

NO. 64

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

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THURSDAY, MAY 10, 2018  
(STATEWIDE 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 Ecclesiastes 1:9: "What has been is what will be, and what has done; there is nothing new under the sun."

Let us pray. The Lord bless you and keep you; the Lord make His face shine upon you and be gracious to you. The Lord look in favor on you and give you peace. Grant these blessings upon these Representatives, staff, and their families as they return home from this legislative year. Bless the work they have accomplished and whatever they have failed to do, forgive them. Bless all who serve in this House: the Speaker, Speaker *Pro-Tempore*, Clerk of the House, Reading Clerk, ladies on the desk, and staff members; the medical staff who care for us, security, pages, custodians, those who care for the facilities of this House, legislative aids, and those who work behind the scene who contribute to the success of this Assembly. Continue Your blessings on our Nation, President, State, Governor, our defenders of freedom and first responders. 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 yesterday, the SPEAKER ordered it confirmed.

#### **MOTION ADOPTED**

Rep. CRAWFORD moved that when the House adjourns, it adjourn in memory of Joe DeFeo, which was agreed to.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 5406 -- Reps. Anderson, Hewitt, Alexander, Allison, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister,

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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, 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, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND LAUD JOHNNY MORANT ON THE OCCASION OF HIS RETIREMENT FROM THE GEORGETOWN COUNTY COUNCIL AFTER TWENTY-FIVE YEARS OF COMMITTED SERVICE TO THE CITIZENS OF GEORGETOWN AND TO WISH HIM RELAXATION IN HIS MUCH-DESERVED RETIREMENT.

The Resolution was adopted.

### **HOUSE RESOLUTION**

The following was introduced:

H. 5407 -- Reps. Brown, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, 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,

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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, Wooten, Young and Yow: A HOUSE RESOLUTION TO COMMEND AND THANK THE BAPTIST HILL HIGH ALUMNI ASSOCIATION IN HOLLYWOOD FOR ITS EDUCATIONAL, RECREATIONAL, AND ATHLETIC SUPPORT OF, AND SERVICE TO, ITS MEMBERS' ALMA MATER, BAPTIST HILL HIGH SCHOOL.

The Resolution was adopted.

### 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          |
| Bradley   | Brawley     | Brown           |
| Bryant    | Burns       | Caskey          |
| Chumley   | Clary       | Clyburn         |
| 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  | Murphy          |

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|             |             |             |
|-------------|-------------|-------------|
| B. Newton   | W. Newton   | Norrell     |
| Ott         | Parks       | Pendarvis   |
| Pitts       | Pope        | Putnam      |
| Ridgeway    | M. Rivers   | S. Rivers   |
| 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      | Wooten      |
| Young       | Yow         |             |

**Total Present--119**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. COGSWELL a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day to represent South Carolina at the opening of the United States Embassy in Jerusalem.

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Patricia W. Witherspoon of Columbia was the Doctor of the Day for the General Assembly.

**STATEMENT BY REPS. BERNSTEIN AND RUTHERFORD**

Reps. BERNSTEIN and RUTHERFORD made a statement relative to Rep. J. E. SMITH'S service in the House.

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**STATEMENT BY REP. J. E. SMITH**

Rep. J. E. SMITH made a statement relative to his service in the House.

**JOINT ASSEMBLY**

At 11:00 a.m. the Senate appeared in the Hall of the House. The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 1191 -- Senators Alexander, Rankin and Hutto: A CONCURRENT RESOLUTION TO FIX ELEVEN O'CLOCK ON THURSDAY, MAY 10, 2018, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022; TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FOURTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022; TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SIXTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.

**ELECTION OF PUBLIC SERVICE  
COMMISSION MEMBERS**

The President of the Senate recognized Senator Alexander, Chairman of the Public Utilities Review Committee.

**SEAT 2**

The President announced that nominations were in order for a member for Seat 2.

Senator Alexander, on behalf of the Public Utilities Review Committee, stated that Bruce Cole, Elliott Elam, Jr., and John McAllister, had been screened, found qualified, and placed their names in nomination.

Rep. SIMRILL moved that the slate of candidates be rejected, which was agreed to.

Senator Hutto moved to reconsider the vote whereby the slate of candidates was rejected.

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Rep. KING requested a roll call.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for reconsideration of the motion to reject the slate PSC District 2:

|                         |          |                       |
|-------------------------|----------|-----------------------|
| Allen                   | Campbell | Hutto                 |
| Johnson                 | Kimpson  | <i>Matthews, John</i> |
| <i>Matthews, Margie</i> | McLeod   | Nicholson             |
| Reese                   | Sabb     | Scott                 |
| Senn                    | Setzler  | Williams              |

**Total--15**

The following named Senators voted against reconsideration of the motion to reject the slate PSC District 2:

|           |           |            |
|-----------|-----------|------------|
| Alexander | Bennett   | Campsen    |
| Cash      | Climer    | Corbin     |
| Cromer    | Davis     | Fanning    |
| Gambrell  | Goldfinch | Grooms     |
| Hembree   | Jackson   | Leatherman |
| Malloy    | Martin    | Massey     |
| McElveen  | Peeler    | Rankin     |
| Rice      | Shealy    | Talley     |
| Timmons   | Turner    | Verdin     |
| Young     |           |            |

**Total--28**

On the motion of Rep. OTT, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for reconsideration of the motion to reject the slate PSC District 2:

|                 |           |             |
|-----------------|-----------|-------------|
| Bamberg         | Bernstein | Brawley     |
| Brown           | Clyburn   | Delleney    |
| Douglas         | Gagnon    | Govan       |
| Henderson-Myers | Henegan   | Herbkersman |
| Howard          | King      | Mace        |
| McCoy           | McCravy   | McEachern   |

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|           |            |             |
|-----------|------------|-------------|
| Parks     | Pendarvis  | Ridgeway    |
| M. Rivers | Rutherford | Stavrinakis |
| Weeks     | West       | Wheeler     |
| Williams  |            |             |

**Total--28**

The following named Representatives voted against reconsideration of the motion to reject the slate PSC District 2:

|             |             |           |
|-------------|-------------|-----------|
| Alexander   | Allison     | Anthony   |
| Arrington   | Atwater     | Bales     |
| Ballentine  | Bannister   | Bennett   |
| Blackwell   | Bradley     | Bryant    |
| Burns       | Caskey      | Chumley   |
| Clary       | Cole        | Collins   |
| Crawford    | Crosby      | Daning    |
| Davis       | Dillard     | Duckworth |
| Elliott     | Erickson    | Felder    |
| Finlay      | Forrest     | Forrester |
| Fry         | Funderburk  | Gilliard  |
| Hamilton    | Hardee      | Henderson |
| Hewitt      | Hiott       | Hixon     |
| Hosey       | Huggins     | Jefferson |
| Johnson     | Jordan      | Kirby     |
| Knight      | Loftis      | Long      |
| Lowe        | Lucas       | Mack      |
| Magnuson    | Martin      | McGinnis  |
| D. C. Moss  | Murphy      | B. Newton |
| W. Newton   | Norrell     | Ott       |
| Pitts       | Pope        | Putnam    |
| S. Rivers   | Sandifer    | Simrill   |
| G. M. Smith | G. R. Smith | Sottile   |
| Spires      | Stringer    | Tallon    |
| Taylor      | Thayer      | Toole     |
| Trantham    | White       | Whitmire  |
| Willis      | Wooten      | Young     |
| Yow         |             |           |

**Total--82**



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So, the Joint Assembly refused to reconsider the vote whereby the slate of candidates was rejected.

**SEAT 4**

The President announced that nominations were in order for a member for Seat 4.

Senator Alexander, on behalf of the Public Utilities Review Committee, stated that the following candidates had been screened, found qualified, Thomas Ervin, David McCraw, and William “Kevin” Newman, and placed their names in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Ervin -- PSC District 4:

|           |                       |                         |
|-----------|-----------------------|-------------------------|
| Alexander | Allen                 | Bennett                 |
| Campbell  | Campsen               | Cash                    |
| Climer    | Cromer                | Davis                   |
| Fanning   | Gambrell              | Goldfinch               |
| Gregory   | Grooms                | Hembree                 |
| Hutto     | Jackson               | Johnson                 |
| Kimpson   | Leatherman            | Malloy                  |
| Massey    | <i>Matthews, John</i> | <i>Matthews, Margie</i> |
| McElveen  | McLeod                | Nicholson               |
| Peeler    | Rankin                | Reese                   |
| Rice      | Sabb                  | Scott                   |
| Senn      | Setzler               | Shealy                  |
| Timmons   | Turner                | Verdin                  |
| Williams  | Young                 |                         |

**Total--41**

The following named Senators voted for McCraw -- PSC District 4:

**Total--0**

The following named Senators voted for Newman -- PSC District 4:

**Total--0**

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On the motion of Rep. OTT, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Ervin -- PSC District

4:

|                 |             |             |
|-----------------|-------------|-------------|
| Alexander       | Allison     | Anthony     |
| Arrington       | Atkinson    | Bales       |
| Bamberg         | Bannister   | Bennett     |
| Bernstein       | Blackwell   | Bowers      |
| Bradley         | Brawley     | Brown       |
| Bryant          | Burns       | Caskey      |
| Clary           | Clyburn     | Cole        |
| Collins         | Crawford    | Crosby      |
| Danig           | Davis       | Delleney    |
| Dillard         | Douglas     | Duckworth   |
| Elliott         | Erickson    | Felder      |
| Finlay          | Forrester   | Fry         |
| Funderburk      | Gagnon      | Gilliard    |
| Govan           | Hamilton    | Hardee      |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hixon       | Hosey       |
| Howard          | Huggins     | Jefferson   |
| Johnson         | Jordan      | King        |
| Kirby           | Knight      | Loftis      |
| Lowe            | Lucas       | Mace        |
| Mack            | Martin      | McCoy       |
| McCravy         | McEachern   | McGinnis    |
| D. C. Moss      | Murphy      | B. Newton   |
| W. Newton       | Norrell     | Ott         |
| Parks           | Pendarvis   | Pitts       |
| Pope            | Putnam      | Ridgeway    |
| M. Rivers       | S. Rivers   | Sandifer    |
| Simrill         | G. M. Smith | G. R. Smith |
| J. E. Smith     | Sottile     | Spires      |
| Stavrinakis     | Stringer    | Tallon      |
| Taylor          | Thayer      | Toole       |
| Weeks           | West        | Wheeler     |
| White           | Whitmire    | Williams    |
| Willis          | Wooten      | Young       |

**Total--102**

[HJ]

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The following named Representatives voted for McCraw -- PSC  
District 4:  
Forrest                      Henderson

**Total--2**

The following named Representatives voted for Newman -- PSC  
District 4:  
Ballentine                      Long                      Magnuson  
Trantham

**Total--4**

### RECAPITULATION

|  |     |
|--|-----|
| Total number of Senators voting.....             | 41  |
| Total number of Representatives voting .....     | 108 |
| Grand Total .....                                | 149 |
| Necessary to a choice.....                       | 75  |
| Of which Ervin -- PSC District 4 received .....  | 143 |
| Of which McCraw -- PSC District 4 received ..... | 2   |
| Of which Newman -- PSC District 4 received ..... | 4   |

Whereupon, the President announced that Thomas Ervin was duly  
elected for the term prescribed by law.

### SEAT 6

The President announced that nominations were in order for a member  
for Seat 6.

Senator Alexander, on behalf of the Public Utilities Review  
Committee, stated that Florence Belser, Brenda Williams, and Justin  
Williams had been screened, found qualified, and placed their names in  
nomination.

Senator Alexander stated that Brenda Williams and Florence Belser  
had withdrawn from the race, and placed the names of the remaining  
candidate, Justin Williams, in nomination.

On the motion of Senator Alexander, nominations were closed, and  
with unanimous consent, the vote was taken by acclamation, resulting in  
the election of the nominee.

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Whereupon, the President announced that Justin Williams was duly elected for the term prescribed by law.

