

NO. 34

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of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

FRIDAY, MARCH 9, 2018
(LOCAL SESSION)

Friday, March 9, 2018
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 111:9: "He sent redemption to his people; he has commanded his covenant forever, holy and awesome is his name."

Let us pray. Merciful God, You have commanded Your covenant forever. Send Your spirit to these Representatives and staff that this is for them. We pray for Your people that they will heed Your announcement and follow Your covenant, so the people of this State will receive the best You have to offer. Guard and keep them safe over the weekend and refresh them for continued service. Bless them and our Nation, President, State, Governor, Speaker, staff, and all who serve. 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.

SENT TO THE SENATE

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 4683 -- Reps. Hewitt, Fry, Erickson, Clemmons, Duckworth, Yow, Martin, Hardee, Johnson, McGinnis, Crawford, Anderson, Herbkersman, Sottile, Hixon, Taylor, Arrington, D. C. Moss, Atwater, S. Rivers, Mace, Lucas, Bradley, Elliott, Atkinson, Bannister, Loftis, Williams, Jefferson and Hamilton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "BEACHFRONT MANAGEMENT REFORM ACT"; TO AMEND SECTION 44-1-60, RELATING TO APPEALS FROM DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL GIVING RISE TO CONTESTED CASES, SO AS TO EXCLUDE DECISIONS TO ESTABLISH BASELINES OR SETBACK LINES FROM THE APPEAL PROCEDURES; TO AMEND SECTION 48-39-10, RELATING TO COASTAL TIDELANDS AND WETLANDS DEFINITIONS, SO AS TO

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REDEFINE THE TERM "PRIMARY OCEANFRONT SAND DUNE" FOR PURPOSES OF ESTABLISHING A BASELINE AND TO DEFINE THE TERM "STORM SURGE"; AND TO AMEND SECTION 48-39-280, RELATING TO THE STATE'S FORTY-YEAR RETREAT POLICY, SO AS TO REQUIRE THE USE OF HISTORICAL AND SCIENTIFIC DATA THAT ACCOUNTS FOR EFFECTS OF NATURAL PROCESSES WHEN DETERMINING EROSION RATES, TO ESTABLISH THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ESTABLISH BASELINES AND SETBACK LINES FOR CERTAIN AREAS AND UNDER CERTAIN GUIDELINES, TO PROHIBIT THE USE OF DATA FROM AN AREA IMPACTED BY A STORM SYSTEM OR EVENT NAMED BY THE NATIONAL WEATHER SERVICE FOR TWO YEARS AFTER THE STORM, TO REQUIRE THE DEPARTMENT TO GRANT A REVIEW OF A BASELINE OR SETBACK LINE FOR A LANDOWNER, A MUNICIPALITY, COUNTY, OR ORGANIZATION ACTING ON BEHALF OF A LANDOWNER THAT SUBMITS SUBSTANTIATING EVIDENCE SHOWING AN ADVERSE AFFECT ON HIS PROPERTY AND TO ESTABLISH GUIDELINES FOR REVIEW.

H. 3970 -- Rep. Delleney: A BILL TO AMEND SECTION 39-20-45, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENFORCEMENT OF SELF-SERVICE STORAGE FACILITY LIENS, SO AS TO REVISE THE MANNER OF ENFORCEMENT TO REQUIRE COMMERCIALY REASONABLE SALES, AND TO PROVIDE REQUIREMENTS FOR SUCH SALES.

H. 4889 -- Reps. Delleney and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-8-85 SO AS TO ALLOW FOR THE HOLDER OF A CONSERVATION EASEMENT TO CONTEST AN ACTION TO CONDEMN PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THE PROCEDURE FOR A CONTESTED ACTION, AND TO PROVIDE EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES.

