JOURNAL

of the

HOUSE OF REPRESENTATIVES

of the

STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, FEBRUARY 20, 2018 (STATEWIDE SESSION)

Tuesday, February 20, 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 Isaiah 51:12: "I am He who comforts you."

Let us pray. Holy One who comes to us and gives understanding and comforts us in times of need and in times of plenty. Send Your comforting spirit to these Representatives and staff as they strive to do the work assigned to them. Give comfort and blessing to our Nation, President, State, Governor, Speaker, staff, and all who labor to make the system work. Bless and protect our defenders of freedom and first responders as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, 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 Friday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. WEST moved that when the House adjourns, it adjourn in memory of Bobby "Bob" Burriss, Sr., which was agreed to.

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4760

Agency: Department of Health and Environmental Control Statutory Authority: 1976 Code Sections 44-61-610 et seq.

South Carolina Stroke Care System

Received by Speaker of the House of Representatives January 9, 2018 Referred to Regulations and Administrative Procedures Committee Legislative Review Expiration May 9, 2018

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4801

Agency: Department of Labor, Licensing and Regulation

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70 and 40-67-

70

Board of Examiners in Speech-Language Pathology and Audiology Received by Speaker of the House of Representatives January 9, 2018 Referred to Regulations and Administrative Procedures Committee Legislative Review Expiration May 9, 2018

REPORT OF STANDING COMMITTEE

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

H. 3739 -- Reps. Loftis, Burns, Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT THE DEPARTMENT TRANSPORTATION SHALL BEAR COSTS, NOT TO EXCEED SEVEN AND ONE-HALF PERCENT OF THE TOTAL PROJECT COSTS, FOR CONSTRUCTION PROJECTS OR IMPROVEMENTS, TO PROVIDE THAT THIS SECTION DOES NOT GRANT THE DEPARTMENT THE AUTHORITY TO **PREVENT** MATERIALLY LIMIT Α **PUBLIC** WATER SYSTEM'S UTILIZATION OF PROPERTY LOCATED WITHIN A STATE TRANSPORTATION IMPROVEMENT PROJECT'S RIGHT OF WAY, AND TO PROVIDE THAT THE DEPARTMENT MAY ACQUIRE ADDITIONAL RIGHTS OF WAY TO FACILITATE THE LOCATION OF UTILITIES OUTSIDE OF RIGHTS OF WAY CURRENTLY CONTAINED IN THE PUBLIC HIGHWAY SYSTEM.

Ordered for consideration tomorrow.

INTRODUCTION OF BILLS

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

H. 4958 -- Reps. Ridgeway, Henderson and Spires: A BILL TO AMEND SECTION 44-53-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO

ALLOW PHARMACISTS TO DISPENSE A VARYING QUANTITY OF MAINTENANCE MEDICATION, WITH EXCEPTIONS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 913 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-740(B) OF THE 1976 CODE, RELATING TO YOUTH HUNTING DAYS, TO PROVIDE THAT A LICENSE OR TAG REQUIRED PURSUANT TO CHAPTER 9, TITLE 50 IS WAIVED FOR A YOUTH HUNTER ON A YOUTH HUNTING DAY.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

ROLL CALL

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

Alexander Allison Anderson Anthony Arrington Atkinson Atwater Bales Ballentine Bannister Bennett Bernstein Blackwell Bradley Bowers Brawley Brown **Bryant** Burns Caskey Chumley Clary Clemmons Clyburn Cobb-Hunter Cogswell Cole Crawford Collins Crosby Daning Davis Delleney Dillard Douglas Duckworth Elliott Erickson Felder **Finlay** Forrest Forrester Fry Funderburk Gagnon Gilliard Hamilton Govan Hardee Hart Hayes Henderson Henderson-Myers Herbkersman Hill Hiott Hewitt 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 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 Spires Stavrinakis Stringer Tallon **Taylor** Thayer Thigpen Toole Trantham Weeks West Wheeler White Whitmire Williams Willis Young Yow

Total Present--119

STATEMENT FOR THE JOURNAL

I was sick with the flu on Thursday, February 15, 2018, and I was unable to attend session.