### **JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business. The Senate accordingly retired to its Chamber.

### **STATEMENT FOR THE JOURNAL**

I did not vote on any of the Public Service Commission candidates because we, the legislature, have not fixed the problem that caused the ratepayers to pay the high rates that they pay now. Once we fix the issues, I will cast a vote at the appropriate time.

Rep. David Hiott

### **STATEMENT FOR THE JOURNAL**

I abstained from voting on the Public Service Commission, 6<sup>th</sup> Congressional District seat due to a possible conflict of interest and wish to have my recusal noted for the record in the House Journal.

Rep. Mike Burns

### **STATEMENT FOR THE JOURNAL**

I abstained from voting on the Public Service Commission candidates due to a possible conflict of interest and wish to have my recusal noted for the record in the House Journal.

Rep. Bill Chumley

### **STATEMENT FOR THE JOURNAL**

I abstained from voting on the Public Service Commission candidates due to a possible conflict of interest and wish to have my recusal noted for the record in the House Journal.

Rep. Steven W. Long

### **THE HOUSE RESUMES**

At 11:30 a.m. the House resumed, the SPEAKER in the Chair.

### **LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a temporary leave of absence.

**S. 1218--ORDERED ENROLLED FOR RATIFICATION**

The following Bill was taken up:

S. 1218 -- Senator Gregory: A BILL TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO ALTER THE METHOD OF APPOINTING MEMBERS TO THE BOARD OF DIRECTORS.

The Bill was read the third time, passed and having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 962--DEBATE ADJOURNED**

The following Bill was taken up:

S. 962 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-75-225 SO AS TO PROVIDE CRITERIA FOR LICENSURE AS AN ADDICTION COUNSELOR; TO AMEND SECTION 40-75-5, RELATING TO CERTAIN PROVISIONS GENERALLY APPLICABLE TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-10, AS AMENDED, RELATING TO THE BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-20, RELATING TO DEFINITIONS, SO AS TO MAKE REVISIONS; TO AMEND SECTION 40-75-30, RELATING TO THE REQUIREMENT OF LICENSURE BY THE BOARD TO PRACTICE CERTAIN PROFESSIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-50, RELATING TO THE BOARD, SO AS TO REMOVE DUTIES CONCERNING THE ESTABLISHMENT AND FUNCTION OF STANDARDS COMMITTEES; TO AMEND SECTION 40-75-110, RELATING TO DISCIPLINARY PROCEEDINGS CONCERNING

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BOARD LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-190, RELATING TO CONFIDENTIALITY OF CLIENT COMMUNICATIONS BY LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS AND TO REVISE EXCEPTIONS; TO AMEND SECTION 40-75-220, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST LICENSURE, SO AS TO REVISE THOSE REQUIREMENTS AND PROVIDE ADDITIONAL REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE; TO AMEND SECTION 40-75-230, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR SUPERVISOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST SUPERVISOR LICENSURE, SO AS TO MAKE THOSE REQUIREMENTS APPLICABLE TO ADDICTION COUNSELOR SUPERVISOR LICENSURE; TO AMEND SECTION 40-75-240, RELATING TO INTERN LICENSES, SO AS TO REPLACE THE TERM "INTERN" WITH "ASSOCIATE" AND TO INCLUDE ADDICTION COUNSELOR INTERNS; TO AMEND SECTION 40-75-250, RELATING TO THE ISSUANCE OF DISPLAY OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE ADDICTION COUNSELOR LICENSES AND ADDICTION COUNSELOR ASSOCIATE LICENSES; TO AMEND SECTION 40-75-260, RELATING TO RECIPROCITY AGREEMENTS WITH OTHER STATES, SO AS TO INCLUDE ADDICTION COUNSELOR CREDENTIALS; TO AMEND SECTION 40-75-285, RELATING TO THE APPLICABILITY OF ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO INCLUDE ADDICTION COUNSELORS; AND TO AMEND SECTION 40-75-290, RELATING TO PERSONS NOT APPLICABLE TO ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO REMOVE PROVISIONS CONCERNING CERTAIN ADDICTION COUNSELORS; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS", AND TO REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS".

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

[HJ]

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**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bills and Joint Resolutions were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 596 -- Senators Peeler, Nicholson, Sheheen and Gambrell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF JOHN DE LA HOWE SCHOOL AND DEVOLVE THE BOARD'S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2019 OR UNTIL A FULL NEW BOARD OF TRUSTEES IS APPOINTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, RETENTION, AND TERMINATION OF THE SCHOOL'S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE SCHOOL, TO REVIEW EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE SCHOOL AND MAKE RECOMMENDATIONS TO DIRECT THE SCHOOL OUT OF THE CURRENT FINANCIAL CRISIS, WITH AN EMPHASIS ON DETERMINING THE MOST FEASIBLE PATH THE STATE MUST PURSUE TO BE IN COMPLIANCE WITH THE LAST WILL AND TESTAMENT OF JOHN DE LA HOWE.

S. 820 -- Senators Fanning, Climer and Peeler: A BILL TO AMEND SECTION 61-6-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS UPON A REFERENDUM VOTE, SO AS TO DELETE A PRIOR REFERENCE TO A DATE.

S. 176 -- Senators Sheheen and Young: A BILL TO AMEND CHAPTER 1, TITLE 24 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF CORRECTIONS, BY ADDING SECTION 24-1-300, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A DEPARTMENT OF CORRECTIONS FACILITY WITHOUT WRITTEN CONSENT, AND TO PROVIDE PENALTIES FOR THE VIOLATION.

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S. 928 -- Senators Scott, Jackson, McLeod, Campbell and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO PROVIDE THAT A SPECIAL PURPOSE DISTRICT THAT HAS ACQUIRED A WORK OF ART BY GIFT, BEQUEST, PURCHASE, OR BY OTHER MEANS, MAY TRANSFER OWNERSHIP OF THE OBJECT TO A NONPROFIT CORPORATION ORGANIZED FOR THE PURPOSE OF DISPLAYING WORKS OF ART FOR SUCH CONSIDERATION OR UPON THE TERMS THE GOVERNING BODY OF THE SPECIAL PURPOSE DISTRICT, IN ITS DISCRETION, FINDS TO BE SUFFICIENT AND APPROPRIATE.

S. 671 -- Senator Leatherman: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2017-2018 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

S. 810 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-39-165 SO AS TO PROVIDE COUNTIES OR MUNICIPALITIES MAY ENACT ORDINANCES REQUIRING THE PAYMENT OF FEES OR TAXES RELATED TO PAWN TRANSACTIONS OR PURCHASES, AND TO PROVIDE THE PROVISIONS OF CHAPTER 39, TITLE 40 DO NOT AFFECT THE AUTHORITY OF A COUNTY OR MUNICIPALITY TO ESTABLISH LAND USE CONTROLS OR REQUIRE A PAWNBROKER TO OBTAIN A LOCAL OCCUPATIONAL LICENSE; TO AMEND SECTION 40-39-40, AS AMENDED, RELATING TO THE PROHIBITION ON AUTHORIZED PAWNBROKER FEES, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 40-39-70, AS AMENDED, RELATING TO RECORDKEEPING AND MISCELLANEOUS REQUIREMENTS OF PAWNBROKERS, SO AS TO REQUIRE CERTAIN DIGITAL RECORDS AND TO PROVIDE ALL PLEDGED ITEMS MUST BE HELD FOR TWENTY-ONE DAYS; TO AMEND SECTION 40-39-90, RELATING TO RECORDS PAWNBROKERS SHALL MAINTAIN FOR INSPECTION BY CERTAIN PUBLIC OFFICIALS, SO AS TO PROVIDE MUNICIPALITIES OR COUNTY GOVERNMENTS MAY ENACT LOCAL REGULATIONS REQUIRING THE PAWNSHOPS TO PROVIDE OR TRANSFER THE PAWN RECORDS BY ELECTRONIC DATA TRANSFER TO A



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LAW ENFORCEMENT DATABASE; TO AMEND SECTION 40-39-145, AS AMENDED, RELATING TO HOLD ORDERS, SO AS TO REMOVE THE EXISTING PROVISIONS AND PROVIDE LAW ENFORCEMENT SHALL SEIZE SUSPECTED STOLEN OR MISAPPROPRIATED PROPERTY IN THE POSSESSION OF A PAWN SHOP, TO PROVIDE A PAWNBROKER'S RELEASE OF SUCH PROPERTY TO LAW ENFORCEMENT DOES NOT CONSTITUTE WAIVER OF THE PAWNBROKER'S INTEREST IN THE PROPERTY, AND TO PROVIDE PLEDGORS SHALL PAY RESTITUTION FOR STOLEN GOODS PLEDGED TO PAWNBROKERS UPON THE COMPLETION OF RELATED CRIMINAL PROCEEDINGS INVOLVING THE STOLEN PLEDGED PROPERTY; TO AMEND SECTION 40-39-160, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS CONCERNING PAWN TICKETS; AND TO REPEAL SECTION 15 OF ACT 262 OF 2016 RELATING TO CERTAIN AUTHORITY OF COUNTIES AND MUNICIPALITIES REGARDING PAWNBROKERS.

**S. 170--AMENDED AND RETURNED TO THE SENATE  
WITH AMENDMENTS**

The following Bill was taken up:

S. 170 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING

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ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

Rep. RIDGEWAY proposed the following Amendment No. 2 to S. 170 (COUNCIL\WAB\170C001.AGM.WAB18), which was adopted:

Amend the bill, as and if amended, SECTION 5, by deleting Section 17-5-544(E) and inserting:

/ (E) Members of the Child Fatality Review Team, persons attending a committee meeting, and persons who present information to the review team may not be required to disclose in any civil or criminal proceeding information presented in or opinions formed as a result of a meeting, except that information available from other sources is not immune from introduction into evidence through those sources solely because it was presented during proceedings of the committee or department or because it is maintained by the committee or department. Nothing in this subsection may be construed to prevent a person from testifying to information obtained independently of the committee or which is public information. /

Renumber sections to conform.

Amend title to conform.

Rep. RIDGEWAY 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 107; Nays 0

Those who voted in the affirmative are:

|           |            |           |
|-----------|------------|-----------|
| Alexander | Allison    | Anderson  |
| Anthony   | Arrington  | Atwater   |
| Bales     | Ballentine | Bamberg   |
| Bannister | Bennett    | Bernstein |
| Blackwell | Bowers     | Bradley   |
| Brawley   | Brown      | Bryant    |
| Burns     | Chumley    | Clary     |
| Clyburn   | Cole       | Collins   |
| Crawford  | Daning     | Davis     |
| Delleney  | Dillard    | Douglas   |
| Duckworth | Elliott    | Erickson  |

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|             |                 |            |
|-------------|-----------------|------------|
| Felder      | Finlay          | Forrest    |
| Forrester   | Fry             | Funderburk |
| Gagnon      | Gilliard        | Govan      |
| Hamilton    | Hardee          | Hayes      |
| Henderson   | Henderson-Myers | Henegan    |
| Herbkersman | Hewitt          | Hiott      |
| Hixon       | Hosey           | Howard     |
| Huggins     | Jefferson       | Johnson    |
| Jordan      | King            | Kirby      |
| Knight      | Loftis          | Long       |
| Lowe        | Lucas           | Mace       |
| Mack        | Martin          | McCoy      |
| McCravy     | McEachern       | McGinnis   |
| D. C. Moss  | Murphy          | B. Newton  |
| W. Newton   | Ott             | Parks      |
| Pendarvis   | Pitts           | Pope       |
| Putnam      | Ridgeway        | M. Rivers  |
| S. Rivers   | Sandifer        | Simrill    |
| G. M. Smith | G. R. Smith     | Sottile    |
| Spires      | Stavrinakis     | Stringer   |
| Tallon      | Taylor          | Thayer     |
| Trantham    | Weeks           | West       |
| Wheeler     | White           | Whitmire   |
| Williams    | Willis          | Wooten     |
| Young       | Yow             |            |

**Total--107**

Those who voted in the negative are:

**Total--0**

The Bill was read the third time and ordered returned to the Senate with amendments.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills and Joint Resolution were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

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S. 1044 -- Senator Shealy: A BILL TO AMEND SECTION 50-13-260 OF THE 1976 CODE, RELATING TO THE PROTECTION OF FRESHWATER GAME FISH, TO ESTABLISH A YEAR-ROUND "CATCH AND RELEASE" ZONE ON THE LOWER REACH OF THE SALUDA RIVER.

