
Loftis	Martin	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Cash	Climer	Corbin
Grooms	Hembree	Massey
Rice	Senn	

Total--8

Statement by Senator HUTTO

I was absent when the Senate voted on the annual Appropriations Act on Thursday, April 18, 2019. Therefore, I abstain, under the provisions of Section 8-13-745, S. C. Code of Laws, from consideration of and voting on matters pertaining to the Department of Health and Environmental Control; Department of Social Services; Administrative Law Court; Commission on Indigent Defense; Department of Probation, Parole and Pardon Services; Department of Juvenile Justice; Public Service Commission; Office of Regulatory Staff; Workers' Compensation Commission; State Accident Fund; Department of Insurance; Department of Labor, Licensing and Regulation; Department of Motor Vehicles; Department of Employment and Workforce; Department of Transportation; Election Commission and State Ethics Commission.

The Committee of Conference Committee was adopted as follows:

H. 4000--Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/7/19-H.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr.	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Darrell Jackson, Sr.	/s/Rep. J. Gary Simrill
/s/Sen. Sean M. Bennett	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

H. 4000--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 4001--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 4001--Conference Report
The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 4/18/19-S.)

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts for Higher Education Facilities Repairs and Renovations:

(1)	H150 - University of Charleston Stern Center Renovation	$ 7,000,000
(2)	H240 - South Carolina State University Student Center Renovation	$ 3,361,000
(3)	H290 - USC - Aiken Campus Business and Education Building Renovation	$ 3,500,000
(4)	H340 - USC - Upstate Smith Science Building Renovation	$ 3,000,000
(5)	H370 - USC - Lancaster Campus Critical Maintenance and Repair	$ 3,500,000
(6)	H380 - USC - Salkehatchie Campus Critical Maintenance and Repair	$ 1,391,500

(7) H390 - USC - Sumter Campus
Critical Maintenance and Repair $ 1,345,000
(8) H390 - USC - Sumter Campus
Science Building Renovation $ 2,250,000
(9) H400 - USC - Union Campus
Critical Maintenance and Repair $ 1,360,000

SECTION 2. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts:

(1) D500 - Department of Administration
State Owned Building
Deferred Maintenance $ 24,324,137
(2) P280 - Department of Parks,
Recreation and Tourism
State Parks Deferred Maintenance $ 8,475,000
(3) H090 - The Citadel
Capers Hall $ 7,500,000
(4) H120 - Clemson University
Clemson University Health
Innovation-Extension Programming $ 2,100,000
(5) H120 - Clemson University
Center for Advanced
Manufacturing $ 4,000,000
(6) H120 - Clemson University
Safety and Security
Infrastructure/Enhancements $ 5,900,000
(7) H170 - Coastal Carolina University
Academic Enrichment Center $ 5,000,000
(8) H180 - Francis Marion University
Freshwater Ecology Center $ 5,000,000
(9) H210 - Lander University
Roof Replacements $ 3,313,400
(10) H210 - Lander University
Campus Safety and Security Upgrades $ 1,361,800
(11) H240 - South Carolina State University
Information Technology Upgrades $ 1,690,000

(12) H240 - South Carolina State University
Speech Pathology Program Updates $ 310,000
(13) H270 - University of South Carolina
Columbia School of Medicine
Relocation $ 15,000,000
(14) H340 - USC - Upstate
Laboratory and Technology
for Exercise Science $
517,555
(15) H360 - USC - Beaufort Campus
Instructional Technology Upgrades $
500,000
(16) H360 - USC - Beaufort Campus
Library/Classroom Building Expansion $ 4,500,000
(17) H470 - Winthrop University
Strategic Risk Management $ 7,500,000
(18) H510 - Medical University of
South Carolina
Renovation/Innovation Projects $ 12,000,000
(19) H590 - Board for Technical and
Comprehensive Education
ReadySC Direct Training $ 9,200,000
(20) P200 - Clemson University-PSA
Facility Renovation for Water
Research $ 2,000,000
(21) H170 - Coastal Carolina University
Belle W. Baruch Institute for
South Carolina Studies - Renovations $ 1
(22) H240 - South Carolina State University
Demolition of Mayes Hall and
Queen Village $
750,000
(23) H590 - State Board for Technical and
Comprehensive Education
Central Carolina Tech - Capital
Needs - Sumter $ 1,000,000
(24) H590 - State Board for Technical and
Comprehensive Education
Spartanburg Community College
STEM Training Facility $ 1,000,000
(25) H590 - State Board for Technical and

Comprehensive Education
Piedmont Technical College -
O'Dell Upstate Center for
Manufacturing Excellence $ 2,000,000

SECTION 3. Prior to expending the $15,000,000 appropriated in Section 2, item (13) H270 - University of South Carolina Columbia School of Medicine Relocation, the funds must be matched 1:1 by a private entity or irrevocable escrow by the University.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2018-2019 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code. /

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. George Murrell Smith, Jr.
/s/Sen. Darrell Jackson, Sr. /s/Rep. J. Gary Simrill
/s/Sen. Sean M. Bennett /s/Rep. James Todd Rutherford
On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

H. 4001--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

TUESDAY, MAY 21, 2019

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

H. 4004--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH

CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn

Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 4004--Conference Report
The General Assembly, Columbia, S.C., May 15, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 05/07/19-S.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This chapter may be cited as the "Physician Orders for Scope of Treatment (POST) Act".

SECTION 2. Title 44 of the 1976 Code is amended by adding:

"CHAPTER 80

Physician Orders for Scope of Treatment

Section 44-80-10. As used in this chapter:

(1) 'Advance care planning' or 'ACP' means the making of decisions by a person about the care the person wants to receive if the person becomes unable to communicate or consent to care and the documentation of those decisions by acceptable methods recognized by the State.

(2) 'Advance directive' means a written statement such as a health care power of attorney executed in accordance with Section 62-5-504, in which an individual expresses certain wishes relating to life-sustaining treatment, including resuscitative services.

(3) 'Department' means the South Carolina Department of Health and Environmental Control.

(4) 'Director' means the Director of the South Carolina Department of Health and Environmental Control.

(5) 'Emergency medical technician (EMT)' when used in general terms for emergency medical personnel, means an individual possessing a valid EMT, advanced EMT (AEMT), or paramedic certificate issued by the State pursuant to the provisions of Section 44-61-20.

(6) 'Health care facility' means any nonfederal public or private institution, building, agency, or portion thereof, whether for-profit or not-for-profit, that is used, operated, or designed to provide health services; medical treatment; or nursing, rehabilitative or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories; research facilities; pharmacies; laundry facilities, health personnel training and lodging facilities; patient, guest, and health personnel food service facilities; and

offices or office buildings for persons engaged in health care professions or services.

(7) 'Health care provider' means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this State to administer health care.

(8) 'Legal representative' means a person with priority to make health care decisions for a patient pursuant to the Adult Health Care Consent Act.

(9) 'Patient' means an individual who presents or is presented to a health care provider for treatment.

(10) 'Physician' means a doctor of medicine or doctor of osteopathic medicine licensed by the South Carolina Board of Medical Examiners.

(11) 'Physician Orders for Scope of Treatment (POST) form' means a designated document designed for use as part of advance care planning, the use of which must be limited to situations where the patient has been diagnosed with a serious illness or, based upon medical diagnosis, may be expected to lose capacity within twelve months and consists of a set of medical orders signed by a patient's physician addressing key medical decisions consistent with patient goals of care concerning treatment at the end of life that is portable and valid across health care settings.

(12) 'Serious illness' means a condition which, based upon best medical judgment, is likely to result in death within a period of not to exceed twelve months.

Section 44-80-20. The department shall:

(1) oversee the POST form and its future iterations;

(2) display a printable sample of the POST form currently being used by the department on the department's or a designee's publicly accessible website, along with any related information the department chooses to post; however, if posted on a designee's website, the department shall post a link on its website to the form and any related information;

(3) develop a statewide, uniform process for identifying a patient who has executed any advance directive, a POST form, or a combination of advance directives and a POST form;

(4) develop a process for collecting feedback to facilitate the periodic redesign of the POST form in accordance with current health care best practices;

(5) develop POST-related education efforts for health care professionals and the public; and

(6) promulgate regulations necessary to perform the duties assigned and ensure compliance with the provisions of this chapter.

Section 44-80-30. (A) The POST form must be a uniform document based on the standards recommended by the National Physician Orders for Life-Sustaining Treatment (POLST) paradigm and must include the information set forth in subsection (C).

(B) A copy, facsimile, or electronic version of a completed POST form is considered to be legal.

(C) The POST form must include the following information:

(1) patient name and contact information;

(2) date of birth;

(3) effective date of form;

(4) diagnosis;

(5) treatment plan;

(6) health care representative or health care agent contact information;

(7) CPR preference;

(8) medical intervention preferences;

(9) preferences for antibiotics; and

(10) assisted nutrition and hydration preferences.

Section 44-80-40. (A) A POST form executed in South Carolina as provided in this chapter, or a similar form executed in another jurisdiction in compliance with the laws of that jurisdiction, must be deemed a valid expression of a patient's wishes as to health care. A South Carolina health care provider or health care facility may accept a properly executed POST form as a valid expression of whether the patient consents to the provision of health care in accordance with Section 44-66-60 of the Adult Health Care Consent Act.

(B) A health care provider or health care facility that is unwilling to comply with an executed POST form based on policy, religious beliefs, or moral convictions shall contact the patient's health care representative, health care agent, or the person authorized to make health care decisions for the patient pursuant to Section 44-66-30 of the Adult Health Care Consent Act, and the health care provider or health care facility shall allow the transfer of the patient to another health care provider or health care facility.

(C) A health care provider including, but not limited to, a physician, physician assistant, advance practice registered nurse, registered nurse, or emergency medical technician, who in good faith complies with a POST form, is not subject to criminal prosecution, civil liability or disciplinary penalty for complying with the POST form executed in accordance with this chapter and the Adult Health Care Consent Act.

Section 44-80-50. (A) A POST form may be revoked at any time by an oral or written statement by the patient or a patient's legal representative.

(B) A revocation is only effective upon communication to the health care provider or health care facility by the patient or the patient's legal representative.

(C) The execution of a POST form by a patient, or the patient's legal representative, pursuant to this chapter automatically revokes any previously executed POST form.

Section 44-80-60. (A) Any individual acting in good faith as a legal representative who executes a POST form on behalf of an incapacitated patient in accordance with this chapter, the Adult Heath Care Consent Act, and regulations promulgated pursuant to those statutes is not subject to criminal prosecution or civil liability for executing the POST form.

(B) A health care provider, health care facility, or other person who has not received actual notice of the revocation of a POST form and complies with the wishes stated in the POST form is not subject to civil or criminal liability or professional disciplinary action for actions taken pursuant to this chapter which are in accordance with reasonable medical standards. This subsection provides an affirmative defense to any civil, criminal, or professional disciplinary action filed or instituted against a health care provider, health care facility, or other person for conduct authorized by this chapter.

Section 44-80-70. This chapter may not be construed to condone, authorize, or approve suicide, physician-assisted suicide, or euthanasia, or to permit any affirmative or deliberate act or omission of an act to end life other than to permit the natural process of dying. Death resulting from the withholding or withdrawal of life-sustaining procedures pursuant to an executed POST form and in accordance with this chapter does not, for any purpose, constitute a suicide, homicide, or vulnerable adult abuse or neglect.

Section 44-80-80. (A) The executing of a POST form does not in any manner affect the sale, procurement, or issuance of any policy of life insurance, nor shall it be deemed to modify the terms of an existing policy of life insurance. A policy of life insurance is not legally impaired or invalidated in any manner by the withholding or withdrawal of life-sustaining procedures pursuant to this chapter notwithstanding any term of the policy to the contrary.

(B) Execution of a POST form is voluntary. A health care provider, health care facility, health care service plan, insurer issuing disability insurance, self-insured employee benefit plan, or nonprofit hospital plan

may not require any person to execute a POST form as a condition of being insured for, or receiving, health care services.

