

NO. 7

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, JANUARY 23, 2018
(STATEWIDE SESSION)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from 2 Samuel 22:29: "Indeed, You are my lamp, O Lord, the Lord lightens my darkness."

Let us pray. Almighty God, give these Representatives and staff the spirit of perseverance as they make decisions for the good of all our people. Inspire them to work for the good of all people and give of themselves when serving. Give them Your blessings as they begin work for another week. Keep them in your care. Look in favor upon our Nation, President, State, Governor, Speaker, staff and those who give of their talents for the people of this State. Bless and protect our defenders of freedom and first responders who protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of Wednesday, January 17, 2018, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. BRYANT moved that when the House adjourns, it adjourn in memory of York County Detective Michael Doty, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of York County Detective Michael Doty.

COMMUNICATION

The following was received:

January 22, 2018
The Honorable Charles F. Reid
Clerk of the House

TUESDAY, JANUARY 23, 2018

P.O. Box 11867
Columbia, South Carolina 29211

Dear Mr. Reid:

The State Election Commission has certified to this office that the Honorable Nancy Mace is the winner of the State House of Representatives District 99 Special Election held on January 16, 2018 in Berkeley and Charleston Counties.

The attached hereby certifies Nancy Mace as a duly and properly elected member of the State House of Representatives.

Sincerely,
Mark Hammond
Secretary of State

Received as information.

COMMUNICATION

The following was received:

South Carolina Election Commission

January 19, 2018
Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, South Carolina 29201

Dear Mr. Secretary,

The State Election Commission, hereby certifies Nancy Mace as the winner of the State House of Representatives District 99 Special Election held on January 16, 2018 in Berkeley and Charleston Counties. The official results are as follows:

Candidate	Votes	Percent
Cindy Boatwright	1,587	43.3%
Nancy Mace, Republican	2,071	56.5%
Write-in	8	0.2%

[HJ]

TUESDAY, JANUARY 23, 2018

Sincerely,
Marci Andino
Executive Director

MEMBER-ELECT SWORN IN

The Honorable Nancy Mace, Member-elect from District No. 99, presented her credentials and the oath of office was administered to her by the SPEAKER.

COMMUNICATION

The following was received:

January 22, 2018
The Honorable Charles F. Reid
Clerk of the House
P.O. Box 11867
Columbia, South Carolina 29211

Dear Mr. Reid:

The State Election Commission has certified to this office that the Honorable Ashley Burch Trantham is the winner of the State House of Representatives District 28 Special Election held on January 16, 2018 in Greenville County.

The attached hereby certifies Ashley Trantham as a duly and properly elected member of the State House of Representatives.

Sincerely,
Mark Hammond
Secretary of State

Received as information.

COMMUNICATION

The following was received:

South Carolina Election Commission

January 19, 2018
Honorable Mark Hammond
Secretary of State

[HJ]

TUESDAY, JANUARY 23, 2018

1205 Pendleton Street, Suite 525
Columbia, South Carolina 29201

Dear Mr. Secretary,

The State Election Commission, hereby certifies Ashley Trantham as the winner of the State House of Representatives District 28 Special Election held on January 16, 2018 in Greenville County. The official results are as follows:

Candidate	Votes	Percent
Ashley Trantham, Republican	335	97.4%
Write-in	9	2.6%

Sincerely,
Marci Andino
Executive Director

MEMBER-ELECT SWORN IN

The Honorable Ashley Trantham, Member-elect from District No. 28, presented her credentials and the oath of office was administered to her by the SPEAKER.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 42 to 2.

Veto 10 Part 1B, Page 356, Section 34, Department of Health and Environmental Control - Proviso 34.61, DHEC: Hazardous Waste Fund County Account

Very respectfully,
President
Received as information.

TUESDAY, JANUARY 23, 2018

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 128, H. 3720, by a vote of 23 to 21.

Veto 12 Part 1B, Page 409, Section 84, Department of Transportation - Proviso 84.16, DOT: Rest Area Contractual Payments

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 41 to 2.

Veto 14 Part 1B, Page 277, Section 1, Department of Education - Proviso 1.52, SDE: Lee County Bus Shop

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 44 to 0.

[HJ]

TUESDAY, JANUARY 23, 2018

Veto 15 Part 1B, Page 319; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Net lottery proceeds and investment earnings above the Fiscal Year 2016-17 certified surplus - Item 1 Department of Education - School Bus Lease/Purchase: \$17,500,000

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 43 to 0.

Veto 17 Part 1B, Page 320; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Net lottery proceeds and investment earnings above the Fiscal Year 2016-17 certified surplus - Item 3 State Library - Aid to County Libraries: \$800,000

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 40 to 0.

Veto 18 Part 1B, Page 320; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Net lottery proceeds and investment earnings above the Fiscal Year

[HJ]

TUESDAY, JANUARY 23, 2018

2016-17 certified surplus - Item 4 Commission on Higher Education - Carolina Career Clusters Grant (1:1 Match): \$300,000

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 44 to 0.

Veto 20 Part 1B, Page 320; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Net lottery proceeds and investment earnings above the Fiscal Year 2016-17 certified surplus - Item 6 State Board for Technical and Comprehensive Education - SPICE Program: \$250,000

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 44 to 0.

Veto 21 Part 1B, Page 320; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Unclaimed prize funds in excess of the Board of Economic Advisors estimate - Item 1 Department of Education - School Bus Lease/Purchase: \$3,000,000

[HJ]

TUESDAY, JANUARY 23, 2018

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 44 to 0.

Veto 23 Part IB, Page 320; Section 3, Lottery Expenditure Account - Proviso 3.4, LEA: FY 2017-18 Lottery Funding; Unclaimed prize funds in excess of the Board of Economic Advisors estimate - Item 3 Department of Education - School Bus Lease/Purchase: remaining balance

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 44 to 0.

Veto 24 Part IA, Page 76, Section 28, Arts Commission, II. Statewide Arts Services, Aid to Private Sector, \$350,000 Total Funds; \$350,000 General Funds

Very respectfully,
President
Received as information.

TUESDAY, JANUARY 23, 2018

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 128, H. 3720, by a vote of 40 to 4.

Veto 27 Part IB, Page 355, Section 34, Department of Health and Environmental Control - Proviso 34.56, DHEC: Greenwood Sewer Extension Line

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 128, H. 3720, by a vote of 26 to 18.

Veto 28 Part IB, Page 356, Section 34, Department of Health and Environmental Control - Proviso 34.59, DHEC: Alida Street Project

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

[HJ]

TUESDAY, JANUARY 23, 2018

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 128, H. 3720, by a vote of 21 to 21.

Veto 29 Part 1B, Page 374, Section 49, Department of Parks, Recreation and Tourism - Proviso 49.18, PRT: Horry County Museum

Very respectfully,
President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., January 16, 2018

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 128, H. 3720, by a vote of 0 to 44.

Veto 32 Part 1A, Page 140, Section 49, Parks, Recreation and Tourism, Item II. Programs and Services, A. Tourism Sales & Marketing, Sports Marketing Grant Program: \$3,250,000 Total Funds; \$3,250,000 General Funds

Very respectfully,
President

Received as information.

COMMUNICATION

The following was received:

State of South Carolina
Office of the Governor

January 17, 2018

The Honorable James H. Lucas
Speaker of the House of Representatives

[HJ]

TUESDAY, JANUARY 23, 2018

506 Blatt Building
Columbia, South Carolina 29201
Dear Mr. Speaker,

I respectfully request the opportunity to address the General Assembly in joint session on Wednesday, January 24, 2018, for the purpose of delivering the 2018 State of the State Address.

Thank you for your consideration.

Yours very truly,
Henry McMaster
Governor

Received as information.

COMMUNICATION

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., January 19, 2018

Mr. Speaker and Members of the House of Representatives:

Pursuant to Section 57-1-325 of South Carolina Code of Laws, I am transmitting herewith an appointment for referral to the 7th Congressional District Legislative Delegation. Per the statute, the Delegation has forty-five (45) days from the date of referral to approve the appointment.