Rep. G. Murrell Smith

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

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 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. 3183 Date: ADD: 02/20/18 THIGPEN

CO-SPONSOR ADDED

Bill Number: H. 3595 Date: ADD: 02/20/18 BALES

CO-SPONSOR ADDED

Bill Number: H. 3819 Date: ADD:

02/20/18 HENDERSON-MYERS

CO-SPONSOR ADDED

Bill Number: H. 3820 Date: ADD:

02/20/18 HENDERSON-MYERS

CO-SPONSOR ADDED

Bill Number: H. 4040 Date: ADD:

02/20/18 CLEMMONS

CO-SPONSOR ADDED

Bill Number: H. 4322 Date: ADD: 02/20/18 S. RIVERS

CO-SPONSOR ADDED

Bill Number: H. 4386 Date: ADD:

02/20/18 HENDERSON-MYERS

CO-SPONSORS ADDED

Bill Number: H. 4418 Date: ADD:

02/20/18 MACE, HAMILTON, LOFTIS, MAGNUSON,

FELDER and DUCKWORTH

CO-SPONSOR ADDED

Bill Number: H. 4434 Date: ADD: 02/20/18 THAYER

CO-SPONSOR ADDED

Bill Number: H. 4443 Date: ADD: 02/20/18 MACE

CO-SPONSOR ADDED

Bill Number: H. 4705 Date: ADD:

02/20/18 BALLENTINE

CO-SPONSORS ADDED

Bill Number: H. 4717 Date: ADD:

02/20/18 PENDARVIS and THIGPEN

CO-SPONSOR ADDED

Bill Number: H. 4796 Date: ADD: 02/20/18 CLARY

CO-SPONSORS ADDED

Bill Number: H. 4810 Date: ADD:

02/20/18 HUGGINS, BALLENTINE and HENDERSON-

MYERS

CO-SPONSOR ADDED

Bill Number: H. 4816 Date: ADD: 02/20/18 POPE

CO-SPONSOR ADDED

Bill Number: H. 4857 Date: ADD:

02/20/18 COGSWELL

CO-SPONSORS ADDED

Bill Number: H. 4874 Date: ADD:

02/20/18 DANING and BALES

CO-SPONSOR ADDED

Bill Number: H. 4911 Date: ADD: 02/20/18 FELDER

CO-SPONSOR ADDED

Bill Number: H. 4932 Date: ADD: 02/20/18 MACE

H. 4795--DEBATE ADJOURNED

The following Bill was taken up:

H. 4795 -- Reps. Herbkersman, Simrill and W. Newton: A BILL TO AMEND SECTION 56-15-10, AS AMENDED, CODE OF LAWS OF

SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERMS "DEALER" OR "MOTOR VEHICLE DEALER" TO EXCLUDE CERTAIN PERSONS CONDUCTING AUCTIONS IN CONJUNCTION WITH THE ANNUAL HILTON HEAD ISLAND CONCOURS D'ELEGANCE.

Rep. SIMRILL moved to adjourn debate on the Bill until Tuesday, February 27, which was agreed to.

H. 4618--DEBATE ADJOURNED

The following Bill was taken up:

H. 4618 -- Reps. Willis, Elliott and Allison: A BILL TO AMEND SECTION 56-3-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND USE OF DEALER AND WHOLESALER LICENSE PLATES, SO AS TO REDUCE THE MINIMUM NUMBER OF MOTOR VEHICLE SALES A DEALER MUST MAKE BEFORE HE MAY BE ISSUED A DEALER PLATE AND THE NUMBER OF MOTOR VEHICLES HE MUST SELL BEFORE HE MAY BE ISSUED ADDITIONAL DEALER PLATES, AND TO REDUCE THE NUMBER OF MOTOR VEHICLES THAT MUST BE SOLD BY A DEALER PARTICIPATING IN A MANUFACTURER PROGRAM TO OBTAIN ADDITIONAL PLATES.

Rep. TOOLE moved to adjourn debate on the Bill, which was agreed to.