H. 4830 -- Reps. Delleney and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-3-47 SO AS TO REQUIRE CERTAIN INFORMATION TO BE CONTAINED ON ALL AFFIDAVITS OF INDIGENCY AND

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APPLICATION FOR COUNSEL FORMS, TO REQUIRE CERTAIN CERTIFICATIONS REGARDING THE WILFUL PROVISION OF FALSE INFORMATION ON A FORM, REQUIRE THE FORM TO BE NOTARIZED, PROVIDE FOR NOTIFICATION TO THE COURT WHEN THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES OR AN APPOINTED ATTORNEY FINDS THAT A DEFENDANT IS FINANCIALLY ABLE TO EMPLOY COUNSEL OR CONTRIBUTE TO THE COSTS OF EMPLOYING COUNSEL, AND TO PROVIDE A PROCEDURE FOR THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO FOLLOW TO AID THE COURT WHEN DETERMINING IF INDIGENCY EXISTS; BY ADDING SECTION 17-3-48 SO AS TO CREATE THE OFFENSE OF WILFULLY PROVIDING FALSE, MISLEADING, OR INCOMPLETE INFORMATION ON AN AFFIDAVIT FOR INDIGENCY AND APPLICATION FOR COUNSEL FORM AND TO PROVIDE A PENALTY; AND TO DIRECT THE SOUTH CAROLINA COURT ADMINISTRATION TO REVISE THE AFFIDAVITS OF INDIGENCY AND APPLICATION FOR COUNSEL FORMS FOR PUBLICATION BY THE SUPREME COURT, TO DIRECT THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO REPORT TO THE GENERAL ASSEMBLY BY JANUARY FIFTEENTH OF EACH YEAR ON THE NUMBER OF AFFIDAVITS BOTH ACCEPTED AND REJECTED ALONG WITH AN EXPLANATION OF THOSE AFFIDAVITS REJECTED AND THE GROUNDS UPON WHICH THEY WERE REJECTED, AND TO REQUIRE THAT THE RESPECTIVE LEGISLATIVE OVERSIGHT COMMITTEES INCLUDE THE REVIEW OF THESE REPORTS IN THEIR REGULARLY SCHEDULED REVIEW OF THE SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

H. 4976 -- Reps. McCoy, Stavrinakis, Arrington, Crosby, Daning, Gilliard, Cogswell, W. Newton, Bennett, Hewitt, Brown, Pendarvis, Yow, Blackwell, Hixon and Forrest: A BILL TO AMEND SECTION 50-21-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABANDONMENT OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO PROVIDE THAT A SHERIFF MAY ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION UNDER CERTAIN CIRCUMSTANCES.

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H. 4644 -- Reps. Dillard, Anthony, Atkinson, Kirby, Henderson-Myers, Martin, Burns, Williams, Yow, W. Newton, Hewitt, Blackwell, Forrest and Hixon: 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 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.

H. 5050 -- Reps. Parks, Pitts and McCravy: A BILL TO AMEND ACT 546 OF 1982, AS AMENDED, RELATING TO THE ELECTION AND TERMS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50, SCHOOL DISTRICT 51 COMPOSED OF AREAS OF ABBEVILLE, GREENWOOD, AND LAURENS COUNTIES, AND NINETY SIX SCHOOL DISTRICT 52 IN GREENWOOD COUNTY, SO AS TO REVISE THE FILING PERIOD FOR STATEMENTS OF INTENTION OF CANDIDACY FOR DISTRICTS 51 AND 52 AND

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TO CORRECT OUTDATED REFERENCES TO THE COUNTY ELECTION COMMISSION.

H. 4931 -- Reps. Elliott, Alexander, Simrill, Stringer, West, Allison, Henderson, G. R. Smith, Burns, Trantham, Hamilton, Bannister, Putnam, Robinson-Simpson, Chumley, Taylor, Douglas, Knight, Dillard and Blackwell: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE AN APPLIED BACCALAUREATE IN MANUFACTURING DEGREE IF STATE FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

H. 3197 -- Rep. King: A BILL TO AMEND SECTION 17-5-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS FOR CREMATION WHICH MUST BE ISSUED BY CORONERS, SO AS TO PROVIDE THAT NO FEE FOR A PERMIT FOR CREMATION MAY BE CHARGED.

ADJOURNMENT

At 10:32 a.m. the House, in accordance with the ruling of the SPEAKER, adjourned to meet at 1:00 p.m., Monday, March 12.

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H. 3197	5	H. 4889	2
H. 3970	2	H. 4931	5
H. 4644	4	H. 4976	3
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H. 4830	2		