Statewide Appointment

Department of Transportation Commission
Term Commencing: 2/16/2017
Term Expiring: 2/15/2021
Seat: 7th Congressional District

Mr. Tony K. Cox
817 Saint Charles Road
North Myrtle Beach, South Carolina 29582

TUESDAY, JANUARY 23, 2018

Yours truly,
Henry McMaster
Governor

Referred to the Delegation of the Seventh Congressional District.

REPORTS OF STANDING COMMITTEES

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3920 -- Reps. Felder, Funderburk, Davis, Bryant, Pope, Forrester, Sandifer, Allison, Fry and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-85 SO AS TO PROVIDE THAT BEGINNING WITH THE 2018-2019 SCHOOL YEAR, ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS, SHALL POST AT LEAST FIVE SIGNS THAT PROVIDE TELEPHONE NUMBERS AND RELATED INFORMATION FOR REPORTING INCIDENTS OF CHILD ABUSE, NEGLECT, AND EXPLOITATION; AND TO PROVIDE DETAILS CONCERNING THE CONTENT, PLACEMENT, AND APPEARANCE OF THE SIGNS; AND BY AMENDING SECTION 63-7-910, RELATING TO A TOLL-FREE NUMBER FOR THE REFERRAL OF INCIDENTS OF CHILD ABUSE OR NEGLECT THAT THE DEPARTMENT OF SOCIAL SERVICES MAY MAINTAIN, SO AS TO REQUIRE THE DEPARTMENT TO MAINTAIN SUCH A SERVICE AND TO INCLUDE CHILD EXPLOITATION AMONG THE CATEGORIES OF REPORTABLE INCIDENTS FOR WHICH THE SERVICE IS INTENDED.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3068 -- Reps. J. E. Smith and Clyburn: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT ATHLETES, SO AS TO ENACT THE "UNIFORM ATHLETE AGENTS ACT OF 2017", TO ADOPT THE INTERSTATE COMPACT FOR REGISTRATION OF STUDENT ATHLETE AGENTS AND MAKE NECESSARY CONFORMING CHANGES, TO REVISE VARIOUS PROVISIONS IN CONSIDERATION OF

TUESDAY, JANUARY 23, 2018

THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES BY ATHLETE AGENTS, TO REVISE REQUIREMENTS REGARDING THE ESTABLISHMENT OF RELATIONSHIPS BETWEEN STUDENT ATHLETES AND ATHLETE AGENTS, AND TO REVISE VARIOUS AVAILABLE REMEDIES, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report on:

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

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3699 -- Reps. Putnam, Whipper, Brown, Knight and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 63-7-765, 63-7-770, AND 63-9-80 SO

[HJ]

TUESDAY, JANUARY 23, 2018

AS TO ALLOW FOR THE DISCLOSURE OF PERSONAL HEALTH INFORMATION ABOUT A CHILD TO CERTAIN CAREGIVERS AS PART OF CHILD PROTECTION OR ADOPTION PROCEEDINGS; TO AMEND SECTION 63-7-390, RELATING TO MANDATED REPORTER IMMUNITY FROM LIABILITY, SO AS TO ADD IMMUNITY PROTECTIONS; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE OR NEGLECT RECORDS, SO AS TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO RELEASE RECORDS CONTAINING PERSONAL HEALTH INFORMATION ABOUT THE CHILD TO CERTAIN CAREGIVERS; AND TO AMEND SECTION 63-7-2370, RELATING TO THE DISCLOSURE OF CERTAIN INFORMATION ABOUT A FOSTER CHILD TO A FOSTER PARENT AT THE TIME OF PLACEMENT, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3701 -- Reps. Putnam, Whipper, Brown, Knight and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-735 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INFORM A RELATIVE WITH WHOM A CHILD MAY BE PLACED OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING LICENSED AS A FOSTER PARENT, AND TO REQUIRE THE COURT TO MAKE CERTAIN FINDINGS BEFORE SIGNING AN ORDER APPROVING PLACEMENT OF A CHILD WITH A RELATIVE WHO IS NOT A LICENSED FOSTER PARENT; TO AMEND SECTION 63-7-650, RELATING IN PART TO THE DEPARTMENT MAKING AN INTERIM PLACEMENT OF A CHILD WITH A RELATIVE INSTEAD OF TAKING CUSTODY OF A CHILD, SO AS TO REQUIRE THE DEPARTMENT TO EXPLAIN TO THE RELATIVE ABOUT THE OPPORTUNITY TO BECOME LICENSED AS A KINSHIP FOSTER PARENT IF THE CHILD IS UNABLE TO RETURN HOME; TO AMEND SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER PROGRAM, SO AS TO ALLOW THE DEPARTMENT TO WAIVE CERTAIN NONSAFETY LICENSURE REQUIREMENTS WHEN LICENSING A RELATIVE

[HJ]

TUESDAY, JANUARY 23, 2018

AS A FOSTER PARENT AND TO INDICATE THE PREFERENCE FOR PLACING A CHILD WITH A RELATIVE; TO AMEND SECTION 63-7-2330, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE AS PART OF A REMOVAL ACTION, SO AS TO REQUIRE THE DEPARTMENT TO INFORM THE RELATIVE OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING SO LICENSED; TO AMEND SECTION 63-7-2350, AS AMENDED, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO CLARIFY THE PROCESS THE DEPARTMENT MUST FOLLOW TO DETERMINE WHETHER A PERSON HAS COMMITTED A CRIME THAT MAKES THE PERSON INELIGIBLE TO BE A FOSTER PARENT; AND TO AMEND SECTION 43-1-210, AS AMENDED, RELATING TO DEPARTMENT REPORTING REQUIREMENTS, SO AS TO REQUIRE REPORTING OF KINSHIP CARE DATA.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4632 -- Reps. Henderson, Allison, Hamilton and Stringer: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR GREER COMMISSION OF PUBLIC WORKS FOR THE VALUABLE RESOURCE IT PROVIDES TO GREER AND TO CONGRATULATE THE ORGANIZATION FOR ITS TENTH CONSECUTIVE AREA-WIDE OPTIMIZATION PROGRAM EXCELLENCE AWARD GIVEN BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR ACHIEVEMENTS IN MEETING WATER QUALITY GOALS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4633 -- Rep. Henderson: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE RIVERSIDE HIGH SCHOOL GIRLS CROSS COUNTRY TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE

[HJ]

TUESDAY, JANUARY 23, 2018

DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2017 CLASS AAAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Riverside High School girls cross country team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2017 Class AAAAA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4634 -- Reps. Henderson, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO CELEBRATE THE RIVERSIDE HIGH SCHOOL GIRLS CROSS COUNTRY TEAM ON WINNING

TUESDAY, JANUARY 23, 2018

THE 2017 CLASS AAAAA STATE CHAMPIONSHIP TITLE AND
TO COMMEND THESE RUNNERS ON A STELLAR SEASON.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4635 -- Reps. McCravy, Pitts, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO COMMEND THE NINETY SIX HIGH SCHOOL MARCHING BAND, DIRECTORS, AND SCHOOL OFFICIALS FOR ADMIRABLE WORK AND TO APPLAUD THEM FOR WINNING THE 2017 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS A STATE FINALS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4636 -- Reps. McCravy and Pitts: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE NINETY SIX HIGH SCHOOL MARCHING BAND OF GREENWOOD COUNTY WITH THE BAND MEMBERS, DIRECTORS, AND

TUESDAY, JANUARY 23, 2018

SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Ninety Six High School Marching Band of Greenwood County with the band members, directors, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Band Directors Association Class A State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4637 -- Reps. Tallon, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR CHIEF LOUIS M. DEKMAR FOR HIS PERFORMANCE IN LAW ENFORCEMENT AND TO RECOGNIZE HIM FOR HIS GOOD

TUESDAY, JANUARY 23, 2018

WORKS AS THE PRESIDENT OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4638 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF SHIRLEY CATHERINE SCIOLINO EMDEN OF ABBEVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4639 -- Reps. Douglas, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-

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Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO HONOR AND COMMEND LIEUTENANT CHRIS CHILDERS, SERGEANT TIM INMAN, CORPORAL JONATHAN HARRIS, DEPUTY BLAKE ADAMS, DEPUTY JACOB LITTLE, AND LANCE CORPORAL LAWRENCE HODGE FOR THEIR HEROIC EFFORTS ABOVE AND BEYOND THE CALL OF DUTY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4640 -- Rep. Allison: A HOUSE RESOLUTION TO COMMEND TUCAPAU BAPTIST CHURCH OF STARTEX FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY AND TO EXTEND WARMEST CONGRATULATIONS ON THE OCCASION OF THE CHURCH'S HISTORIC ONE HUNDRED TWENTIETH ANNIVERSARY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4641 -- Reps. Delleney, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-

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Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA CHAPTER OF THE AMERICAN BOARD OF TRIAL ADVOCATES TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR THE ORGANIZATION'S JAMES OTIS LECTURE SERIES, PROVIDED THAT THE HOUSE IS NOT IN SESSION AND THE CHAMBER IS NOT OTHERWISE UNAVAILABLE, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON ALTERNATE DATES AND TIMES AS MAY BE SELECTED BY THE SPEAKER.