Section 44-80-90. (A) The absence of a POST form does not give rise to a presumption concerning the intent of a patient with respect to the consent to or refusal of life-sustaining procedures. A health care provider or health care facility must be guided by the patient's stated wishes, or if unable to consent or otherwise communicate, the wishes as stated by the patient's surrogate decision maker as provided in Section 44-66-30 of the Adult Health Care Consent Act, as well as the established standards of care.

(B) Nothing in this chapter may be interpreted to interfere with the right of an individual to make decisions regarding use of life-sustaining procedures as long as the individual is able to do so, or to impair or supersede any right or responsibility that any legal representative or other authorized person has to order the withholding or withdrawal of medical care in any lawful manner. In that respect, the provisions of this chapter are cumulative.

(C) The execution of a POST form is always voluntary and is for a person with an advanced illness. The POST form records a patient's wishes for medical treatment in the patient's current state of health. Preferred medical treatment as stated by the patient on the POST form may be changed at any time by the patient or a designated health care representative or health care agent of the patient to reflect the patient's new wishes. While no form can anticipate and address all medical treatment decisions that may need to be made, an advance health care directive applies regardless of health status. An advance directive allows a patient to document in detail future health care instructions and to name a health care agent to speak on the patient's behalf if the patient is unable to communicate to ensure that the patient's advance directive wishes as to life-sustaining medical treatment are fulfilled.

Section 44-80-100. A POST form executed pursuant to this chapter remains effective until revoked or until a new POST form is executed pursuant to this chapter. Any physician who is responsible for the creation and execution of a POST form shall make reasonable efforts to periodically review and update the POST form with the patient as the patient's needs dictate but at least once per year.

Section 44-80-110. An advanced practice registered nurse (APRN) may create, execute, and sign a POST form if authorized to do so by his or her practice agreement. The POST form must be for a patient of the APRN, the physician with whom the APRN has entered into a practice agreement, or both.

Section 44-80-120. A physician assistant (PA) may create, execute, and sign a POST form if authorized to do so by his or her scope of practice guidelines. The POST form must be for a patient of that PA, the PA's supervising physician, or both."

SECTION 3. This act takes effect upon approval by the Governor. /
Amend the bill further, as and if amended, by striking the title in its entirety and inserting:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO HEALTH CARE WHERE THE PATIENT HAS BEEN DIAGNOSED WITH A SERIOUS ILLNESS OR MAY BE EXPECTED TO LOSE CAPACITY WITHIN TWELVE MONTHS; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; TO ALLOW A POST FORM TO BE REVOKED BY THE PATIENT OR PATIENT'S LEGAL REPRESENTATIVE; AND FOR OTHER PURPOSES./

/s/Sen. Tom Davis	/s/Rep. Robert Lee Ridgeway III
/s/Sen. Michael W. "Mike" Gambrell	/s/Rep. William G. Herbkersman
Sen. Marlon E. Kimpson	/s/Rep. Gary E. Clary
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses,

and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO HEALTH CARE WHERE THE PATIENT HAS BEEN DIAGNOSED WITH A SERIOUS ILLNESS OR MAY BE EXPECTED TO LOSE CAPACITY WITHIN TWELVE MONTHS; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; TO ALLOW A POST FORM TO BE REVOKED BY THE PATIENT OR PATIENT'S LEGAL REPRESENTATIVE; AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB

TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM AND TO PROVIDE REQUIREMENTS THAT SPECIFICALLY APPLY TO A PROFESSIONAL SPORTS TEAM, AND TO INCREASE JOBS TAX CREDIT AMOUNTS IN TIER IV AND TIER III COUNTIES; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM; TO AMEND SECTIONS 11-9-805 AND 11-9-830, AS AMENDED, BOTH RELATING TO THE REVENUE AND FISCAL AFFAIRS OFFICE, SO AS TO REQUIRE THE OFFICE ANNUALLY TO SUBMIT TAX EXPENDITURE REPORTS TO THE GENERAL ASSEMBLY AND TO DEFINE "TAX EXPENDITURE"; AND BY ADDING SECTION 12-10-120 SO AS TO SPECIFY CERTAIN JOB DEVELOPMENT CREDIT REQUIREMENTS THAT APPLY TO A PROFESSIONAL SPORTS TEAM.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and

Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM AND TO PROVIDE REQUIREMENTS THAT SPECIFICALLY APPLY TO A PROFESSIONAL SPORTS TEAM, AND TO INCREASE JOBS TAX CREDIT AMOUNTS IN TIER IV AND TIER III COUNTIES; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM; TO AMEND SECTIONS 11-9-805 AND 11-9-830, AS AMENDED, BOTH RELATING TO THE REVENUE AND FISCAL AFFAIRS OFFICE, SO AS TO REQUIRE THE OFFICE ANNUALLY TO SUBMIT TAX EXPENDITURE REPORTS TO THE GENERAL ASSEMBLY AND TO DEFINE "TAX EXPENDITURE"; AND BY ADDING SECTION 12-10-120 SO AS TO SPECIFY CERTAIN JOB DEVELOPMENT CREDIT REQUIREMENTS THAT APPLY TO A PROFESSIONAL SPORTS TEAM.

Very respectfully,
Speaker of the House

Received as information.

H. 4287--FREE CONFERENCE POWERS GRANTED FREE CONFERENCE COMMITTEE APPOINTED REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING

INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

On motion of Senator SETZLER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SETZLER spoke on the report.
Senator MASSEY spoke on the report.
Senator RANKIN spoke on the report.

H. 4287--Free Conference Powers Granted
Free Conference Committee Appointed

Senator SETZLER asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 40; Nays 0; Present 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis

Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

PRESENT

Senn

Total--1

Free Conference Powers were granted.

Whereupon, Senators MASSEY, SETZLER and RANKIN were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Leatherman
Loftis	Martin	Massey
Matthews, John	McElveen	McLeod
Nicholson	Peeler	Rankin

Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Grooms	Hutto

Total--2

On motion of Senator MASSEY, the Report of the Committee of Free Conference to H. 4287 was adopted as follows:

H. 4287--Free Conference Report

The General Assembly, Columbia, S.C., May 21, 2019

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/2/19-S.)

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. (A)(1) The Department of Administration shall establish a process to conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper") and to receive management proposals that do not involve a sale of Santee Cooper but are designed to improve the efficiency and cost-effectiveness of Santee Cooper's electric operations including, but not limited to, a management arrangement, joint venture, or alternative arrangement. This process shall not be limited to the individuals or entities that responded to ICF's Requests for Expressions of Interest for its February 1, 2019, report to the Public Service Authority Evaluation and Recommendation Committee. Santee Cooper shall also submit a proposal to the department, as an alternative to a sale or management proposal, setting forth its plans for reform, restructuring, and changes in operation. Santee Cooper's proposal shall be given to the department simultaneously with the sale and management proposal deadline set by the department. This process must be established in accordance with commercially reasonable terms that are customary in connection with bids and proposals of this type. Nothing in this joint resolution precludes the department, through its professional services experts, from negotiating with entities offering bids or management proposals, or Santee Cooper, to improve their proposal. The department shall determine the date when the bids and proposals must be received; however, the process to receive bids, management proposals, and Santee Cooper's proposal shall be concurrent.

(2)(a) The department shall procure such professional services that are necessary to qualify bids and proposals; conduct a sale; evaluate bids received for a sale, management proposals, and Santee Cooper's proposal; negotiate contracts for the consummation of a sale or a management proposal; and related activities. These professional services shall include, but may not be limited to, financial institutions, investment bankers, legal counsel, industry consultants, and utility consultants.

(b) The department must not utilize the professional services of an entity with whom the House of Representatives, the Senate, or the Governor has previously engaged to consider the possible sale of Santee Cooper; however, the department or its professional services experts may request information collected by ICF and any reports requested by the Public Service Authority Evaluation and Recommendation

Committee regarding ICF's Requests for Expressions of Interest prior to the effective date of this joint resolution. In addition, the department must not utilize the professional services of an individual or entity that would have a financial interest in the outcome of this process, nor may the department contract or otherwise employ an individual or entity based upon a contingency fee due to the outcome of this process.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and reviewing management proposals and procuring necessary professional services.

(C) Santee Cooper is directed to provide any and all resources necessary to assist in the process for competitive bids and management proposals, as well as the evaluation of the bids and management proposals received by the department. The department shall have the authority to consult with Santee Cooper's bondholders, underwriters, financial institutions, and any other advisors to gather information to assist the department in carrying out its responsibilities, and Santee Cooper shall be cooperative in providing the department with access to the bondholders, underwriters, financial institutions, and other advisors. Santee Cooper shall ensure that the bidders have full access to due diligence materials and fair opportunity for access to Santee Cooper staff, and shall ensure that its responses to any inquiries are timely.

SECTION 2. (A) The department shall conduct a thorough evaluation of all bids for the sale of Santee Cooper received through the competitive bidding process. The evaluation must take into account at least the following:

(1) the financial capability of each bidder;

(2) the bidder's plan to address Santee Cooper's bonds and other indebtedness, to include, but not be limited to:

(a) satisfaction of any or all of Santee Cooper's existing debt, to include an opinion letter from a bond attorney as to whether or not the bidder's plan to satisfy the existing debt would violate any bond provisions or otherwise impact the State;

(b) issuance of new bonds and plans to finance other indebtedness;

(c) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and

(d) the bidder's projected capital to debt ratio for the five years following the acquisition of Santee Cooper;

(3) consideration, in cash, to be paid by the bidder to the State for the benefit of South Carolina and its taxpayers;

(4) the amount of projected rates and revenue requirements for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved, and the bidder's willingness to contractually agree to those rates;

(5) the bidder's plans for generation, power purchases, and other resources over the next twenty years including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to Santee Cooper's retail customers; and

(d) the assumptions underlying its plans including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(6) the bidder's plans for transmission investment over the next twenty years including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to Santee Cooper's retail customers; and

(c) the assumptions underlying those plans including, but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(7) the bidder's willingness to bear any costs required by the Federal Energy Regulatory Commission to mitigate market power resulting from an acquisition of Santee Cooper;

(8) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(9) a projection of the jobs the bidder expects to eliminate within five years if it acquires Santee Cooper;

(10) the bidder's proposed location for its headquarters post-acquisition;

(11) whether the bid included or excluded the assets collectively included under FERC License 199, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper. In the event that the bid excludes the assets listed herein, each bidder shall provide for revenue streams, including the purchase of hydroelectric power generated from Project 199, to provide for the continued operation of Lakes Marion and Moultrie with no loss of quality or access;

(12) the bidder's capacity and willingness to partner with the State for future economic development projects;

(13) a comparison of the bidder's service territory in South Carolina, if the bid is successful, with investor-owned utilities serving South Carolina; and

(14) any terms or conditions the bidder would require to complete the purchase of Santee Cooper.

The bidder must also submit its regulatory filings within the past seven years from each state where the bidder provides electric service that are related to the bidder's forecasts for electric generation, transmission, and distribution; requests for generation and/or transmission projects; electric rate requests made by the bidder; and requests to acquire, merge with, or manage another electric utility, and the final disposition of each request.

(B) The department must:

(1) verify the information provided by the bidder, to the extent possible, and may request additional information from the bidder if needed to conduct its verification;

(2) for each bid, compile a list of items that would be excluded from the sale of Santee Cooper's electric utility assets including, but not limited to, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper;

(3) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the sale of Santee Cooper, either in whole or in part. This analysis must include, but is not limited to, the loss of tax-exempt status of a buyer, impact on economic development, and whether the bid would preclude South Carolina from recovering the full value of Santee Cooper;

(4) compare the bidder's financing options for anticipated projects with the financing options currently available to Santee Cooper;

(5) require that the bidder's projected ratebase for all of Santee Cooper's retail customers exclude any portion of debt attributed to V.C. Summer nuclear units 2 and 3 that is not considered to be used and useful, as determined by the professional services experts and the Office of Regulatory Staff;

(6) consider if the bidder is committed to keeping its headquarters in South Carolina post-acquisition;

(7) consider if the bidder intends to, and has the capability to, provide electric services in South Carolina for at least twenty years; and

(8) designate a third party to administer the procurement and dissemination of information from Santee Cooper to third party bidders in order to ensure consistency, proper characterization and accuracy of information provided.