SPEAKER PRO TEMPORE IN CHAIR

H. 4672--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 4672 -- Reps. Elliott, B. Newton, Allison, Felder, Bryant, Putnam, Martin, Arrington, Thigpen, Gagnon, Thayer, Douglas, Govan, Anderson, McGinnis, Huggins, Tallon, Daning, D. C. Moss, Long, Henderson, Mace, Cogswell, West, Chumley, Gilliard, Atwater, J. E. Smith, Bernstein, Jefferson, Williams, W. Newton, Henderson-Myers and Ballentine: A BILL TO AMEND SECTION 56-1-220, AS

AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VISION SCREENING REQUIRED FOR ISSUANCE OF A DRIVER'S LICENSE, SO AS TO PROVIDE THAT VISION SCREENING IS REQUIRED UPON RENEWAL OF A LICENSE, AND TO PROVIDE THAT A CERTIFICATE OF VISION EXAMINATION FORM MUST BE EXECUTED BY THE CERTIFYING OPHTHALMOLOGIST OR OPTOMETRIST.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 4672 (COUNCIL\CM\4672 C001.GT.CM18):

Amend the bill, as and if amended, Section 56-1-220(A), as continued in SECTION 1, page 1 by striking SECTION 56-1-220(A) and inserting:

/ (A) The department shall require vision screening for all persons obtaining an initial license <u>and upon license renewal after October 1, 2019</u>. The vision screening may be waived upon the submission of a certificate of vision examination dated within the previous twelve months from an ophthalmologist or optometrist licensed in any state. /

Renumber sections to conform.

Amend title to conform.

Rep. ELLIOTT explained the amendment.

Reps. KING, HART, YOW, RUTHERFORD, OTT, TAYLOR, CROSBY, HOSEY, KIRBY, ANDERSON, ELLIOTT, CLYBURN, CRAWFORD, WILLIS, KNIGHT and WEST requested debate on the Bill.

H. 4682--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4682 -- Rep. Willis: A BILL TO AMEND SECTION 56-9-540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF PROVIDING PROOF OF FINANCIAL RESPONSIBILITY, SO AS TO DELETE THE FILING OF A BOND AND THE FILING OF A CERTIFICATE OF DEPOSIT OF MONEY OR SECURITIES AS METHODS OF ESTABLISHING PROOF OF FINANCIAL RESPONSIBILITY; AND TO REPEAL SECTIONS 56-9-570 AND 56-9-580 BOTH RELATING TO ESTABLISHING PROOF OF FINANCIAL RESPONSIBILITY BY THE FILING OF A

BOND OR A CERTIFICATE OF DEPOSIT OF MONEY OR SECURITIES.

Rep. ELLIOTT explained the Bill.

The yeas and nays were taken resulting as follows: Yeas 103; Nays 0

Those who voted in the affirmative are:

Arrington Anderson Anthony Atkinson Atwater Bales Ballentine Bannister Bennett Bernstein Blackwell Bowers Brawley Brown **Bryant** Burns Caskey Clary

Cobb-Hunter Clemmons Clyburn Cole Cogswell Collins Crawford Crosby Daning Davis Douglas Duckworth Elliott Erickson Felder Forrest Forrester Fry Funderburk Hamilton Gagnon Hardee Hart Hayes

Henderson Henderson-Myers Herbkersman Hewitt Hill Hiott Howard Huggins Hixon Jordan Jefferson Johnson Knight King Kirby Loftis Lowe Lucas Magnuson McCoy Mace McCravy **McGinnis** McKnight D. C. Moss V. S. Moss B. Newton W. Newton Norrell Ott Parks Pendarvis **Pitts**

Pope Ridgeway M. Rivers Robinson-Simpson S. Rivers Rutherford Sandifer Simrill G. M. Smith Spires G. R. Smith Stavrinakis Stringer Tallon **Taylor** Toole Thayer Thigpen Trantham Weeks West

Wheeler White Whitmire Williams Willis Young Yow

Total--103

Those who voted in the negative are:

Total--0

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

H. 4676--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4676 -- Reps. Collins and Felder: A BILL TO AMEND SECTIONS 56-1-50, AS AMENDED, 56-1-125, 56-1-175, AS AMENDED, AND 56-1-180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A BEGINNER'S PERMIT, A CONDITIONAL DRIVER'S LICENSE, AND A SPECIAL RESTRICTED DRIVER'S LICENSE, AND THE REQUIREMENT THAT CERTAIN INDIVIDUALS MUST REGISTER WITH THE UNITED STATES SELECTIVE SERVICE, ALL SO AS TO REVISE CERTAIN TERMS.

Rep. ELLIOTT explained the Bill.