Be it resolved by the House of Representatives:

That the South Carolina Chapter of the American Board of Trial Advocates be allowed the use of the chamber of the South Carolina House of Representatives for the organization's James Otis Lecture Series, provided that the House is not in session and the chamber is not otherwise unavailable, and that the Speaker for this purpose provide for the use of the House chamber on alternate dates and times as he may select.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4642 -- Rep. Allison: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE MEMBERS OF THE 2ND BRIGADE 2ND BATTALION HONORS TEAM OF THE SOUTH CAROLINA

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STATE GUARD FOR THEIR OUTSTANDING DEDICATION AND PATRIOTIC SERVICE IN PERFORMING MILITARY FUNERAL HONORS FOR THE FAMILIES OF FALLEN SOLDIERS AND VETERANS THROUGHOUT THE PALMETTO STATE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4647 -- Reps. Hayes, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO CELEBRATE THE DILLON HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A SPECTACULAR SEASON AND TO CONGRATULATE THEM ON TAKING HOME THE 2017 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4648 -- Rep. Hayes: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DILLON HIGH SCHOOL

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FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Dillon High School football team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 Class AAA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4649 -- Reps. Henegan, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HARVEY DIXON ODOM, JR., UPON THE OCCASION OF HIS RETIREMENT AFTER OVER FORTY YEARS OF OUTSTANDING

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SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4650 -- Reps. Henegan, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE MEMBERS OF ALPHA PHI ALPHA FRATERNITY, INCORPORATED, THETA PHI LAMBDA CHAPTER, FOR FIFTY YEARS OF SERVICE TO COMMUNITIES THROUGHOUT MARLBORO AND CHESTERFIELD COUNTIES AND TO COMMEND THE CHAPTER FOR ITS PROMOTION OF BROTHERHOOD, SCHOLARSHIP, AND SERVICE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4651 -- Rep. Blackwell: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SOUTH AIKEN HIGH

TUESDAY, JANUARY 23, 2018

SCHOOL BOYS TENNIS TEAM OF AIKEN COUNTY WITH THE TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the South Aiken High School boys tennis team of Aiken County with the team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Class AAAA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4652 -- Rep. Blackwell: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SOUTH AIKEN HIGH SCHOOL GIRLS VARSITY SOCCER TEAM OF AIKEN COUNTY WITH THE TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2017 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the South Aiken High School girls varsity soccer team of Aiken County with the team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2017 South Carolina Class AAAA State Championship title.

The Resolution was adopted.

[HJ]

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HOUSE RESOLUTION

The following was introduced:

H. 4653 -- Reps. Wheeler, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, White, Whitmire, Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE ISAAC C. JOE, SR., OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4631 -- 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 24, 2018, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

[HJ]

TUESDAY, JANUARY 23, 2018

That his Excellency, Henry Dargan McMaster, Governor of the State of South Carolina, is invited to address the General Assembly in joint session at 7:00 p.m. on Wednesday, January 24, 2018, in the chamber of the South Carolina House of Representatives.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 4646 -- Reps. Bryant, Pope, Simrill, Delleney, Felder, King, D. C. Moss, V. S. Moss and B. Newton: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY DETECTIVE MICHAEL R. DOTY OF THE YORK COUNTY SHERIFF'S OFFICE IN THE LINE OF DUTY AND TO EXPRESS TO HIS FAMILY THE DEEPEST SYMPATHY AND APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4643 -- Reps. Thayer, Magnuson, Jefferson, Gagnon, Allison, West, Clyburn, Erickson, Hill, Pitts and Toole: 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 AND NOT SUBJECT TO REGULATION BY THE DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM DIRECT PRIMARY CARE AGREEMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4644 -- Reps. Dillard, Anthony and Atkinson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-96-85 SO AS TO ESTABLISH THE SOLID WASTE EMERGENCY FUND, TO PROVIDE FOR THE FUNDING

TUESDAY, JANUARY 23, 2018

OF THE FUND, TO PROVIDE EXCEPTIONS, TO AUTHORIZE THE RECOVERY OF COSTS BY THE ATTORNEY GENERAL OR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO AUTHORIZE A REPRESENTATIVE TO INVESTIGATE A WASTE MANAGEMENT SITE AT ANY TIME TO ADDRESS AN EMERGENCY SITUATION; BY AMENDING SECTION 44-96-120, RELATED TO THE SOLID WASTE MANAGEMENT TRUST FUND, SO AS TO INCLUDE FUNDING THE SOLID WASTE EMERGENCY FUND IN THE LIST OF AUTHORIZED SOLID WASTE MANAGEMENT TRUST FUND EXPENDITURES; BY AMENDING SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT FACILITY PERMITTING, SO AS TO ALLOW THE DEPARTMENT TO LIMIT DEMONSTRATION OF NEED REQUIREMENTS, TO REMOVE LOCAL LAND USE AND ZONING ORDINANCES FROM A CONSTRUCTION PERMIT TO BUILD A NEW SOLID WASTE MANAGEMENT FACILITY OR EXPAND AN EXISTING FACILITY, AND TO REQUIRE A PERSON SEEKING A CONSTRUCTION PERMIT TO PROVIDE DOCUMENTATION OF COMPLIANCE WITH LOCAL LAND USE AND ZONING ORDINANCES; AND BY AMENDING SECTION 44-96-360, RELATING TO SOLID WASTE PROCESSING FACILITIES, SO AS TO ESTABLISH CERTAIN CONDITIONS FOR FACILITIES THAT RECYCLE CONSTRUCTION AND DEMOLITION DEBRIS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4645 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-1-220 SO AS TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO POST VISUAL NOTIFICATION MARKERS AT LEAST FORTY EIGHT HOURS PRIOR TO THE OUTDOOR APPLICATION OF CHEMICALS ON PUBLIC PROPERTY AND TO REQUIRE THE OWNER OF A PUBLIC BUILDING TO POST A VISUAL NOTIFICATION MARKER AT EVERY ENTRANCE INTO THE BUILDING THAT INFORMS A PERSON ENTERING THE BUILDING OF ANY CHEMICALS USED WITHIN THE BUILDING.