S. 862 -- Senator Young: A BILL TO AMEND SECTION 35-1-602(d) OF THE 1976 CODE, RELATING TO SECURITIES COMMISSIONERS' INVESTIGATIONS AND SUBPOENAS, TO PROVIDE THAT THIS SECTION DOES NOT PRECLUDE A PERSON FROM APPLYING TO THE RICHLAND COUNTY COURT OF COMMON PLEAS FOR RELIEF.

S. 959 -- Senators Corbin, Hembree and Timmons: A BILL TO AMEND SECTION 16-11-770 OF THE 1976 CODE, RELATING TO ILLEGAL GRAFFITI VANDALISM, TO PROVIDE THAT, NOTWITHSTANDING THE PROVISIONS OF SECTIONS 22-3-540, 22-3-545, 22-3-550, AND 14-25-65, A FIRST OFFENSE MAY BE TRIED IN MAGISTRATES OR MUNICIPAL COURT.

S. 131 -- Senators McLeod, Hutto, Jackson, Kimpson, M. B. Matthews, Fanning, Shealy, Senn and Malloy: A BILL TO AMEND SECTION 16 17 420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES INVOLVING DISTURBING SCHOOLS, SO AS TO RESTRUCTURE THE OFFENSES TO PROVIDE A DELINEATED LIST OF THOSE ACTIONS WHICH INVOLVE DISTURBING SCHOOLS, TO REVISE THE PENALTY FOR A VIOLATION OF A DISTURBING SCHOOLS OFFENSE, AND TO PROVIDE AN EXCEPTION FOR SCHOOL SPONSORED ATHLETIC EVENTS.

S. 1190 -- Senators Sheheen, Campsen, Verdin and Campbell: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO FOCUS THE RESOURCES OF THE DEPARTMENT'S DAMS AND RESERVOIRS SAFETY PROGRAM ON REGULATING THE STATE'S HIGH AND SIGNIFICANT HAZARD DAMS.

S. 1027 -- Senator Young: A BILL TO AMEND SECTION 41-27-370(4) OF THE 1976 CODE, RELATING TO UNEMPLOYMENT, TO PROVIDE THAT THE FILING PROVISIONS IMPOSED

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PURSUANT TO A REGULATION OR PROCEDURE OF THE DEPARTMENT DO NOT APPLY TO EMPLOYERS IN THIS STATE WITH FEWER THAN FIFTY EMPLOYEES.

**S. 109--DEBATE ADJOURNED**

The following Bill was taken up:

S. 109 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

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

**S. 917--RETURNED TO THE SENATE WITH  
AMENDMENTS**

The following Bill was taken up:

S. 917 -- Senators Kimpson, Scott and Campsen: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, SO AS TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

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

Yeas 78; Nays 20

Those who voted in the affirmative are:

|           |             |                 |
|-----------|-------------|-----------------|
| Allison   | Anderson    | Anthony         |
| Arrington | Atkinson    | Bales           |
| Bamberg   | Bannister   | Bennett         |
| Bernstein | Blackwell   | Brawley         |
| Brown     | Burns       | Clary           |
| Clyburn   | Cole        | Collins         |
| Crosby    | Daning      | Delleney        |
| Dillard   | Douglas     | Duckworth       |
| Elliott   | Erickson    | Finlay          |
| Forrester | Fry         | Funderburk      |
| Gagnon    | Gilliard    | Govan           |
| Hayes     | Henderson   | Henderson-Myers |
| Henegan   | Hewitt      | Hosey           |
| Howard    | Jefferson   | Johnson         |
| Jordan    | King        | Kirby           |
| Knight    | Lowe        | Lucas           |
| Mack      | Martin      | McCoy           |
| McEachern | McGinnis    | Murphy          |
| B. Newton | Ott         | Parks           |
| Pendarvis | Pitts       | Pope            |
| Ridgeway  | S. Rivers   | Sandifer        |
| Simrill   | G. M. Smith | Sottile         |
| Spires    | Stavrinakis | Stringer        |
| Taylor    | Thayer      | Weeks           |
| White     | Whitmire    | Williams        |
| Willis    | Young       | Yow             |

**Total--78**

Those who voted in the negative are:

|          |            |            |
|----------|------------|------------|
| Atwater  | Ballentine | Bryant     |
| Caskey   | Chumley    | Felder     |
| Forrest  | Hiott      | Huggins    |
| Loftis   | Long       | Mace       |
| Magnuson | McCravy    | D. C. Moss |

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Putnam  
Trantham

G. R. Smith  
Wooten

Toole

**Total--20**

The Bill was read the third time and ordered returned to the Senate with amendments.

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on S. 917. If I had been present, I would have voted in favor of the Bill.

Rep. Sylleste Davis

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on S. 917. If I had been present, I would have voted in favor of the Bill.

Rep. Wm. Weston Newton

**H. 4590--CONTINUED**

The following Bill was taken up:

H. 4590 -- Reps. Felder, King, B. Newton, Bryant, Pope, D. C. Moss and Simrill: A BILL TO AMEND SECTION 40-47-755, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROVISION OF AURICULAR DETOXIFICATION THERAPY UNDER THE SUPERVISION OF LICENSED ACUPUNCTURISTS OR LICENSED PHYSICIANS, SO AS TO REDUCE THE REQUIRED DEGREE OF SUCH SUPERVISION FROM DIRECT SUPERVISION TO GENERAL SUPERVISION.

Rep. HERBKERSMAN moved to continue the Bill, which was agreed to.

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall S. 1047 from the Orangeburg Delegation.

Rep. ATWATER objected.

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**R. 181, H. 4592--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 181) H. 4592 -- Reps. Allison and Forrester: AN ACT TO AMEND ACT 248 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE STARTEX AREA FIRE DISTRICT IN SPARTANBURG COUNTY, SO AS TO INCREASE THE BORROWING LIMITS OF THE DISTRICT FROM FIVE HUNDRED THOUSAND TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS. - ratified title

Rep. ALLISON explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

|           |            |                 |
|-----------|------------|-----------------|
| Allison   | Anderson   | Anthony         |
| Arrington | Atkinson   | Atwater         |
| Bales     | Ballentine | Bamberg         |
| Bannister | Bennett    | Bernstein       |
| Blackwell | Bowers     | Brawley         |
| Brown     | Bryant     | Burns           |
| Chumley   | Clary      | Clyburn         |
| Cole      | Collins    | Crawford        |
| Crosby    | Daning     | Davis           |
| Dillard   | Douglas    | Duckworth       |
| Elliott   | Felder     | Forrest         |
| Forrester | Fry        | Funderburk      |
| Gilliard  | Govan      | Hamilton        |
| Hayes     | Henderson  | Henderson-Myers |
| Henegan   | Hewitt     | Hosey           |
| Howard    | Huggins    | Jefferson       |
| Johnson   | Jordan     | King            |
| Knight    | Loftis     | Long            |
| Lowe      | Lucas      | Mace            |
| Mack      | Martin     | McCravy         |
| McEachern | McGinnis   | Murphy          |
| B. Newton | W. Newton  | Parks           |

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|           |             |             |
|-----------|-------------|-------------|
| Pendarvis | Pope        | Putnam      |
| Ridgeway  | S. Rivers   | Sandifer    |
| Simrill   | G. M. Smith | G. R. Smith |
| Sottile   | Spires      | Stavrinakis |
| Stringer  | Tallon      | Taylor      |
| Thayer    | Trantham    | Weeks       |
| West      | Whitmire    | Williams    |
| Willis    | Wooten      | Young       |
| Yow       |             |             |

**Total--91**

Those who voted in the negative are:

**Total--0**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Campsen, M. B. Matthews and Goldfinch to the Committee of Conference on the part of the Senate on S. 913:

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.

Very Respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

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Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3895:

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED, RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

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and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**S. 302--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 302:

S. 302 -- Senators Sheheen and Bennett: A BILL TO AMEND SECTION 59-29-80(A) OF THE 1976 CODE, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

and asks for a Committee of Conference and has appointed Senators Sheheen, Bennett and Hembree to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. FELDER, B. NEWTON and ALEXANDER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed

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Senators Setzler, Campsen and Campbell of the Committee of Free Conference on the part of the Senate on H. 4727:

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J. E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48 59 30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA CONSERVATION BANK DEFINITIONS, SO AS TO REDEFINE THE TERM ELIGIBLE TRUST FUND RECIPIENT; TO AMEND SECTION 48 59 40, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 48 59 50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO COLLABORATE AND ADVISE ON MITIGATION EFFORTS WHEN REQUESTED, TO AUTHORIZE THE BANK TO DEVELOP CONSERVATION CRITERIA TO ADVANCE SUPPORT FEDERAL, STATE, AND LOCAL CONSERVATION GOALS, TO PROVIDER CERTAIN RESTRICTIONS ON WHO MAY SERVE AS EXECUTIVE DIRECTOR, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48 59 70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE A DETAILED STATEMENT OF APPLICABLE FEES AND COSTS OF THE ACQUISITION OF THE INTEREST IN THE LAND ON THE APPLICATION, TO REQUIRE THE ESTABLISHMENT OF A GRANT REVIEW COMMITTEE, AND ESTABLISH CERTAIN APPLICATION REQUIREMENTS; TO AMEND SECTION 48 59 110, RELATING TO USE RESTRICTIONS ON TRUST FUNDS, SO AS TO AUTHORIZE THE BANK TO AWARD ADDITIONAL GRANT FUNDS TO CERTAIN AGENCIES FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LAND AND TO ESTABLISH APPLICATION AND REPORTING REQUIREMENTS; TO REPEAL SECTION 12 24 95 AND 12 24 97, BOTH RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION

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BANK TRUST FUND; TO REPEAL SECTION 27 8 120, RELATING TO THE REPEAL OF THE SOUTH CAROLINA CONSERVATION BANK; TO REPEAL SECTION 48 59 75, RELATING TO THE RESTRICTION OF DEED RECORDING FEES TO THE TRUST FUND AND TO REPEAL SECTIONS 3, 4, 5, AND 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

Very respectfully,

President

Received as information.

**H. 4727--FREE CONFERENCE POWERS GRANTED**

Rep. WHITE moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J. E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48 59 30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA CONSERVATION BANK DEFINITIONS, SO AS TO REDEFINE THE TERM ELIGIBLE TRUST FUND RECIPIENT; TO AMEND SECTION 48 59 40, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 48 59 50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO COLLABORATE AND ADVISE ON MITIGATION EFFORTS WHEN REQUESTED, TO AUTHORIZE THE BANK TO DEVELOP CONSERVATION CRITERIA TO ADVANCE SUPPORT FEDERAL, STATE, AND LOCAL CONSERVATION GOALS, TO PROVIDER CERTAIN RESTRICTIONS ON WHO MAY SERVE AS EXECUTIVE DIRECTOR, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48 59 70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO

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EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE A DETAILED STATEMENT OF APPLICABLE FEES AND COSTS OF THE ACQUISITION OF THE INTEREST IN THE LAND ON THE APPLICATION, TO REQUIRE THE ESTABLISHMENT OF A GRANT REVIEW COMMITTEE, AND ESTABLISH CERTAIN APPLICATION REQUIREMENTS; TO AMEND SECTION 48 59 110, RELATING TO USE RESTRICTIONS ON TRUST FUNDS, SO AS TO AUTHORIZE THE BANK TO AWARD ADDITIONAL GRANT FUNDS TO CERTAIN AGENCIES FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LAND AND TO ESTABLISH APPLICATION AND REPORTING REQUIREMENTS; TO REPEAL SECTION 12 24 95 AND 12 24 97, BOTH RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; TO REPEAL SECTION 27 8 120, RELATING TO THE REPEAL OF THE SOUTH CAROLINA CONSERVATION BANK; TO REPEAL SECTION 48 59 75, RELATING TO THE RESTRICTION OF DEED RECORDING FEES TO THE TRUST FUND AND TO REPEAL SECTIONS 3, 4, 5, AND 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|           |           |            |
|-----------|-----------|------------|
| Alexander | Allison   | Anderson   |
| Anthony   | Arrington | Atkinson   |
| Atwater   | Bales     | Ballentine |
| Bannister | Bennett   | Bernstein  |
| Blackwell | Bowers    | Bradley    |
| Brawley   | Brown     | Bryant     |
| Burns     | Chumley   | Clary      |
| Clyburn   | Cole      | Collins    |
| Crawford  | Crosby    | Daning     |
| Davis     | Delleney  | Dillard    |
| Douglas   | Duckworth | Elliott    |
| Erickson  | Felder    | Forrest    |
| Forrester | Fry       | Funderburk |