The yeas and nays were taken resulting as follows: Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander Allison Anderson Anthony Arrington Atkinson Atwater Bales Ballentine Bannister Bernstein Bennett Blackwell Bowers Brown **Bryant** Burns Caskey Chumley Clemmons Clary Clyburn Cobb-Hunter Cogswell Cole Crawford Collins Crosby Daning Davis

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Delleney Duckworth Douglas Elliott Erickson Felder Finlay Forrest Forrester Fry Funderburk Gagnon Gilliard Govan Hamilton Hardee Haves Hart

Henderson Henderson-Myers Herbkersman

Hewitt Hiott Hill Hixon Hosev Howard Jefferson Huggins Johnson Jordan King Kirby Knight Loftis Long Lowe Mace Lucas Martin McCoy McCravy **McGinnis** McKnight D. C. Moss V. S. Moss Murphy B. Newton

Norrell W. Newton Ott Parks Pendarvis Pope Ridgeway M. Rivers S. Rivers Robinson-Simpson Rutherford Sandifer G. M. Smith G. R. Smith **Spires** Stavrinakis Tallon Stringer **Taylor** Thayer Thigpen Toole Trantham Weeks White West Wheeler Whitmire Williams Willis

Young Yow

Total--110

Those who voted in the negative are:

Total--0

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

S. 6--DEBATE ADJOURNED

The following Bill was taken up:

S. 6 -- Senators Bryant, Hembree, Campbell and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO

PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE THAT A PERSON WHO TORTURES, MUTILATES, INJURES, DISABLES, POISONS, OR KILLS A POLICE DOG OR HORSE MAY BE FINED UP TO TEN THOUSAND DOLLARS, MAY BE IMPRISONED FOR UP TO TEN YEARS, MUST PAY RESTITUTION TO COVER THE COST OF RESTORING OR REPLACING THE DOG OR HORSE INJURED OR KILLED, AND MAY BE REQUIRED TO COMPLETE UP TO FIVE HUNDRED HOURS OF COMMUNITY SERVICE FOR AN ANIMAL-RELATED ORGANIZATION OR FOUNDATION.

Rep. TALLON moved to adjourn debate on the Bill until Wednesday, February 21, which was agreed to.

H. 4705--AMENDED AND ORDERED TO THIRD READING The following Bill was taken up:

H. 4705 -- Reps. Bannister, Elliott, Arrington, Long, Chumley, B. Newton, Martin, Henderson-Myers, G. R. Smith, Trantham, Bryant, Hamilton, Hixon, S. Rivers, Stringer, Brawley and Ballentine: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTERS OF CHILD ABUSE OR NEGLECT, SO AS TO ADD RELIGIOUS COUNSELORS AS MANDATED REPORTERS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4705 (COUNCIL\VR\4705C001.NBD.VR18), which was adopted:

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

- / SECTION 1. Section 63-7-310 of the 1976 Code is amended to read:
- "(A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, clerical or nonclerical religious counselor who is a licensed counselor or holds himself out as a counselor or regularly counsels others, school or college administrator, coach, school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, substance abuse

treatment staff, or childcare worker in a childcare center or foster care facility, foster parent, police or law enforcement officer, <u>firefighter</u>, <u>camp counselor</u>, <u>scout leader</u>, juvenile justice worker, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, judge, or a volunteer non-attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63-7-20.

- (B) If a person required to report pursuant to subsection (A) has received information in the person's professional capacity which gives the person reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child's welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child's welfare, the reporter must make a report to the appropriate law enforcement agency.
- (C) Except as provided in subsection (A), a person, including, but not limited to, a volunteer non attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report, and is encouraged to report, in accordance with this section who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report, and is encouraged to report, in accordance with this section. A person in subsection (A) or (B) who reports child abuse or neglect to a supervisor or person in charge of an institution, school, facility, or agency is not relieved of the individual duty to report in accordance with this section. The duty to report is not superseded by an internal investigation within the institution, school, facility, or agency.
- (D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found."

SECTION 2. Section 63-7-450(A) of the 1976 Code is amended to read:

"(A) The Department of Social Services Protective Services shall inform all persons required to report under this subarticle pursuant to Section 63-7-310(A) of the nature, problem, and extent of child abuse and neglect and of their duties and responsibilities in accordance with this article. The department also, on a continuing basis, shall conduct training programs for department staff and appropriate training for persons required to report under this subarticle pursuant to Section 63-7-310(A)."