Referred to Committee on Education and Public Works

H. 4654 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-43-100, AS AMENDED, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO LICENSING REQUIREMENTS FOR INDIVIDUAL AND AGENCY INSURANCE PRODUCERS, SO AS TO REQUIRE AN APPLICANT TO PROVIDE A COMPLETE SET OF FINGERPRINTS WITH THE APPLICATION, TO PROVIDE THAT FAILURE TO PROVIDE A COMPLETE SET OF FINGERPRINTS CONSTITUTES GROUNDS FOR DENIAL OF AN APPLICATION, AND TO PROVIDE EXCEPTIONS TO THE FINGERPRINTING REQUIREMENT UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Labor, Commerce and Industry

H. 4655 -- Reps. Sandifer and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA INSURANCE DATA SECURITY ACT" BY ADDING CHAPTER 99 TO TITLE 38 SO AS TO DEFINE NECESSARY TERMS; TO REQUIRE A LICENSEE TO DEVELOP, IMPLEMENT AND MAINTAIN A COMPREHENSIVE INFORMATION SECURITY PROGRAM BASED ON THE LICENSEE'S RISK ASSESSMENT AND TO ESTABLISH CERTAIN REQUIREMENTS FOR THE SECURITY PROGRAM, TO PROVIDE MINIMUM REQUIREMENTS FOR A LICENSEE'S BOARD OF DIRECTORS, IF APPLICABLE, TO REQUIRE A LICENSEE TO MONITOR THE SECURITY PROGRAM AND MAKE ADJUSTMENTS IF NECESSARY, TO PROVIDE THAT THE LICENSEE MUST ESTABLISH AN INCIDENT RESPONSE PLAN AND TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INCIDENT RESPONSE PLAN, TO REQUIRE A LICENSEE TO SUBMIT A STATEMENT TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE ANNUALLY; TO ESTABLISH CERTAIN REQUIREMENTS FOR A LICENSEE IN THE EVENT OF A CYBERSECURITY EVENT; TO REQUIRE A LICENSEE TO NOTIFY THE DIRECTOR OF CERTAIN INFORMATION IN THE EVENT OF A CYBERSECURITY EVENT; TO GRANT THE DIRECTOR THE POWER AND AUTHORITY TO EXAMINE AND INVESTIGATE A LICENSEE; TO PROVIDE THAT DOCUMENTS, MATERIALS, OR OTHER INFORMATION IN THE CONTROL OR POSSESSION OF THE DEPARTMENT MUST BE TREATED AS CONFIDENTIAL AND TO AUTHORIZE THE DIRECTOR TO SHARE OR RECEIVE CONFIDENTIAL DOCUMENTS UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER; TO PROVIDE

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PENALTIES FOR VIOLATIONS; AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

Referred to Committee on Labor, Commerce and Industry

H. 4656 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-9-200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REINSURANCE CREDITS, SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ADOPT ADDITIONAL REQUIREMENTS FOR REINSURANCE CREDITS, TO REQUIRE A REINSURER TO DEMONSTRATE IT HAS ADEQUATE FINANCIAL CAPACITY TO MEET ITS REINSURANCE OBLIGATIONS TO QUALIFY FOR A CREDIT, TO ALLOW FOR THE REDUCTION OF A TRUSTEED SURPLUS FOR AN ASSUMING INSURER WHO HAS PERMANENTLY DISCONTINUED UNDERWRITING NEW BUSINESS, TO ALLOW FOR CREDIT WHEN REINSURANCE IS CEDED AND ENUMERATE CERTAIN ELIGIBILITY REQUIREMENTS, TO ALLOW FOR AN ASSUMING INSURER WHO IS NOT LICENSED, CERTIFIED, OR ACCREDITED IN THIS STATE TO BECOME ELIGIBLE FOR A CREDIT UNDER CERTAIN CIRCUMSTANCES, TO ALLOW THE DIRECTOR TO SUSPEND OR REVOKE THE ACCREDITATION OR CERTIFICATION, TO REQUIRE AN INSURER TO MANAGE ITS REINSURANCE RECOVERABLES PROPORTIONATE TO ITS BOOK OF BUSINESS, AND TO AUTHORIZE THE DIRECTOR TO ADOPT RULES AND REGULATIONS; AND TO AMEND SECTION 38-9-210, RELATING TO LIABILITY REDUCTIONS FOR REINSURANCE, SO AS TO AUTHORIZE THE DIRECTOR TO ADOPT ADDITIONAL REQUIREMENTS FOR AN ASSET OR REDUCTION FROM LIABILITY FOR REINSURANCE CEDED BY A DOMESTIC INSURER AND TO EXPAND THE ACCEPTABLE FORM OF SECURITY FOR A LIABILITY REDUCTION.

Referred to Committee on Labor, Commerce and Industry

H. 4657 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATIVE PENALTIES FOR THE VIOLATION OF THE INSURANCE LAWS OF SOUTH CAROLINA, SO AS TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE THESE PENALTIES FOR VIOLATIONS OF FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT; TO AMEND SECTION 38-3-150, RELATING TO

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THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS AND INVESTIGATIONS, SO AS TO REQUIRE THAT INFORMATION RELATED TO AN EXAMINATION OR INVESTIGATION TO BE TREATED AS PRIVILEGED AND CONFIDENTIAL; TO AMEND SECTION 38-13-70, RELATING TO INVESTIGATIONS CONDUCTED BY THE DEPARTMENT OF INSURANCE, SO AS TO AUTHORIZE THE DEPARTMENT TO RESPOND TO MOTIONS AND COMPLAINTS AGAINST HEALTH MAINTENANCE ORGANIZATIONS AND PERSONS LICENSED TO TRANSACT THE BUSINESS OF INSURANCE IN THIS STATE AND TO ESTABLISH A DEADLINE FOR RESPONSES TO THE DEPARTMENT'S INQUIRIES; TO AMEND SECTION 38-21-290, AS AMENDED, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO PROVIDE DOCUMENTS, MATERIALS, OR OTHER INFORMATION SUBMITTED IN SUPPORT OF AN APPLICATION MUST BE TREATED AS CONFIDENTIAL; TO AMEND SECTION 38-33-170, RELATING TO THE EXAMINATIONS OF THE AFFAIRS OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO REQUIRE AN EXAMINATION NO LESS THAN EVERY FIVE YEARS; TO AMEND SECTION 38-33-230, RELATING TO LEVY OF ADMINISTRATIVE PENALTY IN LIEU OF OTHER PENALTIES, SO AS TO ALLOW THE LEVY OF AN ADMINISTRATIVE PENALTY FOR VIOLATIONS OF STATE AND FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-61-20, RELATING TO THE APPROVAL OF INSURANCE POLICIES, CONTRACTS, OR POLICIES BY THE DEPARTMENT OF INSURANCE, SO AS TO REQUIRE THAT ALL FORMS FILED WITH THE DEPARTMENT SATISFY ALL APPLICABLE STATE AND FEDERAL LAWS AND TO AUTHORIZE THE DIRECTOR TO IMPOSE A PENALTY IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 38-71-90, RELATING TO THE PENALTIES FOR ISSUING OR DELIVERING A POLICY THAT VIOLATES CHAPTER 71, SO AS TO EXTEND THE PENALTIES TO ANY INSURER OR HEALTH MAINTENANCE ORGANIZATION WHO VIOLATES APPLICABLE STATE OR FEDERAL LAWS GOVERNING THE TRANSACTION OF THE BUSINESS OF INSURANCE SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE.

Referred to Committee on Labor, Commerce and Industry

[HJ]

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ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Brawley	Brown	Bryant
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Jefferson
Johnson	Jordan	King
Kirby	Knight	Loftis
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCravy
McEachern	McGinnis	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Toole
Trantham	Weeks	West

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Wheeler
Williams
Yow

White
Willis

Whitmire
Young

Total Present--121

STATEMENT OF ATTENDANCE

Rep. SOTTILE signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, January 17.

STATEMENT OF ATTENDANCE

Rep. ANDERSON signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, January 17.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BRADLEY a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. PARKS a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. ARRINGTON a temporary leave of absence.