[HJ]

**THURSDAY, MAY 10, 2018**

|                 |           |             |
|-----------------|-----------|-------------|
| Gagnon          | Gilliard  | Govan       |
| Hamilton        | Hayes     | Henderson   |
| Henderson-Myers | Henegan   | Herbkersman |
| Hewitt          | Hiott     | Hosey       |
| Howard          | Huggins   | Jefferson   |
| Johnson         | Jordan    | King        |
| Knight          | Loftis    | Long        |
| Lowe            | Lucas     | Mace        |
| Mack            | Magnuson  | Martin      |
| McCravy         | McEachern | McGinnis    |
| D. C. Moss      | Murphy    | B. Newton   |
| W. Newton       | Ott       | Parks       |
| Pendarvis       | Pitts     | Pope        |
| Putnam          | Ridgeway  | S. Rivers   |
| Sandifer        | Simrill   | G. M. Smith |
| G. R. Smith     | Sottile   | Spires      |
| Stavrinakis     | Stringer  | Tallon      |
| Taylor          | Thayer    | Toole       |
| Trantham        | Weeks     | West        |
| Wheeler         | White     | Whitmire    |
| Williams        | Willis    | Wooten      |
| Young           | Yow       |             |

**Total--104**

Those who voted in the negative are:

**Total--0**

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. WHITE, HOSEY and LOWE to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**H. 4727--FREE CONFERENCE REPORT ADOPTED**

**FREE CONFERENCE REPORT**

H. 4727

The General Assembly, Columbia, S.C., May 9, 2018

[HJ]

**THURSDAY, MAY 10, 2018**

The Committee of Conference, to whom was referred:

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J.E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48-59-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO EXTEND VOTING PRIVILEGES TO CERTAIN MEMBERS AND TO PROHIBIT CERTAIN MEMBERS FROM SERVING AS CHAIRMAN; TO AMEND SECTION 48-59-50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO DEVELOP CRITERIA AND A CONSERVATION PRIORITIZATION MAP, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48-59-70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE CERTAIN ACCESS DISCLOSURES ON A GRANT OR LOAN APPLICATION, AND TO PROHIBIT THE PURCHASE OF A CONSERVATION EASEMENT FOR MORE THAN FIVE HUNDRED THOUSAND DOLLARS; TO REPEAL SECTION 12-24-95 RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; AND TO REPEAL SECTION 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 3/26/18-S.)

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

/ SECTION 1. Section 48-59-30(4) of the 1976 Code is amended to read:

[HJ]



**THURSDAY, MAY 10, 2018**

“(4) ‘Eligible trust fund recipient’ means:

(a) the following state agencies, which own and manage land for the land’s natural resource, historical, and outdoor recreation values:

- (i) South Carolina Department of Natural Resources,
- (ii) South Carolina Forestry Commission, and
- (iii) South Carolina Department of Parks, Recreation and

Tourism.

(b) a municipality of this State and any agency, commission, or instrumentality of such a municipality; ~~or~~

(c) a county of this State and any agency, commission, or instrumentality of such county; or

(d) a not-for-profit charitable corporation or trust authorized to do business in this State whose principal activity is the acquisition and management of interests in land for conservation or historic preservation purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986.”

SECTION 2. Section 48-59-40 of the 1976 Code is amended to read:

“Section 48-59-40. (A) There is established the South Carolina Conservation Bank. The bank is governed by a fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

(4) four members appointed by the President *Pro Tempore* of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.

(B)(1) In making their respective appointments to the board, the Governor, Speaker of the House of Representatives, and President *Pro Tempore* of the Senate shall take all reasonable steps to ensure that the members of the board reflect the state’s racial and gender diversity.

THURSDAY, MAY 10, 2018

(2) Each member of the board must possess experience in the areas of natural resources, land development, forestry, finance, land conservation, real estate, or law.

(C) Terms of board members are for four years and until their successors are appointed and qualify, except that the initial terms of each appointing official's appointees must be staggered with the initial term noted on the appointment. Regardless of the date of appointment, all terms expire on July first of the applicable year. Vacancies must be filled in the manner of original appointments for the unexpired portion of the term. Members shall serve without compensation, but may receive the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions. The board shall elect a chairman and other officers as necessary from its membership.

~~(C)~~(D) Board members must recuse themselves from any vote in which they have a conflict of interest including, but not limited to, any vote affecting or providing funding for the acquisition of interests in land:

(1) on land owned or controlled by the board member, the board member's immediate family, or an entity the board member represents, works for, or in which the member has a voting or ownership interest;

(2) on land contiguous to land described in item (1) of this subsection; and

(3) by an eligible trust fund recipient that the board member represents, works for, or in which the member has a voting or ownership interest.

The provisions of this subsection are cumulative to and not in lieu of provisions of law or applicable rule relating to the ethics of public officers.

~~(D)~~(E) The board shall meet at least ~~twice annually~~ quarterly in regularly scheduled meetings and in special meetings as the chairman may call. The bank is a public body and its records and meetings are public records and public meetings for purposes of Chapter 4 of Title 30, the Freedom of Information Act. All meetings shall be open to the public and allow for public input.

~~(E)~~(F) Board members shall have no personal liability for any actions or refusals to act in their official capacity as long as such actions or refusals to act do not involve wilful or intentional malfeasance or recklessness."

SECTION 3. Section 48-59-50 of the 1976 Code is amended to read:

**THURSDAY, MAY 10, 2018**

“Section 48-59-50. (A) The bank is established and authorized to:

(1) award grants to eligible trust fund recipients for the purchase of interests in land, so long as the grants advance the purposes of this chapter and meet criteria contained in Section ~~48-59-60~~ 48-59-70;

(2) make loans to eligible trust fund recipients for the purchase of interests in land, at no interest or at an interest rate determined by the board, and under terms determined by the board, so long as the loans advance the purposes of this chapter and meet criteria contained in Section ~~48-59-60~~ 48-59-70;

(3) apply for and receive additional funding for the trust fund from federal, private, and other sources, to be used as provided in this chapter;

(4) receive charitable contributions and donations to the trust fund, to be used as provided in this chapter;

(5) receive contributions to the trust fund in satisfaction of any public or private obligation for environmental mitigation or habitat conservation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding. Such contributions must be used as provided for in this chapter;

(6) exercise its discretion in determining what portion of trust funds shall be expended, awarded, or loaned in any particular year, and what portion of trust funds shall remain in the trust fund from one fiscal year to the next. Funds within the trust fund shall be invested or deposited into interest-bearing instruments or accounts, with the interest accruing and credited to the fund; and

(7) when requested, collaborate and advise on mitigation efforts between state agencies and other parties to help ensure that mitigation efforts are consistent with the purposes set forth in this chapter.

(B) To carry out its functions, the bank shall:

(1) operate a program in order to implement the purposes of this chapter;

(2) develop additional guidelines and prescribe procedures, consistent with the criteria and purposes of this chapter, as necessary to implement this chapter;

(3) submit an annual report to the Governor, Lieutenant Governor, and General Assembly that:

(a) accounts for trust fund receipts and dispersals;

(b) briefly describes applications submitted to the bank, and in greater detail describes grants and loans that were approved or funded during the current year, and the public benefits, including public access, resulting from such grants and loans;

(c) describes recipients of trust fund grants and loans; and

**THURSDAY, MAY 10, 2018**

(d) sets forth a list and description of all grants and loans approved, and all acquisitions of land or interests in land obtained with trust funds since the bank's inception. The report shall include a map setting forth the location and size of all such protected lands;

(4) have an annual audit of the Conservation Bank and Conservation Bank Trust Fund conducted by outside independent certified public accountants and submitted to the Governor, Lieutenant Governor, and General Assembly. The accounting of trust fund receipts and expenditures required above shall be part of this annual audit; and

(5) develop conservation criteria to be used, in addition to the criteria set forth in Section 48-59-70(D), that advance and support federal, state, and local conservation goals, plans, objectives, and initiatives. In order to assist in the development of conservation criteria, the bank must coordinate with the appropriate groups to integrate the goals, plans, objectives, and initiatives, as well as land use patterns, into a statewide conservation map. The map must be created by July 1, 2019, and the criteria and map must be reviewed no less than every ten years thereafter. The criteria list and map must be submitted to the General Assembly annually.

(C)(1) To operate the bank and carry out the purposes of this chapter the board shall hire an executive director with the advice and consent of the Senate, and may hire staff, contract for services, and enter into cooperative agreements with other state agencies. The executive director must possess experience in the areas of natural resources, land development, forestry, finance, land conservation, real estate, or law. The executive director must notify the municipality and county where the land is located upon receipt of the application. However, the bank may not contract for services that include land management or the enforcement of conservation easements, nor may the bank contract for services with an eligible trust fund recipient or nonprofit organization. Enforcement of conservation easements and management of interest in land acquired with trust funds are the sole responsibility of the owner or eligible trust fund recipient.

(2) A board member or member of the General Assembly or member of his immediate family may not be hired to serve as executive director while the member is serving on the board or in the General Assembly unless the member either:

(a) ceases to be a member of the board or the General Assembly; or

**THURSDAY, MAY 10, 2018**

(b) is not reappointed in accordance with Section 48-59-40 or fails to file for election to the General Assembly in accordance with Section 7-11-15.

Also, a lobbyist or member of his immediate family may not be hired to serve as the executive director for a period of one year after the person ceases to be a lobbyist. For purposes of this paragraph, the definitions provided in Chapter 17, Title 2 apply.

(D) Operating expenses of the bank must be paid out of the trust fund.

(E) The bank may not award a grant or make a loan unless the funds for the grant or loan are in the trust fund at the time of the award. However, the bank may make an award for an extraordinary conservation opportunity in excess of the funds in the trust fund. Such awards must be approved by a two-thirds vote of the board members and go before the Joint Bond Review Committee to review the application for an extraordinary conservation opportunity and make a recommendation for approval or denial before the funds may be used. These awards may cross fiscal years and, in certain situations, may rely on anticipated funds.”

SECTION 4. Section 48-59-70 of the 1976 Code is amended to read:

“Section 48-59-70. (A) An eligible trust fund recipient may apply for a grant or loan from the trust fund to acquire a specific interest in land identified in its application. An application must not be submitted to the board without the written consent of the owner of the interest in land identified in the application and a detailed statement of applicable fees and costs of the acquisition of the interest in the land including, but not limited to, finders fees, real estate commissions, and closing fees. The executive director must notify the municipality and county where the land is located upon receipt of the application. Contiguous landowners and other interested parties may submit in writing to the board their views in support of or in opposition to the application. The board must hold a public hearing on the application at which the eligible trust fund recipient, contiguous landowners, and other interested parties shall be heard. Interested parties include representatives of the municipality, county, and public or private utilities in the area wherein the property is located. The board shall conduct a public hearing on an application before awarding a grant or loan pursuant to the application.

(B) Before applying for trust funds for the purchase of an interest in land, the eligible trust fund recipient receiving the funds must notify the

## THURSDAY, MAY 10, 2018

owner of the land that is the subject of the trust fund grant or loan of the following in writing:

(1) that interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or its assigns; and

(2) that it may be in the landowner's interest to retain independent legal counsel, appraisals, and other professional advice.

The application must contain an affirmation that the notice requirement of this subsection has been met.

(C) Grants and loans from the trust fund must be awarded based upon the conservation criteria contained in subsection (D) and the financial criteria contained in subsection (E). In each application the qualifying entity must provide information regarding how the proposal meets one or more of the following criteria and advances the purposes of the bank.