SECTION 3. (A) The department shall conduct a thorough evaluation of all management proposals for Santee Cooper. The evaluation must take into account at least the following:

(1) terms and conditions of the proposal, including the proposed time period for the management proposal;

(2) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved;

(3) fees and costs to be paid by Santee Cooper retail customers for the management proposal, as well as any other benefits to that entity resulting from the proposal;

(4) projected needs for generation, transmission, and distribution during the period of the proposal and how those needs would be met;

(5) an opinion letter from a bond attorney that the management proposal would neither violate nor alter the terms of Santee Cooper's bonds and other indebtedness;

(6) an opinion letter from a tax attorney that the proposal would not impact Santee Cooper's current tax status;

(7) the proposing entity's experience with the type of arrangement as proposed with an investor-owned utility and a publicly owned utility;

(8) the impact the management proposal would have on Santee Cooper's employees including, but not limited to, any projected elimination of positions within the next five years, if any;

(9) the financial capability of the entity offering the proposal;

(10) a comparison of the service territory in South Carolina of the entity offering the proposal, if the proposal is successful, with investor-owned utilities serving South Carolina; and

(11) an agreement that if the management proposal is awarded, the entity offering the proposal will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the management plan including, but not limited to, plans for the next calendar year and accomplishments and challenges for the prior calendar year.

(B) The department must:

(1) verify the information provided by the entity submitting the management proposal, to the extent possible, and may request additional information if needed to conduct its verification;

(2) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the management proposal;

(3) compare the proposing entity's financing options for anticipated projects with the financing options currently available to Santee Cooper; and

(4) consider if the proposing entity offers to pay a franchise fee or another form of consideration to the State of South Carolina as a condition of the management proposal.

SECTION 4. (A) Santee Cooper must submit a proposal to the department for reform, restructuring, and changes in operation that must include, but is not limited to:

(1) its plans for generation, power purchases, and other resources over the next twenty years including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to all customer classes of ratepayers;

(d) the assumptions underlying its plans including, but not limited to, additional infrastructure required to support any generating unit, projected financial ratios including debt-to-equity and debt service coverage ratios, projected contribution percentages to the Capital Improvement Fund, inflation and cost escalation rates, fuel costs, payments to the State and other sums in lieu of taxes, and projected GAAP accounting financial statements of the rate projections; and

(e) the amount of projected rates and revenue requirements for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved;

(2) its plans for transmission investment over the next twenty years including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to all classes of its retail customers; and

(c) the assumptions underlying its plans including, but not limited to, projected financial ratios, including debt-to-equity and debt service coverage ratios, projected contribution percentages to the Capital Improvement Fund, inflation and cost escalation rates, fuel costs, payments to the State and other sums in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(3) its plans to address the V.C. Summer debt and the projected impact to all customer classes of its ratepayers;

(4) a proposal for Santee Cooper reform, restructuring, and operational changes;

(5) any other information Santee Cooper deems relevant as to future operations as a state asset;

(6) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and

(7) a projection of the jobs Santee Cooper expects to eliminate within five years.

(B) The department must verify the information provided by Santee Cooper, to the extent possible, and may request additional information if needed to conduct its verification. The department must also conduct an analysis to determine if the proposal is feasible.

As part of the analysis, the department will:

(1) compare Santee Cooper's rate projections with all other proposals on a comparable basis and assess the risks associated with Santee Cooper's projections of revenue requirements and consumer rates; and

(2) conduct an analysis as to the potential risk to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders.

(C) If Santee Cooper's proposal to reform its operations is accepted by the General Assembly, Santee Cooper will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of its plan.

SECTION 5. The department shall establish a process in which its professional services experts conduct confidential negotiations between Central Electric Power Cooperative, Inc. ("Central") and each entity that submitted a qualified bid or qualified proposal after all the bids and proposals have been submitted. No negotiations or any form of discussion regarding potential terms or conditions for an agreement with

Central can occur outside of the process established by the department. The department shall require that the parties enter into a contract to negotiate in good faith, as well as any other conditions for negotiation as determined by the department. Each entity that submitted a qualified bid or qualified proposal, as well as Santee Cooper, must individually negotiate with Central to determine terms for a binding contract between Central and that entity in the event the entity's bid or proposal is successful. If the professional services experts conducting the negotiations determine that one or more parties, including Central, is not negotiating in good faith, that negotiation shall be terminated and the professional services experts may submit terms they determine to be reasonable and in the best interests of Santee Cooper's customers and of the State of South Carolina and its taxpayers to the General Assembly. The General Assembly may consider a party's failure to negotiate in good faith as a disqualification of the bid or proposal.

SECTION 6. In the event of the successful sale of Santee Cooper and the purchasing entity's contract contains projections of future rates, the General Assembly's approval of such sale on such terms does not indicate its intent to bind the Public Service Commission or Office of Regulatory Staff to the projected rate figures. The successful bidder shall be subject to the same statutory and regulatory authority of the Public Service Commission and Office of Regulatory Staff as all other investor-owned electrical utilities.

SECTION 7. Following the negotiations between Central and each entity which submitted a bid or proposal, the professional services experts shall review the projected financial impact on Santee Cooper's retail customers to ensure that any increases or decreases to current rates for the retail and wholesale customers are initially proportionate.

SECTION 8. To protect the integrity of the process, information received during this process and ensuing negotiations must be confidential prior to the department providing its professional services experts' recommendations to the General Assembly. Each individual and entity involved in the process shall handle the information with sufficient care to prevent disclosure of information submitted, received, or reviewed during the process. After the department has provided its professional services experts' recommendations to the General Assembly, only information regarding those recommendations shall be released in accordance with the provisions of the Freedom of Information Act, provided that information described in Section 30-4-40 must not be released without the written permission of the entity whose bid or proposal was recommended. In order to effectuate the purposes of

this section, the department shall require nondisclosure agreements which must be entered into by each individual or entity involved in the process including, but not limited to, an individual or entity that submits a bid or proposal, or receives or reviews any part of the submission. The nondisclosure agreement must also contain a provision in which the signer agrees that neither it nor its agents, servants, officers, directors, or employees shall advocate for or against, directly or indirectly, a recommendation provided by the department to the General Assembly pursuant to SECTION 9. Members of the General Assembly, the Governor, and their respective staff must not be provided with, or have access by any means to, the information obtained during this process except as provided in this section.

SECTION 9. (A)(1) At the conclusion of the evaluation of the bids and proposals, and negotiations, as required by this joint resolution, but no later than January 15, 2020, and subject to a one-time sixty-day extension upon written notice from the department to the Chairman of House Ways and Means and the Chairman of Senate Finance for the need of this extension, the department shall concurrently present a recommendation by its professional service experts of one bid for sale and one management proposal that the professional service experts consider to be in the best interests of the State, its taxpayers, and the customers of Santee Cooper, as well as the recommendation for Santee Cooper's proposal. Each recommendation must include justifications for the recommendation; also, the recommendations in regard to the sale and management proposal must include a contract for each recommended bidder obligating the bidder to comply with terms of its bid in the event it is approved by the General Assembly, along with a proposed contract to execute the sale or management proposal, and any supporting documents. The proposed contracts must include covenants that the bidder will abide by the terms of its bid for sale or its proposal, as applicable. The department must also present a full evaluation of each recommendation and for Santee Cooper's proposal. An evaluation must include, but not be limited to: (a) a description of each item listed in SECTIONS 2, 3, or 4, as applicable, along with a copy of an opinion letter submitted by a bond attorney and/or tax attorney; (b) a proposed contract with Central Power Electric Cooperative, Inc., including a statement from the professional service experts involved in the negotiations that each party did or did not negotiate in good faith; (c) any recommendations or concerns from the department's professional services; and (d) any supporting documents.

(2) The department must enter into a contract with each entity that submitted a bid for sale or management proposal that establishes penalties for failure to proceed with finalizing the sale or management proposal in the event the bid or proposal is selected by the General Assembly. This contract must include, but is not limited to, earnest money to be paid upon a recommendation of that entity being made to the General Assembly and penalties for failure to finalize the terms of the bid or proposal upon selection by the General Assembly.

(B) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee the documents described in (A). The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review each recommendation presented by the department. Each committee shall make a recommendation within thirty days of receipt of the recommendations presented by the department. However, nothing in this joint resolution shall be construed as a waiver of any House or Senate Rules. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House shall convene their respective bodies to consider any legislation to effectuate the sale or management proposal or to implement reform, restructuring, and changes in operation at Santee Cooper. Such legislation shall be in the form of a resolution approving the contract for sale or management or a bill to implement reform at Santee Cooper.

(C)(1) In the event that the General Assembly approves the sale of Santee Cooper, the department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in a distinct numbered account separate from General Fund revenues in which such amount shall not be appropriated in a General Appropriations bill. Disposition of those funds shall be made by further actions of the General Assembly. These amounts shall never be recoverable in rates or otherwise by the purchaser.

(2) In the event that the General Assembly approves a management proposal, the department must execute any documents necessary in order to effectuate the proposal upon the enactment of a joint resolution approving the proposal.

SECTION 10. The provisions of the Consolidated Procurement Code in Chapter 35, Title 11 of the 1976 Code and any other provisions of the general law of this State in conflict with the provisions of this joint

resolution are hereby suspended with regard to the activities undertaken pursuant to this joint resolution.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this joint resolution is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this joint resolution, the General Assembly hereby declaring that it would have passed this joint resolution, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Nikki G. Setzler	/s/Rep. James H. Lucas
/s/Sen. Luke A. Rankin	/s/Rep. G. Murrell Smith, Jr.
/s/Sen. A. Shane Massey	/s/Rep. Russell L. Ott
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 21, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Ott, G. Smith and Lucas to the Committee of Free Conference on the part of the House on:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF

SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Very respectfully,

Speaker of the House

Received as information.

H. 4287--REPORT OF COMMITTEE OF FREE CONFERENCE ENROLLED FOR RATIFICATION

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

Motion Adopted

On motion of Senator CROMER, with unanimous consent, Senators McELVEEN, CORBIN and CROMER were granted leave to attend a conference committee meeting and were granted leave to vote from the balcony.