DOCTOR OF THE DAY

Announcement was made that Dr. Alexander Ramsay of Charleston was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove

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his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

CO-SPONSOR ADDED

Bill Number: H. 3786
Date: ADD:
01/23/18 HUGGINS

CO-SPONSOR ADDED

Bill Number: H. 4375
Date: ADD:
01/23/18 WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4376
Date: ADD:
01/23/18 GOVAN and WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4377
Date: ADD:
01/23/18 GOVAN and WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4378
Date: ADD:
01/23/18 GOVAN and WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4379
Date: ADD:
01/23/18 GOVAN, PENDARVIS and TOOLE

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CO-SPONSORS ADDED

Bill Number: H. 4380
Date: ADD:
01/23/18 GOVAN and WEEKS

CO-SPONSOR ADDED

Bill Number: H. 4435
Date: ADD:
01/23/18 NORRELL

CO-SPONSORS ADDED

Bill Number: H. 4460
Date: ADD:
01/23/18 CLARY and G. M. SMITH

CO-SPONSOR ADDED

Bill Number: H. 4514
Date: ADD:
01/23/18 MCCRAVY

CO-SPONSORS ADDED

Bill Number: H. 4465
Date: ADD:
01/23/18 KING, RIDGEWAY, COBB-HUNTER, OTT and
WHEELER

CO-SPONSORS ADDED

Bill Number: H. 4487
Date: ADD:
01/23/18 FRY, WEST, ATWATER, ERICKSON, NORRELL,
WEEKS, DOUGLAS, DILLARD, RIDGEWAY and
HUGGINS

CO-SPONSORS ADDED

Bill Number: H. 4488
Date: ADD:
01/23/18 FRY, HEWITT, WEST, SPIRES, ATWATER,
ERICKSON, NORRELL, WEEKS, DOUGLAS,
DILLARD, RIDGEWAY and HUGGINS

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CO-SPONSORS ADDED

Bill Number: H. 4491
Date: ADD:
01/23/18 ATWATER, LOFTIS, HERBKERSMAN,
CRAWFORD, S. RIVERS, PUTNAM and PITTS

CO-SPONSOR ADDED

Bill Number: H. 4612
Date: ADD:
01/23/18 TOOLE

CO-SPONSORS ADDED

Bill Number: H. 4627
Date: ADD:
01/23/18 MARTIN, WEST, GAGNON, KIRBY and DILLARD

CO-SPONSORS ADDED

Bill Number: H. 4644
Date: ADD:
01/23/18 ANTHONY and ATKINSON

H. 4378--DEBATE ADJOURNED

The following Bill was taken up:

H. 4378 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Jefferson, King, Daning, Govan and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 3, TITLE 58 SO AS TO CREATE THE UTILITY OVERSIGHT COMMITTEE AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND ADMINISTRATION OF THE COMMITTEE; TO REPEAL ARTICLE 5, CHAPTER 3, TITLE 58 RELATING TO THE STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE; AND TO AMEND SECTIONS 8-13-935, 58-3-5, 58-9-280, 58-9-285, 58-9-2689, 58-27-2630, 58-31-20, AND 58-39-140, ALL RELATING

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TO UTILITIES AND THE REGULATION AND OVERSIGHT OF UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Rep. MCCOY moved to adjourn debate on the Bill until Wednesday, January 24, which was agreed to.

H. 4377--DEBATE ADJOURNED

The following Bill was taken up:

H. 4377 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Govan and Weeks: A BILL TO AMEND SECTION 58-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE PUBLIC SERVICE COMMISSION, SO AS TO REVISE THE MEMBERSHIP; TO AMEND SECTION 58-3-30, RELATING TO THE COMMISSIONERS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REQUIRE THE COMMISSIONERS AND THEIR EMPLOYEES TO ATTEND AT LEAST SIX HOURS OF CONTINUING EDUCATION CURRICULUM; TO AMEND SECTION 58-3-225, RELATING TO THE CONDUCT OF MEETINGS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REQUIRE THE COMMISSIONERS TO QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; AND TO AMEND SECTION 58-3-260, RELATING TO COMMUNICATIONS WITH THE PUBLIC SERVICE COMMISSION, SO AS TO ALLOW THE PUBLIC UTILITIES REVIEW COMMITTEE AND CERTAIN OTHER LEGISLATIVE OVERSIGHT COMMITTEES TO COMMUNICATE WITH THE PUBLIC SERVICE COMMISSION IN CERTAIN CIRCUMSTANCES.

Rep. MCCOY moved to adjourn debate on the Bill until Wednesday, January 24, which was agreed to.

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H. 4379--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

Rep. HILL proposed the following Amendment No. 1 to H. 4379 (COUNCIL\AHB\4379C001.BH.AHB18), which was tabled:

Amend the bill, as and if amended, by deleting SECTIONS 2-5.

[HJ]

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

/ SECTION _____. Article 4, Title 58 of the 1976 Code is repealed.

SECTION _____. The Code Commissioner is authorized to change references in the 1976 Code from the Office of Regulatory Staff to the Utilities Consumer Advocate and update references to Article 4, Title 58 as necessary. /

Re-number sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HILL spoke in favor of the amendment.

Rep. OTT spoke against the amendment.

Rep. FINLAY spoke against the amendment.

Rep. OTT moved to table the amendment, which was agreed to, by a division vote of 92 to 4.

Reps. OTT and MCCOY proposed the following Amendment No. 2 to H. 4379 (COUNCIL\AHB\4379C002.BH.AHB18), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 1-7-1320(2) and inserting:

/ (2) 'Public Utility' has the same meaning as provided in Section 58-4-5, but also shall include in the meaning those electric utilities which are the under the jurisdiction of the Public Service Commission; provided, however, that 'public utility' does not include those carriers that have elected to be regulated under an alternative regulation plan pursuant to Section 58-9-576 and 58-9-577. /

Re-number sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of amendments to the Bill.

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RECURRENCE TO THE MORNING HOUR

Rep. OTT moved that the House recur to the morning hour, which was agreed to.

H. 4379--AMENDED AND INTERRUPTED DEBATE

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY

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STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

Rep. CLARY proposed the following Amendment No. 3 to H. 4379 (COUNCIL\AHB\4379C005.AGM.AHB18), which was tabled:

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

/ SECTION 1. Section 13-1-10 of the 1976 Code is amended to read:

“Section 13-1-10. (A) The Department of Commerce is established as an administrative agency of state government which is comprised of a Division of State Development, a Division of Savannah Valley Development, a Division of Aeronautics, a Division of Public Railways, ~~and~~ an Advisory Coordinating Council for Economic Development, and the Utilities Consumer Advocate. Each division of the Department of Commerce shall have such functions and powers as provided for by law.

(B) All functions, powers, and duties provided by law to the State Development Board, the Savannah Valley Authority, the South Carolina Aeronautics Commission, the South Carolina Public Railways Commission, ~~and~~ the Coordinating Council for Economic Development, and the Utilities Consumer Advocate, its officers or agencies, are hereby transferred to the Department of Commerce together with all records, property, personnel, and unexpended appropriations. All rules, regulations, standards, orders, or other actions of these entities shall remain in effect unless specifically changed or voided by the department in accordance with the Administrative Procedures Act.”

SECTION 2. Section 1-30-25 of the 1976 Code, as last amended by Act 359 of 2008, is further amended to read:

“Section 1-30-25. The following agencies, boards, and commissions, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with any such agency, except for those subdivisions specifically included under another department, are transferred to and incorporated in and must be administered as part of the Department of Commerce to be initially divided into divisions for Aeronautics, Advisory Coordinating Council for Economic Development, State Development, Public Railways, ~~and~~ Savannah Valley Development, and Utilities Consumer Advocate:

(A) South Carolina Aeronautics Commission, formerly provided for at Section 55-5-10, et seq.;

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(B) Coordinating Council for Economic Development, formerly provided for at Section 41-45-30, et seq.;

(C) Savannah Valley Authority, formerly provided for at Section 13-9-10, et seq.;

(D) existing divisions or components of the Department of Commerce formerly a part of the State Development Board excluding the South Carolina Film Commission; ~~and~~

(E) South Carolina Public Railways Commission, formerly provided for at Section 58-19-10, et seq.; and

(F) Utilities Consumer Advocate, provided for at Article 17, Chapter 1, Title 13.”

SECTION 3. Chapter 1, Title 13 of the 1976 Code is amended by adding:

“Article 17

Section 13-1-2110. There is created within the Department of Commerce the Utilities Consumer Advocate with duties and responsibilities as provided in this article.

Section 13-1-2120. For purposes of this article, the term:

(1) ‘Commission’ and ‘Regulatory Staff’ have the same meaning as provided in Section 58-4-5.

(2) ‘Public Utility’ has the same meaning as provided in Section 58-4-5, but also shall include in the meaning those electric utilities which are under the jurisdiction of the Public Service Commission.