(D) For purposes of this chapter, conservation criteria include:

(1) the value of the proposal for the conservation of unique or important wildlife habitat;

(2) the value of the proposal for the conservation of any rare or endangered species;

(3) the value of the proposal for the conservation of a relatively undisturbed or outstanding example of an ecosystem indigenous to South Carolina;

(4) the value of the proposal for the conservation of riparian habitats, wetlands, water quality, watersheds of significant ecological value, critical aquifer recharge areas, estuaries, bays, or beaches;

(5) the value of the proposal for the conservation of outstanding geologic features;

(6) the value of the proposal for the conservation of a site of unique historical or archaeological significance;

(7) the value of the proposal for the conservation of an area of critical, forestlands, farmlands, or wetlands;

(8) the value of the proposal for the conservation of an area of forestlands or farmlands which are located on prime soils, in microclimates or have strategic geographical significances;

(9) the value of the proposal for the conservation of an area for public outdoor recreation, greenways, or parkland;

(10) the value of the proposal for the conservation of a larger area or ecosystem already containing protected lands, or as a connection between natural habitats or open space that are already protected;

(11) the value of the proposal for the amount of land protected;

**THURSDAY, MAY 10, 2018**

(12) the value of the proposal for the unique opportunity it presents to accomplish one or more of the criteria contained in this subsection, where the same or a similar opportunity is unlikely to present itself in the future; and

(13) the value of the proposal for access to the public.

(E) For purposes of this chapter, financial criteria include:

(1) the degree to which the proposal presents a unique value opportunity in that it protects land at a reasonable cost;

(2) the degree to which the proposal leverages trust funds by including funding or in-kind assets or services from other governmental sources;

(3) the degree to which the proposal leverages trust funds by including funding or in-kind assets or services from private or nonprofit sources, or charitable donations of land or conservation easements;

(4) the degree to which the proposal leverages trust funds by purchasing conservation easements that preserve land at a cost that is low relative to the fair market value of the fee simple title of the land preserved; and

(5) the degree to which other conservation incentives and means of conservation, such as donated conservation easements or participation in other governmental programs, have been explored, applied for, secured, or exhausted.

(F)(1) The board shall evaluate each proposal according to the conservation criteria listed in subsection (D), the financial criteria listed in subsection (E), and the extent to which the proposal provides public access for hunting, fishing, outdoor recreational activities, and other forms of public access. The board shall award grants or loans on the basis of how well proposals meet these three criteria.

(2) The chairman shall establish a grant review committee to review, comment, and make recommendations on proposals received by the bank. The chairman shall appoint five members of the board to serve on the committee for a term of no more than one year, and no member may serve consecutive terms.

(G) For each grant or loan application the applicant shall specify:

(1) the purpose of the application;

(2) how the application satisfies criteria listed in subsections (D), (E), and (F);

(3) the uses to which the land will be put;

(4) the extent to which hunting, fishing, or other forms of outdoor recreation will be conducted upon the land;

**THURSDAY, MAY 10, 2018**

(5) the extent to which farming, forestry, timber management, or wildlife habitat management will be conducted upon the land;

(6) the party responsible for managing and maintaining the land;

(7) the parties responsible for enforcing any conservation easements or other restrictions upon the land;

(8) the extent to which the public is afforded access on the land, including documentation that clearly specifies:

(i) the level of public access on the land;

(ii) limitations on public access to the land and the reason for the limit; and

(iii) the manner in which the public access will be maintained and monitored.

(H) Where an eligible trust fund recipient seeks a trust fund grant or loan to acquire fee simple title to land, it must demonstrate both the expertise and financial resources to manage the land for the purposes set forth in its application. Where an eligible trust fund recipient seeks a trust fund grant or loan to acquire a conservation easement, it must demonstrate both the expertise and financial resources to manage and enforce the restrictions placed upon the land for the purposes set forth in its application. The board shall evaluate each proposal to determine the qualifications of the proposed managing party and to determine whether the proposed management is consistent with the purposes of the bank and the purposes set forth in the application.

(I) An eligible trust fund recipient seeking a grant or loan from the trust fund must:

(1) demonstrate that it is able to complete the project and acquire the interests in land proposed;

(2) indicate the total number of acres of land it has preserved in the State; and

(3) briefly describe the lands it has preserved in the State, including their size, location, and method of preservation. The reporting requirement of this subsection need not be complied with for specific preserved lands when in the grant or loan applicant's discretion, or in the discretion of the owners of such preserved lands, the privacy or proprietary interests of the owners of such preserved lands would be violated.

(J) Partnerships, matching contributions, management agreements, management leases, and similar collaborations among state agencies, the federal government, eligible trust fund recipients, and local governments, boards, and commissions may be encouraged to fulfill the requirements of this section and promote the objectives of this chapter.



THURSDAY, MAY 10, 2018

(K) No matching funds or other contributions are required to receive grants or loans from the trust fund. However, the board shall encourage matching funds and other contributions by weighing the degree to which applications meet the criteria of subsection (E)(2) and (3) when determining which proposals to fund.

~~(L)(1) The board may authorize up to ten percent of the monies credited to the trust fund during the preceding fiscal year to acquire interests in land that solely or primarily meet the criteria of subsection (D)(6) of this section. No other monies in the trust fund may be awarded to applicants for the acquisition of interests in land that meet the criteria of subsection (D)(6) unless the application also satisfies other criteria contained in subsection (D) in a substantial way.~~

~~(2) The board shall authorize at least ten percent of the monies credited to the trust fund during the preceding fiscal year for the acquisition of interests in land that provides public access. To the extent the ten percent authorization required by this item is not met in any particular year, the balance must be carried over and used for acquisition of interests in land that provide public access in ensuing years. The board may not authorize the purchase of a conservation easement for more than one million dollars unless the transaction is reviewed by the Joint Bond Review Committee and the committee provides its recommendation to the board.~~

(M) The board only may authorize grants or loans to purchase interests in lands at or below fair market value. In no cases may funds from the trust fund be used to acquire interests in lands at a price that exceeds the fair market value of the interest being acquired. ~~However, trust funds may be used to acquire interests in land at below fair market value, but only if the owner of the interest consents and in writing to sell at below fair market value.~~ The board must establish reasonable procedures and requirements to document the fair market value of interests in lands and to ensure that the purchase price does not exceed the fair market value. The requirements may include the qualifications that appraisers must meet in order to submit appraisals for consideration by the board. The board shall promulgate regulations pursuant to Chapter 23 of Title 1, the Administrative Procedures Act, that provide for the procurement of appraisal services and for the procedure and process in those cases where a discrepancy of ten percent or more arises between the determination of fair market value obtained by the board and that provided by the owner or others interested in the subject land or interest in land. The board must also establish reasonable procedures to ensure the confidentiality of appraisals before the award of a grant or loan, and

**THURSDAY, MAY 10, 2018**

the subsequent acquisition of interests in lands obtained with such grant or loan.

(N) In awarding a grant or loan from the trust fund the board shall set forth findings that indicate:

(1) how the application satisfies the purposes of this chapter, and the criteria and other considerations set forth in this section;

(2) the purpose of the award and the use to which the land will be put;

(3) the extent to which public access, hunting, fishing, or other forms of outdoor recreation will be conducted upon the land;

(4) the extent to which farming, forestry, timber management, or wildlife habitat management will be conducted upon the land;

(5) the party responsible for managing and maintaining the land;

(6) the party responsible for enforcing any easements or other restrictions upon the land;

(7) the parties designated in items (5) and (6) possess the expertise and financial resources to fulfill their obligations; and

(8) any other findings or information relevant to the award.

(O)(1) Trust funds may not be used to acquire interest in land downzoned within three years of the application unless the interest is sold for the predownzoning value or current value, whichever is greater. However, this requirement is waived if the owner of the downzoned property agrees to accept a lesser amount.

(2) If the owner of an interest in land which is the subject of an application for acquisition with trust funds proves to the satisfaction of the board that intentional and improper acts of planning, zoning, or other regulatory officials resulted in substantial delay or denial of a lawful permit or permission to develop the interest in land and the permit or permission was requested by the owner before the application, then the value of the interest in land is deemed to be its value as if those permits or permissions were granted unless the owner of the interest agrees to a lesser value in writing. An owner aggrieved by the decision of the board with respect to this item may appeal to the Administrative Law Court where the matter must be heard as a contested case.

(P) Upon application from the Department of Natural Resources, the board shall award up to three million dollars annually in trust funds to provide the state match for federally funded grant programs in order to leverage funds to meet the conservation criteria set forth in subsection (D)."

## THURSDAY, MAY 10, 2018

SECTION 5. Section 48-59-110 of the 1976 Code is amended to read:

“Section 48-59-110. (A) Trust funds may be used only by eligible trust fund recipients for the acquisition of interests in land, including closing costs. Trust funds may not be used to pay general operating expenses of eligible trust fund recipients, nor may trust funds be used for the management or maintenance of acquired interests in land. Trust funds only may be dispersed at the closing of transactions in which an interest in land is acquired.

(B) The board, in its discretion, may award additional grant funds to the South Carolina Department of Natural Resources, the South Carolina Department of Parks, Recreation and Tourism or the South Carolina Forestry Commission for the acquisition of fee simple title to land to which the public will have full access. The additional funds must be used only for improvements that create or enhance wildlife habitats. The state agency receiving the funds shall include with its grant application a request for the additional funds and a detailed description of how the additional funds, if awarded, would be used. If additional funds are awarded by the board, the state agency receiving the funds shall submit a report to the board every six months after the award has been made describing in detail how the funds have been used and continue to submit a report until the funds are fully utilized. If the additional funds have not been utilized two years after receipt, the remaining balance must be refunded to the trust fund.”

SECTION 6. A. Sections 12-24-95, 12-24-97, 27-8-120, and 48-59-75 of the 1976 Code are repealed.

B. SECTIONS 3, 4, 5, and 7 of Act 200 of 2002 are repealed.

SECTION 7. (A) Effective July 1, 2018, the South Carolina Conservation Bank Board must be made up of members elected pursuant to the provisions of Section 48-59-40, as amended by this act. The members serving on the board immediately prior to July 1, 2018, may only serve on the commission until their successor has been appointed or the member is reappointed pursuant to Section 48-59-40, as amended by this act. The initial appointments to the board must be staggered so that one of the members appointed by the Governor, the member from the Third Congressional District and the member appointed from the State at large appointed by the Speaker of the House of Representatives,

**THURSDAY, MAY 10, 2018**

and the members from the First and Fifth Congressional Districts appointed by the President *Pro Tempore* of the Senate must be appointed to an initial term of two years. The Governor must clearly specify which of his appointments are for two-year terms. The remaining initial appointments and all subsequent appointments must be for four-year terms pursuant to Section 48-59-40.

(B) To ensure an efficient transition, upon approval by the Governor, the appointing officials may begin appointing members whose term will take effect on July 1, 2018.