PRESIDENT PRESIDES

At 2:38 P.M., the PRESIDENT assumed the Chair.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Department of Children's Advocacy, with the term to commence July 1, 2019, and to expire July 1, 2025

State Child Advocate:

Amanda F. Whittle, 1072 Eastwood Court , Aiken, SC 29801-8106

On motion of Senator SHEALY, the question was confirmation of Amanda F. Whittle.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	*Matthews, John*
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Amanda F. Whittle was confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Lauren Maurice, 290 Springhouse Dr., Aiken, SC 29803-8748 *VICE* Melanie Dubose

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Alvin E. Bligen, 1305 Joshua Dr., Charleston, SC 29407-5112

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Frances L. Cain-Lofton, P. O. Box 459, McClellanville, SC 29458-0459

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James B. Gosnell, Jr., 1233 Bamboo Drive, Charleston, SC 29407-5325

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Henry W. Guerard, P. O. Box 941, Charleston, SC 29402-0941

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Stephen Harris, Jr., 3224 Hydrangea Trail, Johns Island, SC 29455

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Amanda Stilley Haselden, 7 Glenwood Ave., Charleston, SC 29403-4325

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Thomas E. Lynn, 1432 Pine Island View, Mt. Pleasant, SC 29464-3838

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Richardine Singleton-Brown, 2172 Edward D. Singleton Drive, Charleston, SC 29412-8557

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

New Seat:

Tiffany R. Spann-Wilder, 16977 Dorchester Rd., North Charleston, SC 29418

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ellen Soffar Steinberg, 34 Smith Street, Charleston, SC 29401-1748

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Laura Campbell Waring, 15 Moore Drive, Charleston, SC 29407-7229 *VICE* Leroy Linen

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Dana Greenleaf, 102 Magnolia Ave., Great Falls, SC 29055-1118 *VICE* Wylie G. Frederick

Initial Appointment, Dorchester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Ryan Templeton, 5208 Fernland Way, North Charleston, SC 29420-7569

Initial Appointment, Fairfield County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Russell Feaster, 396 Dawkins Road, Blair, SC 29015-8925 *VICE* William Frederic Pope

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jannita Gaston, 66 Buckberry Lane, Winnsboro, SC 29180-7042

Reappointment, Hampton County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Algernon Gibson Solomons, 259 Martin Luther Boulevard, Estill, SC 29918-9370

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Rebecca Loadholt Adams, 56 Palmetto Wood Parkway , Irmo, SC 29063-2881

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Brian N. Buck, 104 Oaks Court, Lexington, SC 29072-7496

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Matthew A. Johnson, 3144 Sierra Drive, West Columbia, SC 29170-2713

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Bradley S. Melton, 332 Annapolis Road, Lexington, SC 29072-2283

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gary S. Morgan, 217 Peach Place Court, Gilbert, SC 29054-8594

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Gary W. Reinhart, 126D Breezes Drive, Lexington, SC 29072-6978

Reappointment, Lexington County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Scott D. Whittle, 4601 Fish Hatchery Road, Gaston, SC 29053-9045

Reappointment, Orangeburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Stephanie McKune-Grant, 410 Tecza Drive, Orangeburg, SC 29115-9192

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Paul D. Abbott, Jr., 111 North Bennington Drive, Spartanburg, SC 29307-2632 *VICE* John Moore

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Samuel Adams, 111 Builders Court, Suite A, Spartanburg, SC 29316-6001

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Edward Addington, Post Office Box 1301, Cowpens, SC 29330-1301

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Whitner Bishop, 504 Audubon Dr., Spartanburg, SC 29302-2857 *VICE* Nancy Atkins

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Daniel Ray Burns, 1645 Caldwell Road, Campbello, SC 29322

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Karry Guillory, 905 Fenway Court, Spartanburg, SC 29316-6154

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Charles Jones, 1502 Shadicrest Terrace, Spartanburg, SC 29301-5647

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
John J. Kesler, 454 Moores Crossing, Roebuck, SC 29376-3528

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Teresa Ledbetter, 1445 Edwards Road, Inman, SC 29349-9607

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Vicki Rae Morgan-Smith, 110 North Main Street, Woodruff, SC 29388-1846

Initial Appointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jacqueline A. Moss, 1450 Dover Rd., Apartment F, Spartanburg, SC 29301-1346 *VICE* Freddie Brown

Reappointment, Spartanburg County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Keith Sherlin, 180 Magnolia Street, Room 105, Spartanburg, SC 29306-2359

TUESDAY, MAY 21, 2019

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

W. Mattison Gamble, 6 Clematis Court, Sumter, SC 29150-2336 *VICE* Kristi Curtis

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

David S. Wood, 209 Country Club Drive, Fort Mill, SC 29715-2348

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators MASSEY, YOUNG and SETZLER with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Ronnie Young of Aiken, S.C. Representative Young represented District 84 since May 2017. He served on the Aiken County Council, the Aiken County School Board and the S.C. Association of Counties. Economic development in Aiken County was one of Representative Young's primary focuses. He was a member of Sweetwater Church of God. Representative Young served his community and State well and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RICE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Larry Winn of Easley, S.C. Dr. Winn served as the Doctor of the Day for the South Carolina General Assembly for many years. He was a member of the National Guard for seven years and worked for NASA prior to attending MUSC. He was a physician in Easley for forty-one years. Larry was a member of St. Matthias Lutheran Church where he sang in the choir. He enjoyed running, bicycling, snow skiing, bird watching and traveling. Larry was a loving husband and doting uncle who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Mack Ray Moore of Mountain Rest, S.C. Mack was a U.S. Army veteran. He retired from Michelin Tire Company and a member of Mountain Rest Baptist Church. Mack was a board member of the Mountain Rest Community Club, former Chief of the Mountain Rest Rescue Squad and fire department. He was a past member of Blue Ridge Masonic Lodge #92. Mack was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Duran "Curly" McArthur of Spartanburg, S.C. James was a U.S. Army veteran of the Korean War. He was a member of Sulphur Springs Baptist Church. James retired from USCS as a Physical Plant Supervisor after 18 years of service and was a cattleman and farmer. James was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 3:56 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 785, the *Sine Die* Resolution.

* * *

Tuesday, June 25, 2019
(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 67:1-2

"God be merciful to us and bless us, and cause Your face to shine upon us, that Your way may be known on earth, Your salvation among the nations."

Let us pray. Gracious and loving God, in the days ahead the sight of many American flags waving in this country will stir our patriotism. May our majestic flag not be seen as a reminder of failed policies or bad decisions, but rather be seen as a reaffirmation that ours is a land dedicated to fighting for justice and freedom…a land where You continue to call great men and women to lead us toward a better government, a better life and justice for all.

Grant to us, O God, the faith, the courage and the vision to be a part of this sacred journey that will enable and define the unfolding story of the American dream. Through Your holy name we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 22, 2019, at 3:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R104, H. 3137) -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: AN ACT TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN

FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE ADJUSTED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE OR DECREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE ADJUSTMENT, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.
L:\COUNCIL\ACTS\3137DG19.DOCX

(R105, H. 3601) -- Reps. Rose, McCoy and Caskey: AN ACT TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST-TIME OFFENDERS.
L:\COUNCIL\ACTS\3601AHB19.DOCX

(R106, H. 3602) -- Reps. Rose, Caskey and Weeks: AN ACT TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AUTHORIZED TO MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF SUCH PERSONS AND FOR OTHER PURPOSES; AND TO AMEND SECTIONS 44-26-40, 44-26-50, AND 44-26-60, ALL RELATING TO HEALTH CARE DECISION MAKING FOR CLIENTS WITH INTELLECTUAL DISABILITIES OR WHO ARE MINORS, SO AS TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES.
L:\COUNCIL\ACTS\3602VR19.DOCX

(R107, H. 3789) -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: AN ACT TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, 56-1-3350, AND 56-1-2080, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF CERTAIN DRIVERS' LICENSES,

BEGINNERS' PERMITS, COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, AND THE ISSUANCE OF COMMERCIAL DRIVER LICENSES AND COMMERCIAL DRIVER INSTRUCTION PERMITS, SO AS TO REVISE THE PERIOD IN WHICH DRIVERS' LICENSES, CERTAIN COMMERCIAL DRIVER LICENSES, AND COMMERCIAL DRIVER INSTRUCTION PERMITS ARE VALID, TO REVISE THE FEES TO OBTAIN DRIVER'S LICENSES, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT A PERSON IS PERMITTED TO HAVE ONLY ONE DRIVER'S LICENSE OR IDENTIFICATION CARD, AND TO DELETE THE PROVISION THAT PERTAINS TO THE RENEWAL OR REISSUANCE OF A COMMERCIAL DRIVER INSTRUCTION PERMIT.
L:\COUNCIL\ACTS\3789CM19.DOCX

(R108, H. 3821) -- Rep. Clary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; AND TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS EXCEPT IN CERTAIN CIRCUMSTANCES, AND TO PERMIT THE PRESCRIBING OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES.
L:\COUNCIL\ACTS\3821WAB19.DOCX

(R109, H. 3986) -- Reps. G.M. Smith, Willis, Rose and Caskey: AN ACT TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "PALMETTO ABLE SAVINGS PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS

AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.
L:\COUNCIL\ACTS\3986SA19.DOCX

(R110, H. 4000) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\4000DG19.DOCX

(R111, H. 4001) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.
L:\COUNCIL\ACTS\4001DG19.DOCX

(R112, H. 4004) -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO HEALTH CARE WHERE THE PATIENT HAS BEEN DIAGNOSED WITH A SERIOUS ILLNESS OR MAY BE EXPECTED TO LOSE CAPACITY WITHIN TWELVE MONTHS; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR

CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; TO ALLOW A POST FORM TO BE REVOKED BY THE PATIENT OR PATIENT'S LEGAL REPRESENTATIVE; AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\4004VR19.DOCX

(R113, H. 4287) -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL ESTABLISH A PROCESS TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SOME OR ALL OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND TO RECEIVE MANAGEMENT PROPOSALS THAT DO NOT INVOLVE A SALE OF SANTEE COOPER, BUT ARE DESIGNED TO IMPROVE THE EFFICIENCY AND COST-EFFECTIVENESS OF SANTEE COOPER'S ELECTRIC OPERATIONS, AND TO PROVIDE THAT SANTEE COOPER ALSO MUST SUBMIT A PROPOSAL TO THE DEPARTMENT FOR REFORM, RESTRUCTURING, AND CHANGES IN ITS OPERATION AS AN ALTERNATIVE TO A SALE OR MANAGEMENT PROPOSAL; TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT A THOROUGH EVALUATION OF ALL BIDS FOR THE SALE OF SANTEE COOPER RECEIVED THROUGH THE COMPETITIVE BIDDING PROCESS, TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT A THOROUGH EVALUATION OF ALL MANAGEMENT PROPOSALS FOR SANTEE COOPER, AND TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT AN ANALYSIS OF SANTEE COOPER'S REFORM PROPOSAL TO DETERMINE IF IT IS A FEASIBLE ALTERNATIVE, AND TO PROVIDE THE CRITERIA FOR THESE EVALUATIONS; TO PROVIDE FOR THE VARIOUS REQUIREMENTS, CONDITIONS, AND PROCEDURES WHICH MUST BE COMPLIED WITH IN REGARD TO THIS JOINT RESOLUTION, INCLUDING PROVISIONS THAT REQUIRE THE DEPARTMENT TO ESTABLISH A PROCESS IN WHICH ITS PROFESSIONAL SERVICES EXPERTS CONDUCT CONFIDENTIAL NEGOTIATIONS BETWEEN THE CENTRAL ELECTRIC POWER COOPERATIVE AND EACH ENTITY THAT SUBMITTED A QUALIFIED BID OR PROPOSAL, INCLUDING SANTEE COOPER, AFTER ALL THE BIDS AND PROPOSALS HAVE BEEN SUBMITTED; TO PROVIDE THAT IN THE EVENT OF THE

SUCCESSFUL SALE OF SANTEE COOPER AND THE PURCHASING ENTITY'S CONTRACT CONTAINS PROJECTIONS OF FUTURE RATES, THE GENERAL ASSEMBLY'S APPROVAL OF SUCH SALE ON SUCH TERMS DOES NOT INDICATE ITS INTENT TO BIND THE PUBLIC SERVICE COMMISSION OR OFFICE OF REGULATORY STAFF TO THE PROJECTED RATE FIGURES, AND TO PROVIDE THAT THE SUCCESSFUL BIDDER SHALL BE SUBJECT TO THE SAME STATUTORY AND REGULATORY AUTHORITY OF THE PUBLIC SERVICE COMMISSION AND OFFICE OF REGULATORY STAFF, AS ARE ALL OTHER INVESTOR-OWNED ELECTRICAL UTILITIES; TO PROVIDE THAT FOLLOWING THE NEGOTIATIONS BETWEEN CENTRAL AND EACH ENTITY WHICH SUBMITTED A BID OR PROPOSAL, THE PROFESSIONAL SERVICES EXPERTS SHALL REVIEW THE PROJECTED FINANCIAL IMPACT ON SANTEE COOPER'S RETAIL CUSTOMERS TO ENSURE THAT ANY INCREASES OR DECREASES TO CURRENT RATES FOR THE RETAIL AND WHOLESALE CUSTOMERS ARE INITIALLY PROPORTIONATE; TO PROVIDE THAT INFORMATION RECEIVED DURING THIS PROCESS AND ENSUING NEGOTIATIONS MUST BE KEPT CONFIDENTIAL WITH CERTAIN LIMITED EXCEPTIONS, TO REQUIRE NONDISCLOSURE AGREEMENTS, AND TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY, THE GOVERNOR, AND THEIR RESPECTIVE STAFFS MUST NOT BE PROVIDED WITH OR HAVE ACCESS TO THE INFORMATION OBTAINED DURING THIS PROCESS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT AT THE CONCLUSION OF THE EVALUATION OF THE BIDS, PROPOSALS, AND NEGOTIATIONS, BUT NO LATER THAN JANUARY 15, 2020, WITH A ONE-TIME EXTENSION PERMITTED, THE DEPARTMENT CONCURRENTLY SHALL PRESENT A RECOMMENDATION OF ONE PREFERRED BID FOR SALE AND ONE PREFERRED MANAGEMENT PROPOSAL THAT THE PROFESSIONAL SERVICES EXPERTS CONSIDER TO BE IN THE BEST INTERESTS OF THE STATE, ITS TAXPAYERS, AND THE CUSTOMERS OF SANTEE COOPER, AS WELL AS A RECOMMENDATION CONCERNING SANTEE COOPER'S PROPOSAL FOR REFORM; TO PROVIDE THAT EACH RECOMMENDATION MUST INCLUDE CERTAIN MATERIALS AND JUSTIFICATIONS, AND THE RECOMMENDATION IN