Section 13-1-2130. (A) The Utilities Consumer Advocate must be appointed by the Secretary of the Department of Commerce, shall serve at the pleasure of the Secretary of Commerce, and must be an attorney qualified to practice in all courts of this State. The Utilities Consumer Advocate shall not report to the Office of Regulatory Staff but may avail himself of the services of the Office of Regulatory Staff as necessary in representing the public utility interests of consumers. The Office of Regulatory Staff shall cooperate with any and all requests by the Utilities Consumer Advocate and Regulatory Staff and shall be available to provide research and expertise to the Utilities Consumer Advocate as requested.

(B) Unless otherwise provided by law, no person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates any utility with which that person is associated. If the commission regulates a business with which the Utilities Consumer Advocate is associated, he must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.

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(C) No person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates a business with which he is associated and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.

Section 13-1-2140. The Utilities Consumer Advocate must be provided office space and be otherwise equipped by the Department of Commerce to perform the functions prescribed in this article. Necessary expenses must be paid from appropriations to the Department of Commerce provided annually in the General Appropriations Act. The Department of Commerce shall set the salary of the Utilities Consumer Advocate.

Section 13-1-2150. (A) The duties and responsibilities of the Utilities Consumer Advocate are:

- (1) to represent the public utility interests of consumers;
- (2) to provide legal representation of the consumer interests before the state and federal regulatory agencies which undertake to fix rates or prices for public utilities;
- (3) along with the Office of Regulatory Staff, to monitor existing regulations, rate structures, and policies of those agencies of special interest to utility consumers and report to the public through the news media proposed changes under consideration and the effect of those changes on the lives of the citizens of the State; and
- (4) to evaluate and act upon requests from consumers concerning the matters provided in items (1) through (3), except that any proceedings initiated by the Utilities Consumer Advocate must be brought on behalf of the public at large and not for individuals; initiation or continuation of any proceedings is in the sole discretion of the Utilities Consumer Advocate.

(B) The Utilities Consumer Advocate shall provide an annual report to the General Assembly on January fifteenth of each year regarding the previous year's activities on behalf of the interests of utility consumers.

Section 13-1-2160. In the performance of his assigned functions, the Utilities Consumer Advocate shall have reasonable access to records of the Office of Regulatory Staff and any other state agency, as necessary, which are not classified by law as confidential, and those state agencies must cooperate with the Utilities Consumer Advocate in the performance of his duties. In addition, the Utilities Consumer Advocate must have reasonable access to confidential records and information if he enters a proprietary agreement to ensure their confidentiality. During the course of a ratemaking or other proceeding initiated before the Public

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Service Commission relating to public utilities, the Utilities Consumer Advocate, as a party of record, may request in writing, in addition to all other methods of discovery as provided by law, the issuance of an order compelling a witness or company to either produce or allow inspection of documentary evidence relevant to the matter. If an order is not issued, the aggrieved party may appeal. The written request, in addition to showing a general relevance and reasonable scope of the evidence sought, also must specify with particularity the books, accounts, papers, records, or other materials of the business desired and the facts expected to be proved. In lieu of a written request, the request for such an order may be made orally upon the record at the hearing, for good cause shown. Any objections to the issuance of the order must be filed within three days of being notified of the written request or the order. Any objections so filed must list the specific grounds for objection. Objections must be ruled on within ten days or the objection is denied.

Section 13-1-2170. The Utilities Consumer Advocate is considered to have an interest sufficient to maintain actions for judicial review and may, as of right and in the manner prescribed by law, intervene or otherwise participate in any civil proceeding which involves the review or enforcement of an action that the Utilities Consumer Advocate determines may substantially affect the interests of public utility consumers.

Section 13-1-2180. Decisions of the Utilities Consumer Advocate respecting whether, when, or how to initiate, continue, or intervene in proceedings pursuant to this article, are in the sole discretion of the Utilities Consumer Advocate, except as modified by order of a court of competent jurisdiction. All prior references to the Consumer Advocate's role in so far as it conflicts with the Utilities Consumer Advocate's role are considered to be the responsibility of the Utilities Consumer Advocate.

Section 13-1-2190. The Utilities Consumer Advocate must not interview or seek employment with a public utility while serving as the Utilities Consumer Advocate. The Utilities Consumer Advocate may not represent or appear on behalf of a public utility in any proceeding before the commission in any matter within the commission's jurisdiction for one year after serving as the Utilities Consumer Advocate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or be imprisoned for not more than one year, or both."

SECTION 4. Section 58-4-10 of the 1976 Code is amended to read:

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“Section 58-4-10. (A) There is hereby created the Office of Regulatory Staff as a separate agency of the State with the duties and organizations as hereinafter provided.

(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, ‘public interest’ means a balancing of the following:

(1) concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;

(2) economic development and job attraction and retention in South Carolina; and

(3) ~~preservation of the financial integrity of the state’s public utilities and continued investment in and maintenance of utility facilities so as to provide~~ preservation of reliable and high quality utility services.

(C) The Office of Regulatory Staff is subject to the provision of Section 58-3-260 prohibiting ex parte communications with the commission, and any advice given to the commission by the regulatory staff must be given in a form, forum, and manner as may lawfully be given by any other party or person.”

SECTION 5. Section 58-4-50 of the 1976 Code is amended to read:

“Section 58-4-50. (A) It is the duty and responsibility of the regulatory staff to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff or the Utilities Consumer Advocate and in the public interest, review, investigate, and make appropriate recommendations to the commission with respect to the rates charged or proposed to be charged by any public utility;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, make inspections, audits, and examinations of public utilities regarding matters within the jurisdiction of the commission. The regulatory staff has ~~sole~~ responsibility for this duty but shall also make such inspections, audits, or examinations of public utilities as requested by the commission or the Utilities Consumer Advocate;

(3) when considered necessary by the Executive Director of the Office of Regulatory Staff or the Utilities Consumer Advocate and in the public interest, review, investigate, and make appropriate recommendations to the commission with respect to the service furnished or proposed to be furnished by any public utility;

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(4) represent the public interest in commission proceedings, hearings, rulemakings, adjudications, arbitrations, and other regulatory matters unless the Executive Director of the Office of Regulatory Staff chooses to opt out as a participant under the provisions of item ~~10~~ (10);

(5) investigate complaints affecting the public interest generally, including those which are directed to the commission, commissioners, or commission employees, and where appropriate, make recommendations to the commission and the Utilities Consumer Advocate, as appropriate, with respect to these complaints;

(6) upon request by the commission or the Utilities Consumer Advocate, make studies and recommendations to the commission with respect to standards, regulations, practices, or service of any public utility pursuant to the provisions of this title;

(7) make recommendations to the commission and the Utilities Consumer Advocate with respect to standards, regulations, practices, or service of any public utility pursuant to the provisions of this title;

(8) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, provide legal representation of the public interest before state courts, federal regulatory agencies, and federal courts in proceedings that could affect the rates or service of any public utility;

(9) to serve as a facilitator or otherwise act directly or indirectly to resolve disputes and issues involving matters within the jurisdiction of the commission;

(10) when considered appropriate by the Executive Director of the Office of Regulatory Staff and not adverse to the public interest, choose to not participate in any commission proceeding; and

(11) when considered necessary by the Executive Director of the Office of Regulatory Staff, along with the Utilities Consumer Advocate and in the public interest, educate the public on matters affecting public utilities which are of special interest to consumers.

(B) Subject to the provisions of Section 58-3-260 and, upon request, the Executive Director of the Office of Regulatory Staff must employ the resources of the regulatory staff to furnish to the commission, or its members, such information and reports or conduct such investigations and provide other assistance as may reasonably be required in order to supervise and control the public utilities of the State and to carry out the laws providing for their regulation.

(C) The Executive Director of the Office of Regulatory Staff and regulatory staff employees shall provide research, expertise, and any

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other assistance requested by the Utilities Consumer Advocate as provided in Article 17, Chapter 1, Title 13.