SECTION 8. This act takes effect July 1, 2018. /

Amend further by striking all before the enacting words and inserting:

/ TO AMEND SECTION 48-59-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA CONSERVATION BANK DEFINITIONS, SO AS TO REDEFINE THE TERM ELIGIBLE TRUST FUND RECIPIENT; TO AMEND SECTION 48-59-40, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 48-59-50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO COLLABORATE AND ADVISE ON MITIGATION EFFORTS WHEN REQUESTED, TO AUTHORIZE THE BANK TO DEVELOP CONSERVATION CRITERIA TO ADVANCE SUPPORT FEDERAL, STATE, AND LOCAL CONSERVATION GOALS, TO PROVIDER CERTAIN RESTRICTIONS ON WHO MAY SERVE AS EXECUTIVE DIRECTOR, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48-59-70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE A DETAILED STATEMENT OF APPLICABLE FEES AND COSTS OF THE ACQUISITION OF THE INTEREST IN THE LAND ON THE APPLICATION, TO REQUIRE THE ESTABLISHMENT OF A GRANT REVIEW COMMITTEE, AND ESTABLISH CERTAIN APPLICATION REQUIREMENTS; TO AMEND SECTION 48-59-110, RELATING TO USE RESTRICTIONS

**THURSDAY, MAY 10, 2018**

ON TRUST FUNDS, SO AS TO AUTHORIZE THE BANK TO AWARD ADDITIONAL GRANT FUNDS TO CERTAIN AGENCIES FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LAND AND TO ESTABLISH APPLICATION AND REPORTING REQUIREMENTS; TO REPEAL SECTION 12-24-95 AND 12-24-97, BOTH RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; TO REPEAL SECTION 27-8-120, RELATING TO THE REPEAL OF THE SOUTH CAROLINA CONSERVATION BANK; TO REPEAL SECTION 48-59-75, RELATING TO THE RESTRICTION OF DEED RECORDING FEES TO THE TRUST FUND AND TO REPEAL SECTIONS 3, 4, 5, AND 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND. /

|                           |                         |
|---------------------------|-------------------------|
| /s/Sen. George E. Campsen | /s/Rep. W. Brian White  |
| /s/Sen. Paul G. Campbell  | /s/Rep. Lonnie Hosey    |
| /s/Sen. Nikki G. Setzler  | /s/Rep. Phillip D. Lowe |
| On Part of the Senate.    | On Part of the House.   |

Rep. WHITE explained the Free Conference Report.

The yeas and nays were taken resulting as follows:  
Yeas 98; Nays 0

Those who voted in the affirmative are:

|            |            |           |
|------------|------------|-----------|
| Alexander  | Allison    | Anderson  |
| Arrington  | Atkinson   | Atwater   |
| Bales      | Ballentine | Bannister |
| Bennett    | Bernstein  | Blackwell |
| Bowers     | Bradley    | Brawley   |
| Brown      | Bryant     | Burns     |
| Clary      | Cole       | Collins   |
| Crawford   | Crosby     | Daning    |
| Davis      | Delleney   | Dillard   |
| Douglas    | Duckworth  | Elliott   |
| Erickson   | Felder     | Finlay    |
| Forrest    | Forrester  | Fry       |
| Funderburk | Gagnon     | Gilliard  |
| Hamilton   | Hayes      | Henderson |

[HJ]

**THURSDAY, MAY 10, 2018**

|                 |             |             |
|-----------------|-------------|-------------|
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hiott       | Hixon       |
| Hosey           | Howard      | Huggins     |
| Johnson         | Jordan      | King        |
| Kirby           | Knight      | Loftis      |
| Long            | Lowe        | Lucas       |
| Mace            | Mack        | Martin      |
| McCravy         | McEachern   | D. C. Moss  |
| Murphy          | B. Newton   | W. Newton   |
| Ott             | Parks       | Pendarvis   |
| Pope            | Putnam      | Ridgeway    |
| S. Rivers       | Sandifer    | Simrill     |
| G. M. Smith     | G. R. Smith | Sottile     |
| Spires          | Stavrinakis | Stringer    |
| Tallon          | Taylor      | Thayer      |
| Toole           | Trantham    | West        |
| Wheeler         | White       | Whitmire    |
| Williams        | Willis      | Wooten      |
| Young           | Yow         |             |

**Total--98**

Those who voted in the negative are:

**Total--0**

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**H. 3329--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3329 -- Reps. Fry, Clemmons, Crawford, Duckworth, Atwater, Cobb-Hunter, Elliott, B. Newton, Daning, Henegan, Toole, King and Yow: A BILL TO AMEND SECTION 16-3-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE ARTICLE ON TRAFFICKING IN PERSONS, SO AS TO DELETE THE DEFINITION OF "TRAFFICKING IN PERSONS"; AND TO AMEND SECTION 16-3-2020, AS AMENDED, RELATING TO THE OFFENSE OF

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TRAFFICKING IN PERSONS, PENALTIES, AND DEFENSES, SO AS TO RESTRUCTURE THE OFFENSE AND PROVIDE A PENALTY WHEN THE VICTIM IS A MINOR UNDER THE AGE OF EIGHTEEN AND TO FURTHER ENSURE THE PROTECTION OF MINOR VICTIMS.

Rep. FRY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|             |                 |             |
|-------------|-----------------|-------------|
| Alexander   | Allison         | Anderson    |
| Arrington   | Atkinson        | Atwater     |
| Bamberg     | Bannister       | Bennett     |
| Bernstein   | Blackwell       | Bowers      |
| Bradley     | Brawley         | Brown       |
| Bryant      | Burns           | Clary       |
| Cole        | Collins         | Crawford    |
| Crosby      | Daning          | Davis       |
| Delleney    | Dillard         | Douglas     |
| Duckworth   | Elliott         | Erickson    |
| Felder      | Forrest         | Forrester   |
| Fry         | Funderburk      | Gagnon      |
| Gilliard    | Hamilton        | Hayes       |
| Henderson   | Henderson-Myers | Henegan     |
| Hewitt      | Hiott           | Hixon       |
| Hosey       | Howard          | Jefferson   |
| Johnson     | Jordan          | King        |
| Kirby       | Knight          | Loftis      |
| Long        | Lucas           | Mace        |
| Mack        | Magnuson        | Martin      |
| McCravy     | McEachern       | McGinnis    |
| D. C. Moss  | Murphy          | B. Newton   |
| W. Newton   | Ott             | Parks       |
| Pendarvis   | Pitts           | Pope        |
| Putnam      | Ridgeway        | S. Rivers   |
| Sandifer    | Simrill         | G. M. Smith |
| G. R. Smith | Sottile         | Spires      |
| Stavrinakis | Stringer        | Tallon      |
| Taylor      | Thayer          | Toole       |

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|          |          |        |
|----------|----------|--------|
| Trantham | West     | White  |
| Whitmire | Williams | Willis |
| Wooten   | Young    | Yow    |

**Total--96**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

Rep. STAVRINAKIS moved that the House recede until 1:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, Acting SPEAKER HIOTT in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C.,

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 4727:

H. 4727 -- Reps. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J. E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48 59 30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA

[HJ]



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CONSERVATION BANK DEFINITIONS, SO AS TO REDEFINE THE TERM ELIGIBLE TRUST FUND RECIPIENT; TO AMEND SECTION 48 59 40, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 48 59 50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO COLLABORATE AND ADVISE ON MITIGATION EFFORTS WHEN REQUESTED, TO AUTHORIZE THE BANK TO DEVELOP CONSERVATION CRITERIA TO ADVANCE SUPPORT FEDERAL, STATE, AND LOCAL CONSERVATION GOALS, TO PROVIDER CERTAIN RESTRICTIONS ON WHO MAY SERVE AS EXECUTIVE DIRECTOR, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48 59 70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE A DETAILED STATEMENT OF APPLICABLE FEES AND COSTS OF THE ACQUISITION OF THE INTEREST IN THE LAND ON THE APPLICATION, TO REQUIRE THE ESTABLISHMENT OF A GRANT REVIEW COMMITTEE, AND ESTABLISH CERTAIN APPLICATION REQUIREMENTS; TO AMEND SECTION 48 59 110, RELATING TO USE RESTRICTIONS ON TRUST FUNDS, SO AS TO AUTHORIZE THE BANK TO AWARD ADDITIONAL GRANT FUNDS TO CERTAIN AGENCIES FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LAND AND TO ESTABLISH APPLICATION AND REPORTING REQUIREMENTS; TO REPEAL SECTION 12 24 95 AND 12 24 97, BOTH RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; TO REPEAL SECTION 27 8 120, RELATING TO THE REPEAL OF THE SOUTH CAROLINA CONSERVATION BANK; TO REPEAL SECTION 48 59 75, RELATING TO THE RESTRICTION OF DEED RECORDING FEES TO THE TRUST FUND AND TO REPEAL SECTIONS 3, 4, 5, AND 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

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Very respectfully,  
President  
Received as information.

**H. 4727--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3846--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3846 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 40-59-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM HOMEBUILDERS LICENSURE REQUIREMENTS FOR CERTAIN RESIDENTIAL PROPERTY IMPROVEMENTS MADE BY PROPERTY OWNERS FOR PERSONAL USE, SO AS TO REMOVE A PROVISION WHICH DISQUALIFIES PROPERTY OWNERS WHO SELL OR RENT SUCH AN IMPROVED PROPERTY WITHIN TWO YEARS AFTER THE IMPROVEMENTS ARE MADE FROM THIS EXCEPTION, AND TO MAKE A CONFORMING CHANGE IN A RELATED DISCLOSURE GIVEN TO PROPERTY OWNERS SEEKING TO QUALIFY FOR THE EXCEPTION.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

The yeas and nays were taken resulting as follows:  
Yeas 0; Nays 75

Those who voted in the affirmative are:

**Total--0**

[HJ]

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Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Anthony     | Arrington   | Atkinson   |
| Atwater     | Bales       | Ballentine |
| Bamberg     | Bannister   | Bennett    |
| Bernstein   | Blackwell   | Bradley    |
| Bryant      | Caskey      | Clary      |
| Clyburn     | Cole        | Collins    |
| Crawford    | Crosby      | Daning     |
| Davis       | Delleney    | Douglas    |
| Duckworth   | Elliott     | Erickson   |
| Felder      | Forrest     | Forrester  |
| Fry         | Funderburk  | Hamilton   |
| Hart        | Hayes       | Henderson  |
| Herbkersman | Hewitt      | Hill       |
| Hiott       | Hixon       | Johnson    |
| Jordan      | Kirby       | Knight     |
| Loftis      | Long        | Lucas      |
| Mace        | Magnuson    | Martin     |
| McCravy     | McGinnis    | B. Newton  |
| Ott         | Pope        | Ridgeway   |
| M. Rivers   | S. Rivers   | Sandifer   |
| G. M. Smith | G. R. Smith | Sottile    |
| Spires      | Stavrinakis | Tallon     |
| Taylor      | Thayer      | Trantham   |
| West        | Wheeler     | Willis     |
| Wooten      | Young       | Yow        |

**Total--75**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4093--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4093 -- Reps. Collins, J. E. Smith and Norrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE

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NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION, AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 77; Nays 2

Those who voted in the affirmative are:

|             |             |            |
|-------------|-------------|------------|
| Anthony     | Arrington   | Atkinson   |
| Atwater     | Bales       | Ballentine |
| Bamberg     | Bennett     | Bernstein  |
| Blackwell   | Bradley     | Brawley    |
| Brown       | Bryant      | Burns      |
| Caskey      | Chumley     | Clary      |
| Clyburn     | Cole        | Collins    |
| Crawford    | Crosby      | Danig      |
| Davis       | Delleney    | Douglas    |
| Duckworth   | Elliott     | Erickson   |
| Felder      | Forrest     | Forrester  |
| Fry         | Funderburk  | Hamilton   |
| Hart        | Hayes       | Henderson  |
| Herbkersman | Hewitt      | Hiott      |
| Hixon       | Johnson     | Jordan     |
| Kirby       | Knight      | Loftis     |
| Long        | Lucas       | Mace       |
| Martin      | McCravy     | McGinnis   |
| Murphy      | B. Newton   | Ott        |
| Pope        | Putnam      | Ridgeway   |
| M. Rivers   | S. Rivers   | Sandifer   |
| G. M. Smith | G. R. Smith | Sottile    |
| Spires      | Stavrinakis | Tallon     |
| Taylor      | Thayer      | Trantham   |

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West  
Wooten

Wheeler  
Young

Willis

**Total--77**

Those who voted in the negative are:

Hill

Magnuson

**Total--2**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**STATEMENT BY REP. HAYES**

Rep. HAYES made a statement relative to Rep. ANTHONY'S service in the House.

**STATEMENT BY REP. ANTHONY**

Rep. ANTHONY made a statement relative to his service in the House.

***SPEAKER PRO TEMPORE IN CHAIR***

**H. 5231--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 5231 -- Reps. Pitts, West and White: A BILL TO AMEND SECTION 50-9-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTRIBUTION OF REVENUES GENERATED FROM THE SALE OF PRIVILEGES TO HUNT AND FISH BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REVISE THE DISTRIBUTION OF REVENUE GENERATED FROM THE SALE OF RECREATIONAL AND COMMERCIAL MARINE LICENSES, PERMITS, AND TAGS.