SECTION 3. This act takes effect upon approval by the Governor. / Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows: Yeas 103; Nays 0

Those who voted in the affirmative are:

Alexander Allison Anthony Arrington Atwater Bales Bannister Bennett Brawley **Bowers** Burns Caskey Clemmons Clyburn Cogswell Cole Crosby Crawford Davis Douglas Erickson Elliott **Finlay** Forrest Fry Funderburk Gilliard Govan Hardee Hart Henderson Herbkersman Hill Hiott Hosev Huggins Jordan Johnson Knight Loftis

Brown Clary Cobb-Hunter Collins Daning Duckworth Felder Forrester Gagnon Hamilton Haves Hewitt Hixon Jefferson King Long

Anderson

Atkinson

Ballentine

Blackwell

Lowe Mace Magnuson McCravv Martin McCov McKnight D. C. Moss **McGinnis** V. S. Moss Murphy B. Newton W. Newton Norrell Ott **Parks** Pitts Pope Ridgeway M. Rivers Putnam Robinson-Simpson Sandifer S. Rivers G. R. Smith Spires Stavrinakis Stringer Tallon **Taylor** Thayer Thigpen Toole Trantham Weeks West Wheeler Whitmire White Williams Willis Young Yow

Total--103

Those who voted in the negative are:

Total--0

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

H. 4377--SENT TO THE SENATE

The following Bill was taken up:

H. 4377 -- Reps. McCov. 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, Weeks, Henderson, Henderson-Myers, Williams and Knight: 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

OF THE **COMMISSIONERS** 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.

The Bill was read the third time and ordered sent to the Senate.

RECURRENCE TO THE MORNING HOUR

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

HOUSE RESOLUTION

The following was introduced:

H. 4959 -- Reps. Bennett, Rutherford, King, Daning, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, 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, 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, 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 SALUTE THE HONORABLE LONNIE HOSEY, A GENUINE AMERICAN PATRIOT AND SOUTH CAROLINA STATESMAN, AND TO HONOR HIS DISTINGUISHED SERVICE WITH THE FIRST MARINE DIVISION DURING THE VIETNAM WAR AND HIS SERVICE IN THE HOUSE OF REPRESENTATIVES.

Whereas, the members of the South Carolina House of Representatives have learned that their friend and colleague in the General Assembly, the Honorable Lonnie Hosey, will be honored by the Black History Month Symposium for a lifetime of distinguished service to our State and to the nation during a program entitled "From Barnwell County to the Statehouse" aboard the USS Yorktown at Patriot's Point in Mount Pleasant on Friday, February 23, 2018; and

Whereas, a native of South Carolina, young Lonnie Hosey joined the United States Marine Corps in the proud tradition of sons of the Palmetto State in June of 1966, and he served with the First Marine Division in Vietnam in 1966 and 1967, under unrelenting combat; and

Whereas, wounded twice in Vietnam, he was awarded a Purple Heart for his extraordinary service. As a result of serious bullet and shrapnel wounds, Sergeant Hosey spent thirteen months in the Charleston Naval Hospital before being honorably discharged from the Marine Corps in 1969; and

Whereas, after serving in the Vietnam War, Mr. Hosey earned a bachelor's degree from Voorhees College in 1978 and served for decades in higher education before he retired as a university administrator; and

Whereas, he has continued to serve veterans as a board member of the Salkehatchie Vietnam Veterans and as a member of the Veterans of Foreign Wars (VFW) Post No. 10595 and Disabled American Veterans; and

Whereas, Representative Hosey was elected to serve in the South Carolina House of Representatives in 1999 where he serves as a member of the Ways and Means Committee, and he has faithfully represented

District 91 in Allendale, Barnwell, and Orangeburg counties for almost two decades; and

Whereas, devoted to his community, he has served as chairman of both the Barnwell County Community Activities Center, Inc., and the Barnwell County Democratic Party, and he has been a member of Omega Psi Phi Fraternity, Inc., of the Barnwell-Blackville Branch of the NAACP, and of the Community Service Club of Williston, Inc., in 1994; and