REGARD TO THE SALE AND MANAGEMENT PROPOSAL MUST INCLUDE A CONTRACT FOR EACH RECOMMENDED BIDDER OBLIGATING THE BIDDER TO COMPLY WITH THE TERMS OF ITS BID IN THE EVENT IT IS APPROVED BY THE GENERAL ASSEMBLY, ALONG WITH A PROPOSED CONTRACT TO EXECUTE THE SALE OR MANAGEMENT PROPOSAL AND ANY SUPPORTING DOCUMENTS; AND TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT SHALL PRESENT TO THE GENERAL ASSEMBLY ITS PREFERRED SALE AND MANAGEMENT PROPOSAL, AS WELL AS A RECOMMENDATION AS TO SANTEE COOPER'S REFORM PROPOSAL, AND THE MANNER IN WHICH THE GENERAL ASSEMBLY SHALL CONSIDER AND MAY APPROVE A PROPOSAL.
L:\COUNCIL\ACTS\4287SD19.DOCX

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

John C. Kenney, 1943 Carolina Towne Court, Mt. Pleasant, SC 29464-8002 *VICE* Kelly Young

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Francis X. McCann, 56 Society Street, Charleston, SC 29401-1619

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Amy Jowers Mikell, 247 Ashley Avenue, Charleston, SC 29403-5493

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Martelle T. Morrison, 3215 Roach Road, Hollywood, SC 29449-6705

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sheryl M. Perry, 5736 San Flora Avenue, Ravenel, SC 29470-5438

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joanna Summey, 5112 Celtic Drive, North Charleston, SC 29405

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joy D. Stoney, 614 Knowledge Dr., Ladson, SC 29456-5319 *VICE* Leroy Linen

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
James A. Turner, 351 Confederate Circle, Charleston, SC 29407-7430

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jeffery Garis, 1100 Catawba River Road, Great Falls, SC 29055-9500 *VICE* Yale Zamore

Reappointment, Dorchester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Amanda M. Leviner, 207 West Richardson Avenue, Summerville, SC 29483-6023

Reappointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
M. Paul Swearingen, 106 East Washington Street, Winnsboro, SC 29180-1135

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William Hutson, 383 William Nobles Road, Aynor, SC 29511-2816

Reappointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Dirk J. Bron, Jr., 1558 Hopewell Church Road, Clinton, SC 29325-0615

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mike Pitts, 372 Bucks Point Road, Laurens, SC 29360-5801 *VICE* Leesa Inabinet

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Wham, 791 Ma Bryson Road, Mountville, SC 29370-3820 *VICE* Tommy Copeland

Reappointment, Lexington County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Arther L. Myers, 1297 Savannah Hwy., Swansea, SC 29160-9240

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Chisa J. Putman, 832 Rains Meadow, Rock Hill, SC 29732-8354

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Benjamin C. Allen, 4041 J and S Countryside Road, Conway, SC 29527-6658

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Arakas, 804 Calhoun Road, Myrtle Beach, SC 29577-2254

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Aaron Butler, 1830 Spivey Avenue, Conway, SC 29527-5559

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Monte Harrelson, P. O. Box 153, Green Sea, SC 29545-0153

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Gerald Whitley, 107 Hwy 57 N, Little River, SC 29566-7050

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Mark Ashley Harris, 3817 Walnut Street, Loris, SC 29569-2333

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Margie Livingston, 1201 3rd Ave., Conway, SC 29526-5105

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Bradley Mayers, 511 Beaty Street, Conway, SC 29526-4256

The following Local Appointments, which were previously confirmed, were reconsidered and subsequently confirmed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry D. McMaster:

Local Appointments

Initial Appointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
New Seat:
Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Angela Boyd, 1229 Old Richburg Rd., Chester, SC 29706-5775 *VICE* Lenard Price

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Katina Capers-Washington, 307 Robinson Avenue, Winnsboro, SC 29180-6153 *VICE* William D. Robinson

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Vannessa Hollins, 445 Maple Street, Winnsboro, SC 29180-1821 *VICE* Carol A. Tolen

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Danielle Miller, 628 Old Chester Road, Winnsboro, SC 29180-7153 *VICE* Johnny Dewese

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Diedra Hightower, 613 Dulaney Bvd., Columbia, SC 29229-7416 *VICE* Josef Robinson

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Olivia Williford, 1024 Center Road, Chester, SC 29706-7141 *VICE* Barbara Hinnant Cameron

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Dana Greenleaf, 102 Magnolia Ave., Great Falls, SC 29055-1118 *VICE* Wylie G. Frederick

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jannita Gaston, 66 Buckberry Lane, Winnsboro, SC 29180-7042

Leave of Absence

On motion of Senator CAMPBELL, at 2:10 P.M., Senator CROMER was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 2:10 P.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 2:19 P.M., Senator NICHOLSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 3:38 P.M., Senator SCOTT was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 185 Sen. Young
S. 648 Sen. Verdin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 857 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE ZION HILL MISSIONARY BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED TWENTY-FIFTH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN THE WAGENER-SALLEY COMMUNITY, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THIS COMMUNITY.
l:\s-res\ngs\018zion.kmm.ngs.docx

The Senate Resolution was adopted.

S. 858 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE MR. JACKSON WOODS OF HONEA PATH ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.
l:\council\bills\rm\1305sa19.docx

The Senate Resolution was adopted.

S. 859 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CRAYTONVILLE FIRE DEPARTMENT OF ANDERSON COUNTY FOR THE VALUABLE PUBLIC SERVICE IT RENDERS TO ITS COMMUNITY EVERY DAY AND TO CONGRATULATE THE DEPARTMENT AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY.
l:\council\bills\rm\1304sd19.docx

The Senate Resolution was adopted.

S. 860 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE EVERETTE "RHETT" HAIR, DIRECTOR OF VETERANS AFFAIRS FOR FAIRFIELD COUNTY, ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS MANY YEARS OF OUTSTANDING SERVICE TO FAIRFIELD COUNTY AND OUR COUNTRY, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.
l:\council\bills\rm\1298cm19.docx

The Senate Resolution was adopted.

S. 861 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE ROBERT ALLAN "BOB" WILBUR OF RICHLAND COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND FOR HIS DISTINGUISHED SERVICE TO THE CITY OF COLUMBIA, AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
l:\council\bills\gm\24256dg19.docx
The Senate Resolution was adopted.

S. 862 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE THE REVEREND MONSIGNOR RONALD R. CELLINI, OF THE CATHOLIC DIOCESE OF CHARLESTON, AS HE CELEBRATES FOUR DECADES OF DEVOTED MINISTRY TO HIS CHURCH AND COMMUNITY.
l:\council\bills\gm\24253sa19.docx
The Senate Resolution was adopted.

S. 863 -- Senator J. Matthews: A SENATE RESOLUTION TO CONGRATULATE ROGER CLECKLEY, AUDITOR FOR ORANGEBURG COUNTY, UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN THREE DECADES OF OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
l:\council\bills\cc\15606zw19.docx
The Senate Resolution was adopted.

H. 4649 -- Rep. Anderson: A CONCURRENT RESOLUTION TO CONGRATULATE CORINE RHUE HUDSON ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
The Concurrent Resolution was adopted, ordered returned to the House.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

TUESDAY, JUNE 25, 2019

Message from the House

Columbia, S.C., May 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.105, H. 3601 by a vote of 107 to 0:

(R105, H3601) -- Reps. Rose, McCoy and Caskey: AN ACT TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST-TIME OFFENDERS.

Very respectfully,
Speaker of the House

Received as information.

VETO OVERRIDDEN

(R105, H3601) -- Reps. Rose, McCoy and Caskey: AN ACT TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST-TIME OFFENDERS.

The veto of the Governor was taken up for immediate consideration.

Senator M.B. MATTHEWS argued in favor of overriding the veto.

Senator M.B. MATTHEWS moved that the veto of the Governor be overridden.

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 38; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer

Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews, Margie	McElveen	McLeod
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cash	Corbin

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 1 by the Governor on R110, H. 4000 by a vote of 98 to 7:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Archives and History - Part IA, Section 26, Page 72 -III. Historical Services, Historic Buildings Preservation - $200,000

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 25, 2019

VETO 1 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Archives and History - Part IA, Section 26, Page 72 -III. Historical Services, Historic Buildings Preservation - $200,000

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on the veto.
Senator GREGORY spoke on 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 37; Nays 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Cash	Climer	Corbin
Loftis	Massey	Rice

Total--6

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 2 by the Governor on R110, H. 4000 by a vote of 92 to 14:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 2 Department of Parks, Recreation and Tourism - Part IA, Section 49, Page 147- II. Programs and Services, A. Tourism Sales & Marketing, Sports Marketing Grant Program - $6,500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 2 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 2 Department of Parks, Recreation and Tourism - Part IA, Section 49, Page 147- II. Programs and Services, A. Tourism Sales & Marketing, Sports Marketing Grant Program - $6,500,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on 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 33; Nays 10

AYES

Alexander	Allen	Bennett
Campbell	Davis	Fanning

Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Talley
Turner	Verdin	Williams

Total--33

NAYS

Campsen	Cash	Climer
Corbin	Grooms	Massey
Peeler	Rice	Shealy
Young		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 3 by the Governor on R110, H. 4000 by a vote of 98 to 4:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 3 Department of Public Safety - Part IA, Section 63, Page 176 - II. Programs and Services, E. Safety and Grants, Local Law Enforcement Grants - $2,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 3 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 3 Department of Public Safety - Part IA, Section 63, Page 176 - II. Programs and Services, E. Safety and Grants, Local Law Enforcement Grants - $2,000,000

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN spoke on 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 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

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.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 4 by the Governor on R110, H. 4000 by a vote of 0 to 106:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 4 Department of Education - Part IB, Section 1, Page 281, Proviso 1.51, SDE: Lee County Bus Shop

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 5 by the Governor on R110, H. 4000 by a vote of 75 to 30:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Education - Part IB, Section 1, Page 295, Proviso 1.93, SDE: Reserve Suspension

Respectfully submitted,
Speaker of the House

Received as information.

VETO 5 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Education - Part IB, Section 1, Page 295, Proviso 1.93, SDE: Reserve Suspension

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on 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 39; Nays 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Corbin	Loftis	Peeler
Rice		

Total--4

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

ACTING PRESIDENT PRESIDES

Senator SHEALY assumed the Chair.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 6 by the Governor on R110, H. 4000 by a vote of 5 to 98:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 6 Department of Education - Part IB, Section 1, Page 296, Proviso 1.97, SDE: Capital Improvement Payments

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 7 by the Governor on R110, H. 4000 by a vote of 97 to 10:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Education - EIA - Part IB, Section 1A, Page 320, Proviso 1A.79, SDE-EIA: McCormick County Schools

Respectfully submitted,
Speaker of the House

Received as information.