(D) Each year, the Executive Director of the Office of Regulatory Staff ~~and the regulatory staff employees, and the Utilities Consumer Advocate~~ must attend a workshop of at least six contact hours concerning ethics and the Administrative Procedures Act. This workshop must be developed with input from the review committee.”

SECTION 6. Section 58-4-55 of the 1976 Code is amended to read:

“Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50, and the provisions of Article 17, Chapter 1, Title 13, shall have necessary subpoena powers and may require the production of books, records, and other information that, upon request of the regulatory staff, must be submitted under oath. If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary examination or inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the public utility that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the public utility’s regulated operations.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the consent of the public utility raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an

objection or request within sixty days of the date it was filed. During the pendency of the commission's ruling, the public utility making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq. and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility to object to such discovery or to seek relief regarding such discovery, including

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without limitation the entry of a protective order. At the request of the Utilities Consumer Advocate, the Executive Director of the Office of Regulatory Staff shall issue subpoenas in accordance with the reviews delineated in this chapter and in Article 17, Chapter 1, Title 13.

(E) Failure to provide information requested by the Executive Director of the Office of Regulatory Staff or the regulatory staff pursuant to the provisions of this chapter or failure to provide information requested by the Utilities Consumer Advocate is a misdemeanor punishable by thirty days imprisonment or a five hundred dollar fine. The offense contained in this section is a separate offense and is in addition to any other offense for which the person may be convicted.”

SECTION 7. Section 58-4-80 of the 1976 Code is amended to read:

“Section 58-4-80. The executive director representing the regulatory staff is considered to have an interest sufficient to maintain actions for judicial review from commission orders or decisions and may, as of right and in a manner prescribed by law, intervene or otherwise participate in any civil proceeding which involves the review or enforcement of commission action that the executive director determines may substantially affect the public interest. This right includes intervention in any action for judicial review from commission orders or decisions that are pending at any stage of the action. The executive director representing the regulatory staff has the same rights of appeal from commission orders or decisions as other parties to commission proceedings. On appeal, the Office of Regulatory Staff does not represent the commission.”

SECTION 8. The provisions of this act take effect ten days after approval by the Governor, and the Department of Commerce shall appoint the Utilities Consumer Advocate by the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. CLARY explained the amendment.

Rep. CLARY spoke in favor of the amendment.

Rep. CASKEY moved to table the amendment, which was agreed to.

Rep. MCCOY proposed the following Amendment No. 4 to H. 4379 (COUNCIL\AHB\4379C003.BH.AHB18), which was adopted:

Amend the bill, as and if amended, page 2, SECTION 1, by deleting Section 1-7-1330(B) and (C) and inserting:

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/ (B) Unless otherwise provided by law, no person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates any utility that is a business with which he is associated. The Utilities Consumer Advocate and the Attorney General, including any member of his staff, may not receive anything of value from a public utility and the Attorney General is prohibited from receiving a campaign contribution from a public utility. /

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Rep. J.E. SMITH proposed the following Amendment No. 5 to H. 4379 (COUNCIL\DG\4379C003.BBM.DG18), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-1320 through Section 1-7-1350 and inserting:

Section 1-7-1320. For purposes of this article, the term:

(1) 'Commission' and 'Regulatory Staff' have the same meaning as provided in Section 58-4-5.

(2) 'Consumer interests' means interests the Utilities Consumer Advocate feels are material, especially:

(a) consumer interests in holding utility bills stable and to the lowest reasonable level in the short and long term;

(b) securing safe and reliable utility services at nondiscriminatory rates; and

(c) managing utility bills through conservation, efficiency, and technologies that facilitate control over energy generation and consumption.

(3) 'Public Utility' has the same meaning as provided in Section 58-4-5, but also shall include in the meaning those electric utilities which are the under the jurisdiction of the Public Service Commission.

Section 1-7-1330. (A) The Utilities Consumer Advocate must be appointed by the Attorney General and may be removed from office by the Attorney General for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity to serve. The Utilities Consumer Advocate must be an attorney qualified to practice in all courts of this State. The Utilities Consumer Advocate shall not report to the Office of Regulatory Staff but may avail himself of the services of the Office of Regulatory Staff as necessary in representing the public utility interests of consumers.

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The Office of Regulatory Staff shall cooperate with any and all requests by the Utilities Consumer Advocate and Regulatory Staff and shall be available to provide research and expertise to the Utilities Consumer Advocate as requested.

(B) Unless otherwise provided by law, no person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates any utility with which that person is associated. If the commission regulates a business with which the Utilities Consumer Advocate is associated, he must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.

(C) No person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates a business with which he is associated and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.

Section 1-7-1340. The Utilities Consumer Advocate must be provided office space and be otherwise equipped by the Office of the Attorney General to perform the functions prescribed in this article. Necessary expenses must be borne by regulated utilities, in a manner consistent with the provisions of Section 58-4-60. The Attorney General shall set the salary of the Utilities Consumer Advocate.

Section 1-7-1350. (A) The duties and responsibilities of the Utilities Consumer Advocate are:

(1) to represent the public utility interests of consumers, especially residential consumers who take public utility service for domestic purposes, low income residential consumers, and small business consumers, as defined in Section 1-23-270;

(2) to provide legal representation of the consumer interests before the state and federal regulatory agencies which undertake to fix rates or prices for public utilities;

(3) along with the Office of Regulatory Staff, to monitor existing regulations, rate structures, and policies of those agencies of special interest to utility consumers and report to the public through the news media proposed changes under consideration and the effect of those changes on the lives of the citizens of the State; and

(4) to evaluate and act upon requests from consumers concerning the matters provided in items (1) through (3), except that any proceedings initiated by the Utilities Consumer Advocate must be brought on behalf of the public at large and not for individuals; initiation or continuation of any proceedings is in the sole discretion of the Utilities Consumer Advocate.

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(B) The Utilities Consumer Advocate shall provide an annual report to the General Assembly on January fifteenth of each year regarding the previous year's activities on behalf of the interests of utility consumers.

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 6 to H. 4379 (COUNCIL\AHB\4379C006.AGM.AHB18), which was ruled out of order:

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

/ SECTION ____ . Article 3, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58-27-412. (A) Notwithstanding another provision of law, formal application to and written approval from the Public Service Commission and the Utilities Consumer Advocate must be obtained before:

(1) the sale, assignment, pledge, or transfer of an existing or future franchise with a retail electric provider issued pursuant to the provisions of this chapter;

(2) control of an existing or future franchise with a retail electric provider issued pursuant to the provisions of this chapter is changed, altered, or amended through stock transfer, lease, or otherwise; or

(3) the merger or consolidation affecting a retail electric provider made through acquisition or control by stock purchase or otherwise.

(B) The Public Service Commission's and the Utilities Consumer Advocate's approval required by this section must be given if justified by public convenience or necessity; however, the Public Service Commission's and the Utilities Consumer Advocate's approval must be based on the best interests on the ratepayers and employees of the State.

(C) The provisions of this section do not apply to regular trading in listed securities on recognized markets.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

[HJ]

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POINT OF ORDER

Rep. MCCOY raised the Point of Order that under Rule 9.3 that Amendment No. 6 to H. 4379 was out of order in that it was not germane to the Bill.

Rep. RUTHERFORD spoke against the Point.

Rep. MCCOY spoke in favor of the Point.

The SPEAKER sustained the Point of Order and ruled Amendment No. 6 to H. 4379 to be out of order.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of amendments to the Bill.

RECURRENCE TO THE MORNING HOUR

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

H. 4379--ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of amendments to the Bill:

H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER

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ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

Reps. TOOLE and COBB-HUNTER proposed the following Amendment No. 7 to H. 4379 (COUNCIL\DG\4379C005.BBM.DG18), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Sections 1-7-1330 and 1-7-1340 and inserting:

/ Section 1-7-1330. (A) The Utilities Consumer Advocate must be appointed by the Director of the Department of Consumer Affairs, and shall serve at the pleasure of the director. The Utilities Consumer Advocate must be an attorney qualified to practice in all courts of this State. The Utilities Consumer Advocate shall not report to the Office of Regulatory Staff but may avail himself of the services of the Office of Regulatory Staff as necessary in representing the public utility interests of consumers. The Office of Regulatory Staff shall cooperate with any and all requests by the Utilities Consumer Advocate and Regulatory Staff and shall be available to provide research and expertise to the Utilities Consumer Advocate as requested.