Rep. HIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 2; Nays 93

[HJ]

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Those who voted in the affirmative are:

Funderburk                      Wheeler

**Total--2**

Those who voted in the negative are:

|             |                 |            |
|-------------|-----------------|------------|
| Alexander   | Arrington       | Atwater    |
| Ballentine  | Bannister       | Bennett    |
| Bernstein   | Blackwell       | Bradley    |
| Brown       | Bryant          | Burns      |
| Caskey      | Chumley         | Clary      |
| Cole        | Collins         | Crawford   |
| Crosby      | Daning          | Davis      |
| Delleney    | Dillard         | Douglas    |
| Duckworth   | Elliott         | Erickson   |
| Felder      | Forrest         | Forrester  |
| Fry         | Gagnon          | Gilliard   |
| Govan       | Hamilton        | Hart       |
| Henderson   | Henderson-Myers | Henegan    |
| Herbkersman | Hewitt          | Hill       |
| Hiott       | Hixon           | Hosey      |
| Huggins     | Jefferson       | Johnson    |
| Jordan      | King            | Kirby      |
| Knight      | Loftis          | Long       |
| Lucas       | Mace            | Mack       |
| Magnuson    | Martin          | McCoy      |
| McCravy     | McEachern       | D. C. Moss |
| Murphy      | B. Newton       | W. Newton  |
| Ott         | Parks           | Pendarvis  |
| Pitts       | Pope            | Putnam     |
| Ridgeway    | M. Rivers       | Simrill    |
| G. M. Smith | G. R. Smith     | Sottile    |
| Spires      | Stringer        | Tallon     |
| Taylor      | Thayer          | Toole      |
| Trantham    | West            | White      |
| Whitmire    | Williams        | Willis     |
| Wooten      | Young           | Yow        |

**Total--93**

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The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3865--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3865 -- Reps. Bernstein, Delleney, Ridgeway, King, Whipper, J. E. Smith and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA PREGNANCY ACCOMMODATIONS ACT"; TO AMEND SECTION 1-13-30, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA HUMAN AFFAIRS LAWS, SO AS TO REVISE THE TERMS "BECAUSE OF SEX" OR "ON THE BASIS OF SEX" USED IN THE CONTEXT OF EQUAL TREATMENT FOR WOMEN AFFECTED BY PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES OF AN EMPLOYER, SO AS TO ADD CERTAIN OTHER UNLAWFUL EMPLOYMENT PRACTICES IN REGARD TO FAILURE TO PROVIDE REASONABLE ACCOMMODATIONS FOR AN APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH LIMITATIONS BECAUSE OF PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS, AND TO PROVIDE FOR NOTICE AND APPLICABILITY TO EMPLOYEES TO WHOM THE ABOVE PROVISIONS APPLY; AND TO PROVIDE NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT, THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION SHALL PROMULGATE REGULATIONS, WHICH SHALL IDENTIFY SOME REASONABLE ACCOMMODATIONS ADDRESSING KNOWN LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS THAT MUST BE PROVIDED TO A JOB APPLICANT OR EMPLOYEE, UNLESS THE EMPLOYER CAN DEMONSTRATE THAT DOING SO WOULD IMPOSE AN UNDUE HARDSHIP.

Rep. BERNSTEIN explained the Senate Amendments.

**THURSDAY, MAY 10, 2018**

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|                 |           |             |
|-----------------|-----------|-------------|
| Alexander       | Allison   | Anderson    |
| Arrington       | Atwater   | Bales       |
| Ballentine      | Bamberg   | Bannister   |
| Bernstein       | Blackwell | Bradley     |
| Brawley         | Brown     | Bryant      |
| Burns           | Caskey    | Chumley     |
| Clyburn         | Cole      | Collins     |
| Crosby          | Daning    | Davis       |
| Delleney        | Dillard   | Douglas     |
| Duckworth       | Elliott   | Erickson    |
| Felder          | Forrest   | Forrester   |
| Funderburk      | Gagnon    | Gilliard    |
| Govan           | Hamilton  | Hart        |
| Henderson-Myers | Henegan   | Herbkersman |
| Hewitt          | Hiott     | Hixon       |
| Hosey           | Huggins   | Jefferson   |
| Johnson         | Jordan    | King        |
| Kirby           | Knight    | Loftis      |
| Long            | Lucas     | Mace        |
| Mack            | Magnuson  | Martin      |
| McCoy           | McCravy   | McEachern   |
| D. C. Moss      | Murphy    | B. Newton   |
| W. Newton       | Ott       | Parks       |
| Pendarvis       | Pitts     | Pope        |
| Putnam          | Ridgeway  | M. Rivers   |
| Sandifer        | Simrill   | G. M. Smith |
| G. R. Smith     | Sottile   | Spires      |
| Stavrinakis     | Stringer  | Tallon      |
| Taylor          | Toole     | Trantham    |
| West            | Wheeler   | White       |
| Whitmire        | Williams  | Willis      |
| Wooten          | Young     | Yow         |

**Total--96**



**THURSDAY, MAY 10, 2018**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 3865. If I had been present, I would have voted in favor of the Bill.

Rep. Gary E. Clary

**H. 4487--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4487 -- Reps. Henderson, Hewitt, Robinson-Simpson, Fry, West, Atwater, Erickson, Norrell, Weeks, Douglas, Ridgeway, Dillard, Huggins and W. Newton: A BILL TO AMEND SECTION 44-53-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHEDULING OF CONTROLLED SUBSTANCES, SO AS TO PROVIDE A PROCESS FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) TO SCHEDULE CERTAIN SUBSTANCES ON AN EMERGENCY BASIS; TO AMEND SECTION 44-53-280, RELATING TO REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ELIMINATE REGISTRATION RENEWAL GRACE PERIODS; TO AMEND SECTION 44-53-290, RELATING IN PART TO REGISTRATIONS ISSUED TO PRACTITIONERS TO DISPENSE NARCOTICS FOR MAINTENANCE OR DETOXIFICATION TREATMENTS AND TO NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO PRESCRIBE SCHEDULE V DRUGS, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-53-310, RELATING TO APPLICATIONS FOR REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ALLOW DHEC TO DENY AN APPLICATION FOR REGISTRATION FOR ANY CRIMINAL

**THURSDAY, MAY 10, 2018**

CONVICTION; TO AMEND SECTION 44-53-480, RELATING TO THE DEPARTMENT OF NARCOTICS AND DANGEROUS DRUGS WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), SO AS TO ELIMINATE ENFORCEMENT OF DRUG LAWS AS A FUNCTION OF DHEC; AND TO REPEAL SECTION 44-53-560 RELATING TO THE TRANSFER OF AGENTS FROM DHEC TO SLED.

Rep. HENDERSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

|                 |           |             |
|-----------------|-----------|-------------|
| Allison         | Anderson  | Arrington   |
| Atwater         | Bales     | Ballentine  |
| Bamberg         | Bannister | Bennett     |
| Bernstein       | Blackwell | Bradley     |
| Brawley         | Brown     | Bryant      |
| Burns           | Caskey    | Chumley     |
| Clary           | Clyburn   | Cole        |
| Collins         | Crawford  | Crosby      |
| Danig           | Davis     | Delleney    |
| Dillard         | Douglas   | Duckworth   |
| Elliott         | Erickson  | Felder      |
| Forrest         | Forrester | Fry         |
| Funderburk      | Gagnon    | Gilliard    |
| Hamilton        | Hart      | Henderson   |
| Henderson-Myers | Henegan   | Herbkersman |
| Hewitt          | Hiott     | Hixon       |
| Hosey           | Howard    | Huggins     |
| Jefferson       | Johnson   | Jordan      |
| King            | Kirby     | Knight      |
| Loftis          | Long      | Lucas       |
| Mace            | Mack      | Magnuson    |
| Martin          | McCoy     | McCravy     |
| McEachern       | McGinnis  | D. C. Moss  |
| Murphy          | B. Newton | W. Newton   |
| Ott             | Parks     | Pendarvis   |
| Pitts           | Pope      | Putnam      |
| Ridgeway        | M. Rivers | S. Rivers   |

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|             |          |             |
|-------------|----------|-------------|
| Sandifer    | Simrill  | G. M. Smith |
| G. R. Smith | Sottile  | Spires      |
| Stavrinakis | Stringer | Tallon      |
| Taylor      | Thayer   | Toole       |
| Trantham    | West     | Wheeler     |
| White       | Whitmire | Williams    |
| Willis      | Wooten   | Young       |
| Yow         |          |             |

**Total--103**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3138--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

Rep. BANNISTER explained the Senate Amendments.

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The yeas and nays were taken resulting as follows:

Yeas 0; Nays 100

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|             |             |                 |
|-------------|-------------|-----------------|
| Allison     | Anderson    | Atwater         |
| Bales       | Ballentine  | Bamberg         |
| Bannister   | Bennett     | Bernstein       |
| Blackwell   | Bowers      | Bradley         |
| Brawley     | Brown       | Bryant          |
| Burns       | Chumley     | Clary           |
| Clyburn     | Cole        | Collins         |
| Crawford    | Crosby      | Daning          |
| Davis       | Delleney    | Dillard         |
| Douglas     | Elliott     | Erickson        |
| Felder      | Forrest     | Forrester       |
| Fry         | Funderburk  | Gagnon          |
| Gilliard    | Govan       | Hamilton        |
| Hart        | Henderson   | Henderson-Myers |
| Henegan     | Herbkersman | Hewitt          |
| Hill        | Hiott       | Hosey           |
| Huggins     | Jefferson   | Johnson         |
| Jordan      | King        | Kirby           |
| Knight      | Loftis      | Long            |
| Lucas       | Mace        | Mack            |
| Magnuson    | Martin      | McCoy           |
| McCravy     | McEachern   | McGinnis        |
| D. C. Moss  | Murphy      | B. Newton       |
| W. Newton   | Ott         | Parks           |
| Pendarvis   | Pitts       | Pope            |
| Putnam      | Ridgeway    | M. Rivers       |
| S. Rivers   | Sandifer    | Simrill         |
| G. M. Smith | G. R. Smith | Sottile         |
| Spires      | Stavrinakis | Stringer        |
| Tallon      | Thayer      | Toole           |
| Trantham    | West        | Wheeler         |
| White       | Whitmire    | Williams        |

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Willis  
Yow

Wooten

Young

**Total--100**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4077--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4077 -- Reps. G. R. Smith, Erickson, J. E. Smith, McKnight, McCoy, Norrell, Kirby, Bales, McEachern, Gilliard, Loftis, Burns, Allison, Douglas, McCravy, Hamilton, Fry, Henderson, Elliott, W. Newton, Martin, V. S. Moss, Long, Robinson-Simpson, West, Collins, Bradley, Arrington, Bedingfield, Putnam, Johnson, Bowers, Anthony, Bannister, Bennett, Blackwell, Clary, Crawford, Daning, Delleney, Forrest, Forrester, Herbkersman, Hixon, Jordan, Lucas, Magnuson, Murphy, B. Newton, S. Rivers, Sandifer, Sottile, Stringer, Taylor, Tallon, Thayer, White, Whitmire, Willis, Hiott, Yow, Toole and Mace: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3780 SO AS TO PROVIDE DEFINITIONS, TO ALLOW FOR AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND AND FOR TUITION PAYMENTS MADE TO AN ELIGIBLE SCHOOL FOR AN EXCEPTIONAL NEEDS CHILD WITHIN THE TAXPAYER'S CUSTODY OR CARE, TO PROVIDE FOR ANNUAL LIMITS ON INCOME TAX CREDITS AVAILABLE, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO CREATE THE "EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND", TO PROVIDE FOR GOVERNANCE AND ADMINISTRATION OF THE FUND, TO PROVIDE FOR THE MANNER IN WHICH GRANTS ARE AWARDED, AND TO PROVIDE THAT THE EDUCATION OVERSIGHT COMMITTEE IS RESPONSIBLE FOR DETERMINING WHICH SCHOOLS ARE ELIGIBLE.