VETO 7 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Education - EIA - Part IB, Section 1A, Page 320, Proviso 1A.79, SDE-EIA: McCormick County Schools

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on 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 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Davis	Fanning

Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--40

NAYS

Corbin	Peeler

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 8 by the Governor on R110, H. 4000 by a vote of 93 to 13:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 8 State Board for Technical and Comprehensive Education Part IB, Section 25, Page 339, Proviso 25.11, TEC: Tech Awareness and Education

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 25, 2019

VETO 8 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 8 State Board for Technical and Comprehensive Education Part IB, Section 25, Page 339, Proviso 25.11, TEC: Tech Awareness and Education

The veto of the Governor was taken up for immediate consideration.

Senator PEELER spoke on 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 2

AYES

Alexander	Allen	Bennett
Campbell	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Cash	Corbin

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

PRESIDENT PRESIDES

At 2:42 P.M., the PRESIDENT assumed the Chair.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 9 by the Governor on R110, H. 4000 by a vote of 93 to 12:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 9 Department of Health and Human Services - Part IB, Section 33, Page 350, Proviso 33.24, DHHS: Personal Emergency Response System

Respectfully submitted,
Speaker of the House

Received as information.

VETO 9 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 9 Department of Health and Human Services - Part IB, Section 33, Page 350, Proviso 33.24, DHHS: Personal Emergency Response System

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER spoke on 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 39; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Climer	Davis

Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Cash	Corbin	Martin

Total--3

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 10 by the Governor on R110, H. 4000 by a vote of 0 to 99:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 10 Department of Health and Environmental Control - Part IB, Section 34, Page 361, Proviso 34.51, DHEC: Greenwood Sewer Extension Line

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 25, 2019

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 11 by the Governor on R110, H. 4000 by a vote of 81 to 15:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 11 Department of Health and Environmental Control - Part IB, Section 34, Page 362, Proviso 34.55, DHEC: Hazardous Waste Fund County Account

Respectfully submitted,
Speaker of the House

Received as information.

VETO 11 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 11 Department of Health and Environmental Control - Part IB, Section 34, Page 362, Proviso 34.55, DHEC: Hazardous Waste Fund County Account

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER spoke on the veto.

Senator J. MATTHEWS spoke on 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 34; Nays 8

AYES

Alexander	Allen	Bennett
Campbell	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Rankin

Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams		

Total--34

NAYS

Cash	Corbin	Loftis
Martin	Massey	Peeler
Rice	Young	

Total--8

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 12 by the Governor on R110, H. 4000 by a vote of 90 to 14:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 12 **Department of Social Services** - Part IB, Section 38, Page 373, Proviso 38.30, DSS: Foster Care Child Placements

Respectfully submitted,
Speaker of the House

Received as information.

VETO 12 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 12 Department of Social Services - Part IB, Section 38, Page 373, Proviso 38.30, DSS: Foster Care Child Placements

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER spoke on 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 36; Nays 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Talley
Turner	Verdin	Williams

Total--36

NAYS

Cash	Corbin	Hembree
Rice	Shealy	Young

Total--6

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Expression of Personal Interest

Senator CORBIN rose for an Expression of Personal Interest.

Remarks by Senator CORBIN

Thank you Mr. PRESIDENT. I just wanted to rise briefly today to express my deep sorrow for the passing of Jesse Cannon who was the State Trooper who died last week in the upstate. Trooper First Class Cannon grew up in the Blue Ridge Community of Greenville County and was a graduate of Blue Ridge High School in Greer, and he served in the

U.S. Marine Corp from 2010 - 2018. He is the son of Dean and Leslie Cannon and he has two siblings. His brother is also a corporal with the highway patrol, Joshua Cannon. I wanted to commend him for his service to our nation and to the State of South Carolina and to know that we mourn his loss.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator CORBIN, were ordered printed in the Journal.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 13 by the Governor on R110, H. 4000 by a vote of 91 to 12:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 13 Patriots Point Development Authority - Part IB, Section 52, Page 387, Proviso 52.2, PPDA: Clamagore Reef - $1,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 13 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 13 Patriots Point Development Authority - Part IB, Section 52, Page 387, Proviso 52.2, PPDA: Clamagore Reef - $1,000,000

The veto of the Governor was taken up for immediate consideration.

Senator GOLDFINCH spoke on 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 38; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Cash	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Corbin Peeler

Total--2

ABSTAIN

Campsen

Total--1

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 14 by the Governor on R110, H. 4000 by a vote of 75 to 31:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 14 Election Commission - Part IB, Section 101, Page 442, Proviso 101.14, ELECT: Third-Party Consultant

Respectfully submitted,
Speaker of the House

Received as information.

Motion Adopted

Having voted on the prevailing side, Senator DAVIS moved to reconsider the vote whereby Veto 14 was sustained.

The motion to reconsider was adopted.

VETO 14 SUSTAINED, RECONSIDERED AND OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 14 Election Commission - Part IB, Section 101, Page 442, Proviso 101.14, ELECT: Third-Party Consultant

The veto of the Governor was taken up for immediate consideration.

Senator JACKSON explained 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 25; Nays 18

AYES

Alexander	Allen	Fanning
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Massey	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Rankin	Reese	Sabb
Scott	Setzler	Sheheen
Williams		

Total--25

NAYS

Bennett	Campbell	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Grooms

Loftis	Martin	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--18

Having failed to receive the necessary votes, the veto was sustained.

Motion Adopted

On motion of Senator DAVIS, the vote whereby the Veto 14 was sustained was reconsidered.

Senator DAVIS explained 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 32; Nays 7

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Rankin	Reese
Sabb	Setzler	Turner
Verdin	Williams	

Total--32

NAYS

Cash	Corbin	Martin
Peeler	Rice	Shealy
Young		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 15 by the Governor on R110, H. 4000 by a vote of 74 to 26:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 15 Department of Revenue - Part IB, Section 109, Page 452, Proviso 109.13, DOR: Food Manufacturing Equipment

Respectfully submitted,
Speaker of the House

Received as information.

VETO 15 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 15 Department of Revenue - Part IB, Section 109, Page 452, Proviso 109.13, DOR: Food Manufacturing Equipment

The veto of the Governor was taken up for immediate consideration.

Senator JACKSON spoke on 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 31; Nays 11

AYES

Alexander	Allen	Campbell
Campsen	Davis	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Rankin

Reese	Sabb	Scott
Setzler	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--31

NAYS

Bennett	Cash	Climer
Corbin	Grooms	Loftis
Martin	Massey	Peeler
Rice	Shealy	

Total--11

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 16 by the Governor on R110, H. 4000 by a vote of 92 to 13:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 16 General Provisions - Part IB, Section 117, Page 509, Proviso 117.170, GP: Early Childhood Education Study Committee

Respectfully submitted,
Speaker of the House

Received as information.

VETO 16 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 16 General Provisions - Part IB, Section 117, Page 509, Proviso 117.170, GP: Early Childhood Education Study Committee

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on the veto.
Senator TALLEY spoke on the veto.
Senator MALLOY spoke on 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 35; Nays 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews, Margie	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--35

NAYS

Corbin	Fanning	Hembree
Malloy	*Matthews, John*	McElveen
McLeod	Williams	

Total--8

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

TUESDAY, JUNE 25, 2019

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 17 by the Governor on R110, H. 4000 by a vote of 106 to 2:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 17 Statewide Revenue, Part IB, Section 118, Page 513, Proviso 118.11, SR: Tobacco Settlement, Subsection (A)(2)

Respectfully submitted,
Speaker of the House

Received as information.

VETO 17 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 17 Statewide Revenue, Part IB, Section 118, Page 513, Proviso 118.11, SR: Tobacco Settlement, Subsection (A)(2)

The veto of the Governor was taken up for immediate consideration.

Senator DAVIS spoke on 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 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	*Matthews, John*

Matthews, Margie	McElveen	McLeod
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Corbin	Grooms	Peeler

Total--3

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 18 by the Governor on R110, H. 4000 by a vote of 99 to 4:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 18 Statewide Revenue - Part IB, Section 118, Page 513, Proviso 118.14, SR: Non-recurring Litigation Recovery Revenue

Respectfully submitted,
Speaker of the House

Received as information.

VETO 18 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 18 Statewide Revenue - Part IB, Section 118, Page 513, Proviso 118.14, SR: Non-recurring Litigation Recovery Revenue

The veto of the Governor was taken up for immediate consideration.

Senator DAVIS spoke on 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 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Corbin	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--42

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.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 19 by the Governor on R110, H. 4000 by a vote of 93 to 9:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 19 Department of Archives and History - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 21(c), Historic Preservation - $3,400,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 19 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 19 Department of Archives and History - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 21(c), Historic Preservation - $3,400,000

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on 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 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler

Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Corbin	Massey

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 20 by the Governor on R110, H. 4000 by a vote of 86 to 15:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 20 Department of Archives and History - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 21(d), Community Development Grants - $2,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 20 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 20 Department of Archives and History - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 21(d), Community Development Grants - $2,000,000

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on 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 36; Nays 7

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Cash	Climer	Corbin
Grooms	Loftis	Massey
Rice		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 21 by the Governor on R110, H. 4000 by a vote of 78 to 24:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 21 Arts Commission - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 41(b), Cultural Arts & Theater Center Renovation - $450,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 21 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 21 Arts Commission - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 41(b), Cultural Arts & Theater Center Renovation - $450,000

The veto of the Governor was taken up for immediate consideration.

Senator SHEHEEN spoke on 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 37; Nays 5

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Cash	Corbin	Massey
Rice	Young	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 22 by the Governor on R110, H. 4000 by a vote of 96 to 7:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 22 Department of Health and Human Services - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 12(b), Medical Contracts - $3,500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 22 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 22 Department of Health and Human Services - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 12(b), Medical Contracts - $3,500,000

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER spoke on 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 39; Nays 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	*Matthews, John*
Matthews, Margie	McElveen	McLeod
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Cash	Massey	Peeler
Rice		

Total--4

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 23 by the Governor on R110, H. 4000 by a vote of 92 to 14:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 23 Department of Parks, Recreation and Tourism - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring

Revenue, Subsection B, Item 11(f), Parks Revitalization - $6,500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 23 OVERRIDDEN
R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 23 Department of Parks, Recreation and Tourism - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 11(f), Parks Revitalization - $6,500,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on 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 38; Nays 5

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cash	Corbin	Massey
Peeler	Rice	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 24 by the Governor on R110, H. 4000 by a vote of 94 to 10:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 24 Patriots Point Development Authority - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 45, USS Clamagore Veteran Memorial Reef - $1,700,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 24 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 24 Patriots Point Development Authority - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 45, USS Clamagore Veteran Memorial Reef - $1,700,000

The veto of the Governor was taken up for immediate consideration.

Senator GOLDFINCH spoke on 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 38; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Cash	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Corbin	Peeler

Total--2

ABSTAIN

Campsen

Total--1

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

TUESDAY, JUNE 25, 2019

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 25 by the Governor on R110, H. 4000 by a vote of 103 to 0:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 25 Judicial Department - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 17(a), Case Management System Modernization - $11,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 25 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 25 Judicial Department - Part IB, Section 118, Page 515, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 17(a), Case Management System Modernization - $11,000,000

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN spoke on 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 41; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Loftis

Malloy	Martin	Massey
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Corbin

Total--1

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 26 by the Governor on R110, H. 4000 by a vote of 99 to 4:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 26 Department of Public Safety - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 24(b), Local Law Enforcement Grants - $2,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 26 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 26 Department of Public Safety - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 24(b), Local Law Enforcement Grants - $2,000,000

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN spoke on 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 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	*Matthews, John*	*Matthews, Margie*
McElveen	McLeod	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Williams
Young		

Total--43

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.