Whereas, a faithful member of St. Thomas Grove Missionary Baptist Church, Representative Hosey has served as president of Greenbranch Christian Benevolent Society and past Most Worshipful Grand Master of Prince Hall Masons of the State of South Carolina; and

Whereas, growing up during a time of Civil Rights' struggles, Lonnie Hosey has overcome many challenges in order to spend his life giving back to his nation, his State, and his community; and we, his colleagues, have been enriched by his sincere collegiality and dedicated service in the General Assembly. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the House of Representatives of the State of South Carolina, by this resolution recognize and salute the Honorable Lonnie Hosey, a genuine American patriot and South Carolina statesman, and honor his distinguished service with the First Marine Division during the Vietnam War and his service in the House of Representatives.

Be it further resolved that a copy of this resolution be presented to the Honorable Lonnie Hosey.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4960 -- Reps. 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, 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, M. Rivers, S. Rivers, Robinson-Simpson, Ridgeway, Putnam. 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 MEMORIALIZING CONGRESS TO AUTHORIZE A PILOT PROGRAM BETWEEN THE STATES OF GEORGIA, SOUTH CAROLINA, AND NORTH CAROLINA GRANTING COMMERCIAL DRIVER'S LICENSE HOLDERS BETWEEN THE AGES OF EIGHTEEN AND TWENTY-ONE THE RIGHT TO OPERATE IN INTERSTATE COMMERCE AND TO HAUL INTERSTATE COMMODITIES WITHIN AND BETWEEN THESE STATES.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4961 -- Reps. Felder, Bryant, Delleney, King, D. C. Moss, V. S. Moss, B. Newton, Pope, Simrill and Douglas: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOHN MARSHALL MCCARTER, DISTRICT ENGINEERING ADMINISTRATOR FOR THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SEVEN YEARS OF OUTSTANDING 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. 4965 -- Reps. Dillard, Henegan and Henderson-Myers: A HOUSE RESOLUTION TO CONGRATULATE SHARON B. BROWN HARRIOTT ON HER EXCELLENT LEADERSHIP OVER THE PAST FOUR YEARS AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4962 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-7-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETALIATORY TAXES BY OTHER STATES AGAINST INSURANCE COMPANIES CHARTERED IN THIS STATE, SO AS TO PROVIDE TITLE INSURERS ONLY MAY INCLUDE THEIR PORTION OF THE PREMIUM IN THE RETALIATORY TAX COMPUTATIONS AND ARE PROHIBITED FROM INCLUDING THESE AMOUNTS IN THE SOUTH CAROLINA COLUMN OF RETALIATORY TAX WORKSHEETS.

Referred to Committee on Labor, Commerce and Industry

H. 4963 -- Reps. King, Pendarvis, Gilliard, Govan, Williams, Thigpen, Robinson-Simpson, Alexander, McCravy, M. Rivers, Brawley, Hart, Howard and Parks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-66-25 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS SHALL ENSURE THE CONTINUOUS PRESENCE OF SCHOOL RESOURCE OFFICERS IN PUBLIC SCHOOLS DURING REGULAR OPERATING HOURS, TO PROVIDE ONE SUCH OFFICER MUST BE PROVIDED FOR EVERY FIVE HUNDRED STUDENTS ENROLLED AT THE SCHOOL, TO PROVIDE VARIOUS MEANS BY WHICH DISTRICTS MAY SATISFY THIS REQUIREMENT, AND TO MAKE THESE PROVISIONS APPLICABLE JULY 1, 2018.

Referred to Committee on Education and Public Works

H. 4964 -- Rep. Clemmons: A BILL TO AMEND CHAPTER 11, TITLE 35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA ANTI-MONEY LAUNDERING ACT, SO AS TO FURTHER PROVIDE FOR THE PROCEDURES, TERMS, REQUIREMENTS, LICENSING, FEES, REPORTING, SANCTIONS, AND REMEDIES UNDER THE ACT. Referred to Committee on Judiciary

H. 4618--DEBATE ADJOURNED

The following Bill was taken up:

H. 4618 -- Reps. Willis, Elliott and Allison: A BILL TO AMEND SECTION 56-3-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND USE OF DEALER AND WHOLESALER LICENSE PLATES, SO AS TO REDUCE THE MINIMUM NUMBER OF MOTOR VEHICLE SALES A DEALER MUST MAKE BEFORE HE MAY BE ISSUED A DEALER PLATE AND THE NUMBER OF MOTOR VEHICLES HE MUST SELL BEFORE HE MAY BE ISSUED ADDITIONAL DEALER PLATES, AND TO REDUCE THE NUMBER OF MOTOR VEHICLES THAT MUST BE SOLD BY A DEALER PARTICIPATING IN A MANUFACTURER PROGRAM TO OBTAIN ADDITIONAL PLATES.