(B) Unless otherwise provided by law, no person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates any utility with which that person is associated. If the commission regulates a business with which the Utilities Consumer Advocate is associated, he must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.

(C) No person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates a business with which he is associated and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.

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Section 1-7-1340. The Utilities Consumer Advocate must be provided office space and be otherwise equipped by the Department of Consumer Affairs to perform the functions prescribed in this article. Necessary expenses must be paid from appropriations to the Department of Consumer Affairs provided annually in the General Appropriations Act. The Director of the Department of Consumer Affairs shall set the salary of the Utilities Consumer Advocate. /

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

/ SECTION 6. The provisions of this act take effect ten days after approval by the Governor, and the Director of the Department of Consumer Affairs shall appoint the Utilities Consumer Advocate by the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

Rep. TOOLE spoke in favor of the amendment.

Rep. CASKEY moved to table the amendment.

Rep. TOOLE demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 50

Those who voted in the affirmative are:

Alexander	Allison	Anthony
Atkinson	Ballentine	Bennett
Bernstein	Blackwell	Bryant
Caskey	Clemmons	Cogswell
Cole	Collins	Crawford
Crosby	Danig	Davis
Delleney	Duckworth	Erickson
Felder	Finlay	Forrest
Fry	Hamilton	Hardee
Henderson	Hewitt	Hiott
Hixon	Johnson	Jordan
Kirby	Lowe	Lucas
Mace	Magnuson	Martin
McCoy	McGinnis	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Pitts	Pope

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S. Rivers	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Stavrinakis	Stringer	Tallon
West	Wheeler	Whitmire
Willis	Young	Yow

Total--63

Those who voted in the negative are:

Anderson	Bannister	Bowers
Brawley	Brown	Burns
Chumley	Clary	Clyburn
Cobb-Hunter	Dillard	Douglas
Elliott	Forrester	Funderburk
Gagnon	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hill	Hosey
Huggins	Jefferson	King
Knight	Loftis	Long
McCravy	McEachern	McKnight
Norrell	Ott	Pendarvis
Putnam	Ridgeway	M. Rivers
Robinson-Simpson	Rutherford	J. E. Smith
Spires	Taylor	Thayer
Thigpen	Toole	Weeks
White	Williams	

Total--50

So, the amendment was tabled.

AMENDMENT NO. 5--RECONSIDERED AND TABLED

Rep. OTT moved to reconsider the vote whereby Amendment No. 5 was adopted, which was agreed to.

Rep. J.E. SMITH proposed the following Amendment No. 5 to H. 4379 (COUNCIL\DG\4379C003.BBM.DG18), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-1320 through Section 1-7-1350 and inserting:

Section 1-7-1320. For purposes of this article, the term:

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(1) 'Commission' and 'Regulatory Staff' have the same meaning as provided in Section 58-4-5.

(2) 'Consumer interests' means interests the Utilities Consumer Advocate feels are material, especially:

(a) consumer interests in holding utility bills stable and to the lowest reasonable level in the short and long term;

(b) securing safe and reliable utility services at nondiscriminatory rates; and

(c) managing utility bills through conservation, efficiency, and technologies that facilitate control over energy generation and consumption.

(3) 'Public Utility' has the same meaning as provided in Section 58-4-5, but also shall include in the meaning those electric utilities which are the under the jurisdiction of the Public Service Commission.

Section 1-7-1330. (A) The Utilities Consumer Advocate must be appointed by the Attorney General and may be removed from office by the Attorney General for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity to serve. The Utilities Consumer Advocate must be an attorney qualified to practice in all courts of this State. The Utilities Consumer Advocate shall not report to the Office of Regulatory Staff but may avail himself of the services of the Office of Regulatory Staff as necessary in representing the public utility interests of consumers. The Office of Regulatory Staff shall cooperate with any and all requests by the Utilities Consumer Advocate and Regulatory Staff and shall be available to provide research and expertise to the Utilities Consumer Advocate as requested.

(B) Unless otherwise provided by law, no person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates any utility with which that person is associated. If the commission regulates a business with which the Utilities Consumer Advocate is associated, he must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.

(C) No person may serve as the Utilities Consumer Advocate if the Public Service Commission regulates a business with which he is associated and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.

Section 1-7-1340. The Utilities Consumer Advocate must be provided office space and be otherwise equipped by the Office of the Attorney General to perform the functions prescribed in this article. Necessary expenses must be borne by regulated utilities, in a manner

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consistent with the provisions of Section 58-4-60. The Attorney General shall set the salary of the Utilities Consumer Advocate.

Section 1-7-1350. (A) The duties and responsibilities of the Utilities Consumer Advocate are:

(1) to represent the public utility interests of consumers, especially residential consumers who take public utility service for domestic purposes, low income residential consumers, and small business consumers, as defined in Section 1-23-270;

(2) to provide legal representation of the consumer interests before the state and federal regulatory agencies which undertake to fix rates or prices for public utilities;

(3) along with the Office of Regulatory Staff, to monitor existing regulations, rate structures, and policies of those agencies of special interest to utility consumers and report to the public through the news media proposed changes under consideration and the effect of those changes on the lives of the citizens of the State; and

(4) to evaluate and act upon requests from consumers concerning the matters provided in items (1) through (3), except that any proceedings initiated by the Utilities Consumer Advocate must be brought on behalf of the public at large and not for individuals; initiation or continuation of any proceedings is in the sole discretion of the Utilities Consumer Advocate.

(B) The Utilities Consumer Advocate shall provide an annual report to the General Assembly on January fifteenth of each year regarding the previous year's activities on behalf of the interests of utility consumers. /

Renumber sections to conform.

Amend title to conform.

Rep. OTT spoke against the amendment.

Rep. OTT moved to table the amendment, which was agreed to.

Rep. HILL spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 1

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atkinson	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bowers
Brawley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Delleney	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hardee
Hart	Hayes	Henderson
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mace	Magnuson
Martin	McCoy	McCravy
McEachern	McGinnis	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Toole
Weeks	West	Wheeler
White	Whitmire	Williams
Willis	Young	Yow

Total--114

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Those who voted in the negative are:
Hill

Total--1

So, the Bill, as amended, was read the second time and ordered to third reading.

STATEMENT FOR THE JOURNAL

I oppose this Bill (H. 4379) because it retains the Office of Regulatory Staff - the state agency that failed in its statutory mission to protect the ratepayer. Worse, the new consumer advocate this Bill sets up is not completely independent of the ORS. The answer to V. C. Summer is not adding more bureaucrats.

Rep. Jonathon D. Hill

RECORD FOR VOTING

If I was in attendance, I would have voted in favor of H. 4379.

Rep. Katie Arrington

Rep. MACE moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4606 -- Reps. Gagnon, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires,

[HJ]

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Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO COMMEND THE ABBEVILLE HIGH SCHOOL VARSITY FOOTBALL TEAM, SCHOOL OFFICIALS, AND COACHES AND TO CONGRATULATE THEM ON WINNING THE 2017 CLASS AA STATE CHAMPIONSHIP TITLE.

H. 4631 -- 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 24, 2018, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

ADJOURNMENT

At 2:20 p.m. the House, in accordance with the motion of Rep. BRYANT, adjourned in memory of York County Detective Michael Doty, to meet at 2:00 p.m. tomorrow.

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H. 3699	13	H. 4634	16
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H. 3720	8, 9, 10	H. 4637	18
H. 3786	34	H. 4638	19
H. 3920	12	H. 4639	19
H. 4375	34	H. 4640	20
H. 4376	34	H. 4641	20
H. 4377	34, 37	H. 4642	21
H. 4378	34, 36	H. 4643	27
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H. 4627	36	H. 4657	30
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H. 4632	15	S. 105	13