TUESDAY, JUNE 25, 2019

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 27 by the Governor on R110, H. 4000 by a vote of 98 to 4:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 27 Department of Juvenile Justice - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 26(b), Child Advocacy Centers - $170,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 27 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 27 Department of Juvenile Justice - Part IB, Section 118, Page 516, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 26(b), Child Advocacy Centers - $170,000

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN spoke on 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	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman

Loftis	Malloy	Martin
Massey	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Setzler	Shealy	Talley
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.

Message from the House

Columbia, S.C., June 25, 2019

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 28 by the Governor on R110, H. 4000 by a vote of 100 to 5:

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 28 Department of Labor, Licensing, and Regulation - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 39(b), Local Fire Department Grants - $280,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 28 OVERRIDDEN

R110, H. 4000--GENERAL APPROPRIATIONS ACT

Veto 28 Department of Labor, Licensing, and Regulation - Part IB, Section 118, Page 518, Proviso 118.16, SR: Nonrecurring Revenue, Subsection B, Item 39(b), Local Fire Department Grants - $280,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on 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 41; Nays 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews, John	*Matthews, Margie*	McElveen
McLeod	Peeler	Rankin
Reese	Rice	Sabb
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

STATEWIDE APPOINTMENT
Confirmation

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, Denmark Technical College Area Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

James W. Bowden, 934 Hickory Stick Drive, Fort Mill, SC 29715-6931 *VICE* Zeb Portanova

On motion of Senator HEMBREE, the question was confirmation of James W. Bowden.

The appointment of James W. Bowden was confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

John C. Kenney, 1943 Carolina Towne Court, Mt. Pleasant, SC 29464-8002 *VICE* Kelly Young

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Francis X. McCann, 56 Society Street, Charleston, SC 29401-1619

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Amy Jowers Mikell, 247 Ashley Avenue, Charleston, SC 29403-5493

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Martelle T. Morrison, 3215 Roach Road, Hollywood, SC 29449-6705

Reappointment, Charleston County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Sheryl M. Perry, 5736 San Flora Avenue, Ravenel, SC 29470-5438

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joanna Summey, 5112 Celtic Drive, North Charleston, SC 29405

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joy D. Stoney, 614 Knowledge Dr., Ladson, SC 29456-5319 *VICE* Leroy Linen

Reappointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
James A. Turner, 351 Confederate Circle, Charleston, SC 29407-7430

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Jeffery Garis, 1100 Catawba River Road, Great Falls, SC 29055-9500 *VICE* Yale Zamore

Reappointment, Dorchester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Amanda M. Leviner, 207 West Richardson Avenue, Summerville, SC 29483-6023

Reappointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
M. Paul Swearingen, 106 East Washington Street, Winnsboro, SC 29180-1135

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William Hutson, 383 William Nobles Road, Aynor, SC 29511-2816

Reappointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Dirk J. Bron, Jr., 1558 Hopewell Church Road, Clinton, SC 29325-0615

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Mike Pitts, 372 Bucks Point Road, Laurens, SC 29360-5801 *VICE* Leesa Inabinet

Initial Appointment, Laurens County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

William Wham, 791 Ma Bryson Road, Mountville, SC 29370-3820 *VICE* Tommy Copeland

Reappointment, Lexington County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Arther L. Myers, 1297 Savannah Hwy., Swansea, SC 29160-9240

Reappointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Chisa J. Putman, 832 Rains Meadow, Rock Hill, SC 29732-8354

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Benjamin C. Allen, 4041 J and S Countryside Road, Conway, SC 29527-6658

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Arakas, 804 Calhoun Road, Myrtle Beach, SC 29577-2254

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Aaron Butler, 1830 Spivey Avenue, Conway, SC 29527-5559

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Monte Harrelson, P. O. Box 153, Green Sea, SC 29545-0153

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Mark Ashley Harris, 3817 Walnut Street, Loris, SC 29569-2333

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Gerald Whitley, 107 Hwy 57 N, Little River, SC 29566-7050

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Margie Livingston, 1201 3rd Ave., Conway, SC 29526-5105

Reappointment, Horry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Bradley Mayers, 511 Beaty Street, Conway, SC 29526-4256

The following Local Appointments, which were previously confirmed, were reconsidered and subsequently confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
New Seat:
Tobias G. Ward, Jr., 534 Congaree Ave., Columbia, SC 29205-2211

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Angela Boyd, 1229 Old Richburg Rd., Chester, SC 29706-5775 *VICE* Lenard Price

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Katina Capers-Washington, 307 Robinson Avenue, Winnsboro, SC 29180-6153 *VICE* William D. Robinson

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Vannessa Hollins, 445 Maple Street, Winnsboro, SC 29180-1821 *VICE* Carol A. Tolen

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Danielle Miller, 628 Old Chester Road, Winnsboro, SC 29180-7153 *VICE* Johnny Dewese

TUESDAY, JUNE 25, 2019

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Diedra Hightower, 613 Dulaney Bvd., Columbia, SC 29229-7416 *VICE* Josef Robinson

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Olivia Williford, 1024 Center Road, Chester, SC 29706-7141 *VICE* Barbara Hinnant Cameron

Initial Appointment, Chester County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Dana Greenleaf, 102 Magnolia Ave., Great Falls, SC 29055-1118 *VICE* Wylie G. Frederick

Initial Appointment, Fairfield County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jannita Gaston, 66 Buckberry Lane, Winnsboro, SC 29180-7042

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James "Jimmy" W. Holladay, Sr. of Sumter, S.C. Jimmy retired from Santee Print Works and was working with Waste Management Inc. He was a member of Graham Baptist Church. Jimmy was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator DAVIS, with unanimous consent, the Senate stood adjourned out of respect to the memory of William Brantley Harvey, Jr. of Beaufort, S.C. The Honorable William Brantley Harvey, Jr. served from 1975-1979 as Lt. Governor of South Carolina. He also served in the S.C. House of Representatives from 1958-1975. William was a graduate of The Citadel and the University of South Carolina Law School. He practiced law with the Harvey and Battey Law Firm in Beaufort. William served on numerous boards and commissions including the Parks, Recreation and Tourism Commission, State Highway Commission, the State Technical College Board and the Coastal Carolina Council of Boy Scouts to mention a few. William was a lifelong musician who enjoyed playing the violin in the Beaufort Chamber Orchestra. He was an avid sailor who enjoyed cooking, hunting, traveling and spending time with family and friends. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CORBIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Trooper First Class Jesse D. Cannon of Greenville, S.C. Jesse worked as a dog handler for the Troop Eight Criminal Interdiction Unit for the South Carolina Highway Patrol. Jesse was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator TALLEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Anita Marlowe Jennings of Spartanburg, S.C. Anita was a graduate of Boiling Springs High School and Robinson's Business College. She was an independent real estate agent and a longtime member of Oak Grove Baptist Church where she was very involved. Anita was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Stanley Rampey of Seneca, S.C. Dr. Rampey practiced family medicine in Oconee County. He enjoyed camping, skiing and hiking. Dr. Rampey was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:56 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of the *Sine Die* Resolution, S. 785.

* * *

SENATE AND HOUSE BILLS AND RESOLUTIONS

S. 1--Int. & Com. 46; Co-Sponsor Added 46; Rep. Com. (polled) 213; Rec. Vt. 214; Motion Under Rule 26B Waived 214; 2d R. 221; 3d R. 242; Rec. Vt. 244.

S. 2--Int. & Com. 47; Co-Sponsor Added 46, 233; Rep. Com. (polled) 215; Rec. Vt. 215; Motion Under Rule 26B Waived 216; 2d R. 222; 3d R. 245; Rec. Vt. 246; Rat. 964.

S. 3--Int. & Com. 47; Co-Sponsor Added 801.

S. 4--Int. & Com. 48; Co-Sponsor Added 46.

S. 5--Int. & Com. 48.

S. 6--Int. & Com. 48; Co-Sponsor Added 46.

S. 7--Int. & Com. 49; Co-Sponsor Added 801, 1921; Rep. Com. 830; Amendment Proposed, Obj. 1578; Committee Amendment Adopted 1870; Amended & Carried Over 1870; Carried Over 1934; 2d R. 1972; Motion Under Rule 26B 1973; Amended & 3d R. 2057; Rec. Vt. 2058.

S. 8--Int. & Com. 49.

S. 9--Int. & Com. 51; Co-Sponsor Added 51, 781, 801, 1155.

S. 10--Int. & Com. 51.

S. 11--Int. & Com. 51; Rep. Com. 1562; Point of Order 1622; Co-Sponsor Added 1638, 1694; 2d R. 1663; Rec. Vt. 1663; 3d R. 1707.

S. 12--Int. & Com. 51; Rep. Com. (polled) 878; Rec. Vt. 878, 955; 2d R. 954; 3d R. 972; Rat. 3225.

S. 13--Int. & Com. 52.

S. 14--Int. & Com. 52; Recalled & Adopted 210; Ret. by H. with Conc. 776.

S. 15--Int. & Com. 55; Co-Sponsor Added 1155; Rep. Com. 1924; Obj. 2206, 2230; Carried Over 3013.

S. 16--Int. & Com. 56; Rep. Com. 784; Carried Over 823; Obj. 842; Co-Sponsor Added 858; Committee Amendment Adopted 884; Amended & 2d R. 884; Motion Under Rule 26B 886; 3d R. 947; Rec. Vt. 947, 3203; M. from H. 2938; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3203.

S. 17--Int. & Com. 56; Rep. Com. 1858; Point of Order 1938; Obj. 1981; 2d R. 2016; Motion Under Rule 26B 2016; Amendment Proposed 2068; Carried Over 2068; Amended & 3d R. 2170; Rec. Vt. 2191.

S. 18--Int. & Com. 56; Co-Sponsor Added 926, 1003, 1351, 2569; Rep. Com. 1189; Point of Order 1216, 1422; Carried Over 1254, 1301; Obj. 1341; Amended & Obj. 1368; Rec. Vt. 1370, 1387, 1416, 1417, 1426; Made Special Order 1385; Amended & 2d R. 1409; 3d R. 1454.

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S. 19--Int. & Com. 58.

S. 20--Int. & Com. 58.

S. 21--Int. & Com. 59; Rep. Com. 831; Committee Amendment Adopted & 2d R. 886; Rec. Vt. 887, 3206; 3d R. 948; M. from H. 2938, 3207; Ret. by H. with Amdt. & Amend H. Amend's 3205; Rat. 3268.

S. 22--Int. & Com. 59.

S. 23--Int. & Com. 60; Co-Sponsor Added 46.

S. 24--Int. & Com. 60.

S. 25--Int. & Com. 61.

S. 26--Int. & Com. 61.

S. 27--Int. & Com. 61.

S. 28--Int. & Com. 61; Co-Sponsor Added 767, 801.

S. 29--Int. & Com. 62; Co-Sponsor Added 1090.

S. 30--Int. & Com. 62.

S. 31--Int. & Com. 62; Rep. Com. 1362; Rep. Com. (polled) 1362; Rec. Vt. 1362; Adopted 1407; Ret. by H. with Conc. 1508.

S. 32--Int. & Com. 63; Co-Sponsor Added 46, 767, 801, 926, 1006, 1351, 2588.

S. 33--Int. & Com. 63; Co-Sponsor Added 248.

S. 34--Int. & Com. 64.

S. 35--Int. & Com. 65; Co-Sponsor Added 802, 926, 1105; Rep. Com. 878; Obj. 958; Motion Under Rule 32 B Adopted 1121; Committee Amendment Amended & Adopted, 2d R. 1121; Rec. Vt. 1123, 1125, 1133, 1146; 3d R. 1145.

S. 36--Int. & Com. 66; Co-Sponsor Added 46.

S. 37--Int. & Com. 66.

S. 38--Int. & Com. 67; Rep. Com. 831.

S. 39--Int. & Com. 67.

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S. 43--Int. & Com. 69.