Rep. HIOTT moved to adjourn debate on the Bill until Wednesday, February 21, which was agreed to.

H. 4475--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4475 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF PUBLIC SAFETY AND ITS DIVISIONS, SO AS TO DELETE THE DIVISIONS ESTABLISHED PURSUANT TO THIS SECTION, AND TO DELETE THE PROVISION THAT TRANSFERRED THE RESPONSIBILITIES OF CERTAIN AGENCIES TO THE DEPARTMENT OF PUBLIC SAFETY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE DIVISIONS OUTLINED IN THIS CHAPTER, AND TO PROVIDE THAT THE

DEPARTMENT SHALL MAINTAIN A LIST OF ITS DIVISIONS ON THE DEPARTMENT'S WEBSITE.

Rep. MCCOY explained the Bill.

The yeas and nays were taken resulting as follows: Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson Alexander Allison Anthony Arrington Atkinson Atwater Bales Ballentine Bannister Bennett Blackwell Bowers Brawley Brown Burns Caskey Chumley Clyburn Clary Clemmons Cobb-Hunter Cogswell Cole Collins Crawford Crosby Daning Davis Douglas Duckworth Elliott Erickson Felder Finlay Forrest Funderburk Forrester Fry Gagnon Gilliard Govan Hamilton Hardee Hart

Hayes Henderson Henderson-Myers

Herbkersman Hiott Hewitt Hixon Huggins Hosey Jefferson Johnson Jordan King Kirby Knight Loftis Lowe Long Mace Magnuson Martin **McGinnis** McKnight McCov D. C. Moss V. S. Moss Murphy B. Newton W. Newton Norrell Ott Parks Pendarvis Pope Putnam M. Rivers Robinson-Simpson S. Rivers Sandifer G. M. Smith G. R. Smith Spires Stavrinakis Stringer Tallon **Taylor** Thayer Thigpen Toole Trantham Weeks

West Wheeler Whitmire
Williams Willis Young
Yow

Total--103

Those who voted in the negative are:

Total--0

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

H. 4479--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 4479 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-23-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THE LAW ENFORCEMENT COUNCIL AUTHORIZED TO TRAINING IS ATTORNEYS EMPLOYED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO SIT AS HEARING OFFICERS FOR CONTESTED CASE HEARINGS; AND BY ADDING SECTION 23-23-150, SO AS TO PROVIDE THAT NO PERSON WHO HAS A ALLEGATION OF **MISCONDUCT** EMPLOYED AS A LAW ENFORCEMENT OFFICER OR AS A TELECOMMUNICATIONS OPERATOR, MAY HAVE AUTHORITY OF A LAW ENFORCEMENT OFFICER, PERFORM ANY DUTIES OF A LAW ENFORCEMENT OFFICER, OR EXERCISE THE POWER OF ARREST UNTIL THE LAW ENFORCEMENT TRAINING COUNCIL OR AN APPELLATE COURT HAS ISSUED A DECISION AUTHORIZING THE PERSON TO BE EMPLOYED IN THOSE AREAS, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL BE NOTIFIED BY CERTIFIED MAIL OF THE ALLEGATION OF MISCONDUCT AND HIS RIGHT TO A CONTESTED CASE HEARING, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL

JUSTICE ACADEMY MUST REQUEST A CONTESTED CASE HEARING WITHIN SIXTY DAYS AFTER RECEIPT OF THE ALLEGATION OF MISCONDUCT AND RIGHT TO A CONTESTED CASE HEARING, AND TO PROVIDE FOR THE PROCEDURES OF A CONTESTED CASE HEARING.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4479 (COUNCIL\SD\4479C001.NL.SD18):

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Chapter 23, Title 26 of the 1976 Code is amended by adding:

"Section 23-23-150. (A) No person who has a pending allegation of misconduct, as this term is defined in the Law Enforcement Training Council regulations, may be employed as a law enforcement officer or as a telecommunications operator; have the authority of a law enforcement officer; perform any duties of a law enforcement officer, including those duties involving the control and direction of members of the public, detainees, or prisoners; or exercise the power of arrest until:

- (1) the Law Enforcement Training Council has issued a final agency decision that the person may be granted certification, be granted certification with probation, be granted certification with any additional requirements deemed just and proper by the council, or be granted certification with a public reprimand; or
- (2) an appellate court issues a ruling that the Law Enforcement Training Council shall issue the person his law enforcement certification or telecommunications certification and the Law Enforcement Training Council or Criminal Justice Academy has not appealed the ruling.
- (B) Every law enforcement candidate, law enforcement officer, or telecommunications operator is required to notify the South Carolina Criminal Justice Academy of his current address.
- (C) A person against whom an allegation of misconduct has been received by the South Carolina Criminal Justice Academy shall be notified by certified mail of the allegation of misconduct and his right to a contested case hearing.
- (D) A person against whom an allegation of misconduct has been received by the South Carolina Criminal Justice Academy has sixty days to request a contested case hearing after receipt of the allegation of misconduct and right to a contested case hearing. A person who fails to request a contested case hearing within the time allowed shall be deemed to have waived his right to a contested case hearing. The Law

Enforcement Training Council shall proceed to enter a final agency decision to permanently deny the person from being issued his law enforcement certification or telecommunications certification. Hearings must be scheduled and conducted as expeditiously and efficiently as possible, consistent with the needs and rights of the parties to obtain a fair hearing and a complete record. The South Carolina Criminal Justice Academy shall schedule a contested hearing within sixty days of receiving a request for a hearing.

- (E) The parties will be notified via certified mail of the hearing officer's recommendation to the full Law Enforcement Training Council. A party opposing the recommendation may file a motion in opposition of the hearing officer's recommendation within fifteen days of receipt. Within ten days of receipt of the motion in opposition, a party supporting the recommendation may file a motion in support of the hearing officer's recommendation. These motions shall be submitted to the full Law Enforcement Training Council, along with the recommendation, hearing transcript, and exhibits. The Law Enforcement Training Council may schedule oral arguments for the next quarterly scheduled meeting. After reviewing the motions, recommendation, hearing transcript, and exhibits, the council may vote and issue a final agency decision at any time other than at a quarterly or special meeting.
- (F) An allegation of law enforcement certification misconduct shall not be accepted in an original personnel change in status form, amended form, or any other form more than thirty days after an officer's separation from an agency, unless extenuating circumstances exist, as determined by the Law Enforcement Training Council."

Renumber sections to conform.

Amend title to conform.

Rep. TALLON explained the amendment.

Rep. TALLON spoke in favor of the amendment.

Reps. MCKNIGHT, MCCOY, TAYLOR, YOUNG, HIXON, FORREST, HIOTT, BROWN, GILLIARD, PENDARVIS, ALLISON, FORRESTER, SANDIFER, MARTIN, COLE, G. R. SMITH, LOFTIS, DANING, CLARY, DAVIS, CLYBURN, DOUGLAS, HART, THIGPEN, KNIGHT, KING, TOOLE, WILLIAMS and JEFFERSON requested debate on the Bill.

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

ADJOURNMENT

At 1:30~p.m. the House, in accordance with the motion of Rep. WEST, adjourned in memory of Bobby "Bob" Burriss, Sr., to meet at 10:00~a.m. tomorrow.

Н. 31835	H. 47957
Н. 35955	H. 47967
Н. 37392	H. 48107
Н. 38195	H. 48167
Н. 38205	H. 48577
Н. 40406	H. 48747
Н. 43226	Н. 49117
H. 437716	H. 49327
Н. 43866	H. 49582
H. 44186	Н. 495917
H. 44346	H. 496019
H. 44436	Н. 496120
H. 447522	H. 496221
H. 447924, 25	H. 496321
H. 4618 8, 22	Н. 496422
H. 4672	H. 496521
H. 467611	
Н. 46829	S. 612
H. 47056, 13	S. 612
Н. 47176	S. 9133