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S. 45--Int. & Com. 70.

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S. 47--Int. & Com. 70.

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S. 49--Int. & Com. 71.

S. 50--Int. & Com. 71.

S. 51--Int. & Com. 72; Co-Sponsor Added 46, 827.

S. 52--Int. & Com. 72.

S. 53--Int. & Com. 72; Co-Sponsor Added 1463.

S. 54--Int. & Com. 73.

S. 55--Int. & Com. 73.

S. 56--Int. & Com. 74.

S. 57--Int. & Com. 74.

S. 58--Int. & Com. 75.

S. 59--Int. & Com. 78.

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S. 61--Int. & Com. 79.

S. 62--Int. & Com. 79.

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S. 71--Int. & Com. 83.

S. 72--Int. & Com. 84.

S. 73--Int. & Com. 84.

S. 74--Int. & Com. 85; Co-Sponsor Added 1138, 1155.

S. 75--Int. & Com. 85; Rep. Com. 879; Point of Order 955; 2d R. 975; Rec. Vt. 976; 3d R. 995; Rat. 1685.

S. 76--Int. & Com. 86; Rep. Com. 771; 2d R. 815; Rec. Vt. 815; Co-Sponsor Added 827; 3d R. 835.

S. 77--Int. & Com. 86.

S. 78--Int. & Com. 87.

S. 79--Int. & Com. 88; Co-Sponsor Added 762, 2038; Rep. Com. 1190; Point of Order 1218; Carried Over 1256, 1302, 1343; Committee Amendment Amended & Adopted 1302; 2d R. 1371; Rec. Vt. 1371; 3d R. 1397.

S. 80--Int. & Com. 88; Rep. Com. (polled) 832; Rec. Vt. 832, 888, 1388; 2d R. 888; 3d R. 949; M. from H. 1333; Ret. by H. with Amdt. & Conc. in H. Amend 1388; Rat. 1686.

S. 81--Int. & Com. 88.

S. 82--Int. & Com. 89; Co-Sponsor Added 1155.

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S. 84--Int. & Com. 90.

S. 85--Int. & Com. 90; Co-Sponsor Added 802, 1155.

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S. 87--Int. & Com. 91.

S. 88--Int. & Com. 91.

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S. 94--Int. & Com. 94; Rep. Com. (polled) 772; Rec. Vt. 773, 839; Carried Over 821; Co-Sponsor Added 827; Amended & 2d R. 837; 3d R. 883.

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S. 99--Int. & Com. 96.

S. 100--Int. & Com. 96.

S. 101--Int. & Com. 97.

S. 102--Int. & Com. 97; Co-Sponsor Added 781.

S. 103--Int. & Com. 98; Co-Sponsor Added 781.

S. 104--Int. & Com. 98; Co-Sponsor Added 233.

S. 105--Int. & Com. 98; Co-Sponsor Added 233, 858; Rep. Com. 936; Point of Order 980; Obj. 1196, 1509, 1818; Carried Over 1213, 1253, 1299; Committee Amendment Adopted 1336; Amended, Amendment Proposed, Obj. 1336; Amended & Carried Over 1445; Amended & 2d R. 1890; Rec. Vt. 1898; 3d R. 1930; M. from H. 3196; Ret. by H. with Amdt. & Conc. in H. Amend 3197; Rat. 3269.

S. 106--Int. & Com. 100.

S. 107--Int. & Com. 101; Co-Sponsor Added 248; Rep. Com. 1642; Committed 1807.

S. 108--Int. & Com. 102; Rep. Com. 773; Carried Over 822, 842; Amended & 2d R. 972; Rec. Vt. 974; 3d R. 995.

S. 109--Int. & Com. 102; Rep. Com. 1644; Point of Order 1745; Committee Amendment Adopted 1784; Amended & 2d R. 1784; Rec. Vt. 1785; 3d R. 1816; Rat. 3225.

S. 110--Int. & Com. 103; Co-Sponsor Added 2243.

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S. 113--Int. & Com. 104.

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S. 115--Int. & Com. 104.

S. 116--Int. & Com. 105.

S. 117--Int. & Com. 105.

S. 118--Int. & Com. 106.

S. 119--Int. & Com. 106; Co-Sponsor Added 1155.

S. 120--Int. & Com. 107.

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S. 132--Int. & Com. 111; Co-Sponsor Added 46, 1234; Rep. Com. 1206; Point of Order 1268; Committee Amendment Withdrawn 1511; Amended & Carried Over 1511; Carried Over 1579; Obj. 1581, 1602, 1649; Amended & 2d R. 1710; Motion Under Rule 26B 1714; 3d R. 1774; Rat. 3225.

S. 133--Int. & Com. 114; Rep. Com. 1644; Point of Order 1746; Committed 1786.

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S. 154--Int. & Com. 123; Co-Sponsor Added 1752.

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S. 161--Int. & Com. 127.

S. 162--Int. & Com. 127; Co-Sponsor Added 46, 1592; Rep. Com. 1505; Point of Order 1587; 2d R. 1616; Rec. Vt. 1616; Obj. 1648; 3d R. 2159.

S. 163--Int. & Com. 128.

S. 164--Int. & Com. 128.

S. 165--Int. & Com. 129.

S. 166--Int. & Com. 129.

S. 167--Int. & Com. 129; Co-Sponsor Added 802.

S. 168--Int. & Com. 130; Rep. Com. 832; Co-Sponsor Added 858; 2d R. 888; Motion Under Rule 26B 889; Amended & 3d R. 949; Rec. Vt. 950; Rat. 1182.

S. 169--Int. & Com. 130; Rep. Com. 784; Carried Over 823, 842; Co-Sponsor Added 827, 858; Committee Amendment Adopted 892; Adopted 893.

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S. 172--Int. & Com. 132.

S. 173--Int. & Com. 132.

S. 174--Int. & Com. 132.

S. 175--Int. & Com. 133; Co-Sponsor Added 1155.

S. 176--Int. & Com. 134; Rep. Com. (polled) 833; Rec. Vt. 833, 960, 988, 990; Obj. 891; Amd. Prop. & Obj. 951; Made Special Order 959; Amended & 2d R. 983; Point of Order 986; Co-Sponsor Added 993; 3d R. 1000.

S. 177--Int. & Com. 135.

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S. 181--Int. & Com. 136; Rep. Com. 1114; Point of Order 1147; Committee Amendment Adopted & 2d R. 1169; Rec. Vt. 1170; 3d R. 1195.

S. 182--Int. & Com. 136; Co-Sponsor Added 46.

S. 183--Int. & Com. 137.

S. 184--Int. & Com. 137.

S. 185--Int. & Com. 138; Co-Sponsor Added 782, 1155, 1752, 3395; Rep. Com. 1760; Point of Order 1839; 2d R. 1902; Rec. Vt. 1903; 3d R. 1932.

S. 186--Int. & Com. 138.

S. 187--Int. & Com. 138; Co-Sponsor Added 1204.

S. 188--Int. & Com. 139.

S. 189--Int. & Com. 139; Co-Sponsor Added 46; Rep. Com. 1563; Point of Order 1623; Obj. 1664, 1981; Carried Over 1718, 1778, 1899; Committee Amendment Adopted, Carried Over 1820; Amendment Proposed, Carried Over 1934; 2d R. 2014; Motion Under Rule 26B 2015; Amended & 3d R. 2060; Rec. Vt. 2062.

S. 190--Int. & Com. 140; Co-Sponsor Added 1003.

S. 191--Int. & Com. 140; Rep. Com. 1114; Point of Order 1148; Co-Sponsor Added 1155; Committee Amendment Adopted 1171; Carried Over 1171, 1213, 1253, 1334; 2d R. 1200; Rec. Vt. 1200; 3d R. 1365.

S. 192--Int. & Com. 141.

S. 193--Int. & Com. 141.

S. 194--Int. & Com. 141; Rep. Com. 834; Co-Sponsor Added 858; Committee Amendment Adopted & 2d R. 889; Rec. Vt. 890; 3d R. 950.

S. 195--Int. & Com. 142.

S. 196--Int. & Com. 142; Co-Sponsor Added 46, 858, 927; Rep. Com. 834; Point of Order 891; 2d R. 952; Rec. Vt. 953; 3d R. 971; Rat. 3226.

S. 197--Int. & Com. 142; Co-Sponsor Added 1155.

S. 198--Int. & Com. 143.

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S. 200--Int. & Com. 143; Co-Sponsor Added 782.

S. 201--Int. & Com. 144.

S. 202--Int. & Com. 144.

S. 203--Int. & Com. 145; Rep. Com. 1597; Point of Order 1683; Obj. 1744, 1784, 2055; Made Special Order 1842; Rec. Vt. 1842, 2157; Debate Int. 1915, 1991, 2012, 2052; Committee Amendment Adopted, Amended & Carried Over 1926; Amended & 2d R. 2052; Motion Adopted 2057; Co-Sponsor Added 2125; Amended & 3d R. 2153.

S. 204--Int. & Com. 145; Rep. Com. 785.

S. 205--Int. & Com. 145; Co-Sponsor Added 802, 827; Rep. Com. 785; 2d R. 820; Rec. Vt. 821; 3d R. 837; Rat. 2616.

S. 206--Int. & Com. 146; Rep. Com. 1563; Point of Order 1623; 2d R. 1665; Rec. Vt. 1665; 3d R. 1707.

S. 207--Int. & Com. 146; Rep. Com. 773; 2d R. 816; Rec. Vt. 816; 3d R. 835.

S. 208--Int. & Com. 146.

S. 209--Int. & Com. 146.

S. 210--Int. & Com. 147.

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MCELVEEN, J. THOMAS, III - Senator from District No. 35, Sumter, Lee, Kershaw and Richland Counties:

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There was no objection. 2254

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On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Budget and Control Board were authorized as necessary to be in the area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4000, the General Appropriations Bill.

There was no objection and the motion was adopted. 2255

Senator LEATHERMAN asked unanimous consent to make a motion that H. 4000, the General Appropriations Bill, be given a second reading, carrying over all amendments to third reading, with all members reserving the right to raise any Points of Order and waiving the provisions of Rule 26B to allow further amendments on third reading.

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On motion of Senator MASSEY, the Senate agreed that when the Senate stand adjourned on Thursday, January 10, it will adjourn to meet Friday, January 11, 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; and, further, that when the Senate stands adjourned on Friday, January 11, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Tuesday, January 15, Wednesday, January 16, and Thursday, January 17, and Friday, January 18 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. And further, the Senate would meet in regular statewide session Tuesday, January 22, at 2:00 P.M. 246

Senator MASSEY asked unanimous consent to meet tomorrow, Thursday, April 4, 2019, under the provision of Rule 1B, giving second reading to all uncontested Senate Bills on the Second Reading Calendar, waiving the provisions of Rule 26B, and that the Senate would meet at noon on Tuesday, April 9, 2019..... 2013

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Rule 19

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and vacancies were filled in the following manner:

Senator LOFTIS filled a vacancy on the Judiciary Committee.

Senator LOFTIS replaced Senator CAMPBELL on the Banking and Insurance Committee.

Senator LOFTIS filled a vacancy on the Corrections ad Penology Committee.

Senator LOFTIS replaced Senator HEMBREE on the Agriculture and Natural Resources Committee.

Senator LOFTIS replaced Senator CROMER on the Family and Veterans' Services Committee.

Senator HEMBREE filled a vacancy on the Corrections and Penology Committee. 1952

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EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, SO AS TO CHANGE THE COMMENCEMENT DATE OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER AND TO PROVIDE FOR STAGGERED TERMS, TO REVISE THE PROCEDURES FOR ADVERTISING ELECTIONS FOR COMMISSIONERS IN A NEWSPAPER OF GENERAL CIRCULATION, TO REQUIRE COMMISSION CANDIDATES TO FILE STATEMENTS OF INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, AND TO ESTABLISH THE FILING PERIOD FOR THE ELECTION OF COMMISSIONERS.

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