Rep. G. R. SMITH explained the Senate Amendments.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

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

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Whitmire  
Wooten

Williams  
Young

Willis  
Yow

**Total--108**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4486--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4486 -- Reps. Henderson, Elliott, W. Newton, Govan, Erickson and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT ACT" BY ADDING ARTICLE 7 TO CHAPTER 61, TITLE 44 SO AS TO AUTHORIZE THE STATE OF SOUTH CAROLINA TO JOIN THE RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT IN ORDER TO FACILITATE THE DAY-TO-DAY MOVEMENT OF EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF THEIR ASSIGNED EMS DUTIES AND TO AFFORD IMMEDIATE LEGAL RECOGNITION TO EMS PERSONNEL IN A MEMBER STATE; TO ESTABLISH CERTAIN EMS LICENSURE REQUIREMENTS UNDER THE COMPACT; TO PROVIDE FOR THE PRIVILEGE OF EMS PERSONNEL TO PRACTICE IN ANOTHER MEMBER STATE AND IN REMOTE STATES, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN LIMITATIONS ON THE APPLICATION OF THE COMPACT DURING A STATE OF EMERGENCY; TO PROVIDE CERTAIN LIMITATIONS ON THE PRIVILEGE TO PRACTICE UNDER THE COMPACT WHEN AN INDIVIDUAL'S LICENSE IS SUSPENDED OR OTHERWISE RESTRICTED AND TO ENABLE A MEMBER

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STATE TO TAKE ADVERSE ACTIONS AGAINST AN INDIVIDUAL'S LICENSE IN CERTAIN CIRCUMSTANCES; TO GRANT CERTAIN POWERS TO THE STATE'S EMS AUTHORITY; TO ESTABLISH THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND AUTHORITY; TO PROVIDE FOR ENFORCEMENT OF THE COMPACT BY MEMBER STATES AND FOR DISPUTE RESOLUTION; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-61-20, RELATING TO TERMS DEFINED IN THE "EMERGENCY MEDICAL SERVICES ACT OF SOUTH CAROLINA", SO AS TO CHANGE THE DEFINITION OF "INVESTIGATIVE REVIEW COMMITTEE".

Rep. HENDERSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|            |             |                 |
|------------|-------------|-----------------|
| Alexander  | Allison     | Arrington       |
| Atkinson   | Atwater     | Ballentine      |
| Bamberg    | Bannister   | Bennett         |
| Bernstein  | Blackwell   | Brawley         |
| Bryant     | Burns       | Caskey          |
| Chumley    | Clary       | Clyburn         |
| Cole       | Collins     | Crawford        |
| Crosby     | Daning      | Davis           |
| Delleney   | Dillard     | Douglas         |
| Duckworth  | Elliott     | Erickson        |
| Felder     | Forrest     | Fry             |
| Funderburk | Gagnon      | Gilliard        |
| Govan      | Hamilton    | Hart            |
| Hayes      | Henderson   | Henderson-Myers |
| Henegan    | Herbkersman | Hewitt          |
| Hiott      | Hixon       | Hosey           |
| Huggins    | Jefferson   | Johnson         |
| Jordan     | King        | Kirby           |
| Knight     | Loftis      | Long            |
| Lucas      | Mack        | Magnuson        |
| Martin     | McCoy       | McCravy         |
| McEachern  | D. C. Moss  | Murphy          |

[HJ]



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|           |             |             |
|-----------|-------------|-------------|
| B. Newton | W. Newton   | Ott         |
| Parks     | Pendarvis   | Pitts       |
| Pope      | Putnam      | Ridgeway    |
| M. Rivers | S. Rivers   | Sandifer    |
| Simrill   | G. M. Smith | G. R. Smith |
| Sottile   | Spires      | Stavrinakis |
| Stringer  | Tallon      | Taylor      |
| Thayer    | Toole       | Trantham    |
| West      | Wheeler     | White       |
| Whitmire  | Williams    | Willis      |
| Wooten    | Young       |             |

**Total--98**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4458--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4458 -- Reps. Johnson, Hixon, Kirby, Yow, Duckworth, Burns, Blackwell, Dillard, Davis, Forrest, Fry, Hewitt, Crawford, McGinnis, Ott, Bamberg, Erickson, Cobb-Hunter, Willis, Mace, Hill, Gagnon, West, Hardee, Wheeler, McEachern, Magnuson, Martin and Bowers: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY AND ITS PENALTIES, SO AS TO RESTRUCTURE THE OFFENSES TO ENSURE CIGARETTE BUTTS AND CIGARETTE COMPONENT LITTER AND DECEASED ANIMALS ARE INCLUDED IN THE PURVIEW OF THE STATUTE, AND TO RESTRUCTURE THE PENALTIES.

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Reps. JOHNSON and HIOTT proposed the following Amendment No. 4 to A to H. 4458 (COUNCIL\CM\4458C001.GT.CM18), which was adopted:

Amend the bill, as and if amended, Section 16-11-700(M), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (M) Nothing in this section shall be construed as granting any cause of action against the State, any political subdivision, or any employee thereof acting in their official capacity to an individual performing community service under this section who is completing litter pickup without direct oversight, including any claim under Workers' Compensation. Routine follow up to ensure completion of litter pickup by a county, municipality, or state employee is not considered oversight.” /

Renumber sections to conform.

Amend title to conform.

Rep. JOHNSON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|                 |            |             |
|-----------------|------------|-------------|
| Alexander       | Allison    | Arrington   |
| Atkinson        | Atwater    | Bales       |
| Ballentine      | Bamberg    | Bennett     |
| Bernstein       | Blackwell  | Bowers      |
| Bradley         | Brawley    | Brown       |
| Bryant          | Clary      | Clyburn     |
| Cole            | Crawford   | Crosby      |
| Daning          | Davis      | Delleney    |
| Dillard         | Douglas    | Duckworth   |
| Elliott         | Erickson   | Forrest     |
| Fry             | Funderburk | Gagnon      |
| Gilliard        | Govan      | Hamilton    |
| Hart            | Hayes      | Henderson   |
| Henderson-Myers | Henegan    | Herbkersman |
| Hewitt          | Hill       | Hiott       |
| Hixon           | Hosey      | Howard      |
| Huggins         | Jefferson  | Johnson     |
| Jordan          | King       | Kirby       |

[HJ]

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|             |           |           |
|-------------|-----------|-----------|
| Knight      | Loftis    | Long      |
| Lucas       | Mace      | Mack      |
| Magnuson    | Martin    | McCoy     |
| McCravy     | McEachern | McGinnis  |
| D. C. Moss  | Murphy    | B. Newton |
| W. Newton   | Ott       | Parks     |
| Pendarvis   | Pitts     | Pope      |
| Putnam      | Ridgeway  | M. Rivers |
| S. Rivers   | Sandifer  | Simrill   |
| G. M. Smith | Sottile   | Spires    |
| Stavrinakis | Stringer  | Tallon    |
| Taylor      | Thayer    | Toole     |
| Trantham    | West      | Wheeler   |
| White       | Whitmire  | Williams  |
| Willis      | Wooten    | Young     |
| Yow         |           |           |

**Total--100**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3622--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3622 -- Reps. Ryhal, Burns, Duckworth, Gagnon, Henegan, Herbkersman, Hill, Hixon, Johnson, V. S. Moss, Ridgeway, Spires, Taylor, Thayer, Yow, Robinson-Simpson, Magnuson, Long and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-51-210 SO AS TO PROVIDE CERTAIN PODIATRIC SURGERY MUST BE PERFORMED IN CERTAIN FACILITIES, TO PROVIDE A PODIATRIST WHO PERFORMS THESE PROCEDURES MUST MEET CERTAIN CRITERIA, TO PROVIDE FOR THE EXTENSION OF PROFESSIONAL PRIVILEGES TO THESE PODIATRISTS BY

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CERTAIN HEALTH FACILITIES, TO REQUIRE HEALTH FACILITIES IN THIS STATE PROVIDE THE RIGHT TO PURSUE AND PRACTICE FULL CLINICAL AND SURGICAL PRIVILEGES TO PODIATRISTS WHO MEET CERTAIN CRITERIA, TO PROVIDE AN ABILITY TO LIMIT THESE PRIVILEGES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY IN THIS STATE TO OFFER A SPECIFIC HEALTH SERVICE NOT OTHERWISE OFFERED, AND TO PROVIDE THAT IF THE FACILITY DOES OFFER A HEALTH SERVICE, IT MAY NOT DISCRIMINATE AMONG CERTAIN HEALTH PROFESSIONALS AUTHORIZED BY LAW TO PROVIDE THESE SERVICES; AND TO AMEND SECTION 40-51-20, RELATING TO DEFINITIONS, SO AS TO REVISE AND ADD CERTAIN DEFINITIONS.

Rep. ARRINGTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|             |                 |           |
|-------------|-----------------|-----------|
| Alexander   | Allison         | Arrington |
| Atkinson    | Atwater         | Bales     |
| Ballentine  | Bannister       | Bennett   |
| Bernstein   | Blackwell       | Bradley   |
| Brawley     | Brown           | Bryant    |
| Burns       | Caskey          | Chumley   |
| Clary       | Clyburn         | Cole      |
| Collins     | Crawford        | Crosby    |
| Daning      | Davis           | Delleney  |
| Dillard     | Douglas         | Duckworth |
| Elliott     | Erickson        | Felder    |
| Forrest     | Forrester       | Fry       |
| Funderburk  | Gagnon          | Gilliard  |
| Govan       | Hamilton        | Hart      |
| Hayes       | Henderson-Myers | Henegan   |
| Herbkersman | Hewitt          | Hill      |
| Hiott       | Hixon           | Hosey     |
| Howard      | Huggins         | Jefferson |
| Johnson     | Jordan          | King      |
| Kirby       | Knight          | Loftis    |

[HJ]

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|             |            |             |
|-------------|------------|-------------|
| Long        | Lucas      | Mace        |
| Mack        | Magnuson   | Martin      |
| McCoy       | McCray     | McEachern   |
| McGinnis    | D. C. Moss | Murphy      |
| B. Newton   | W. Newton  | Ott         |
| Pendarvis   | Pope       | Putnam      |
| Ridgeway    | M. Rivers  | S. Rivers   |
| Sandifer    | Simrill    | G. M. Smith |
| G. R. Smith | Sottile    | Spires      |
| Stavrinakis | Stringer   | Tallon      |
| Thayer      | Toole      | Trantham    |
| West        | Wheeler    | White       |
| Whitmire    | Williams   | Willis      |
| Wooten      | Young      | Yow         |

**Total--102**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WEST a leave of absence for the remainder of the day to attend a presentation of the Silver Crescent in his district.

**H. 4931--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

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

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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.

Rep. WHITE proposed the following Amendment No. 1A to H. 4931 (COUNCIL\SA\4931C001.DKA.SA18), which was adopted:

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

/ SECTION \_\_\_\_\_. Section 13-1-2030 of the 1976 Code is amended to read:

“Section 13-1-2030. (A) There is established the ‘Coordinating Council for Workforce Development’ which is created to engage in discussions, collaboration, and information sharing concerning the State’s ability to prepare and train workers to meet current and future workforce needs. The coordinating council ~~shall be~~ is comprised of the following members:

(1) the Secretary of the Department of Commerce or his designee;

(2) the State Superintendent of Education or his designee;

(3) the Executive Director of the State Board for Technical and Comprehensive Education or his designee;

(4) the Executive Director of the Department of Employment and Workforce or his designee;

(5) the Executive Director of the Commission on Higher Education or his designee;

(6) the president or provost of a research university who ~~shall be~~ is selected by the presidents of the research universities;

(7) the president or provost of a four-year college or university who ~~shall be~~ is selected by the presidents of the four-year universities;

(8) the president of a technical college who ~~shall be~~ is appointed by the Chairman of the State Board for Technical and Comprehensive Education;

(9) ~~a person appointed by the Superintendent of Education who has particularized the following members appointed by the State Superintendent of Education, who have expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act;~~

(a) a school district superintendent;

(b) a school counselor;

(c) a career and technology education director; and

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(10) a representative from the business community appointed by the President of the South Carolina Chamber of Commerce.

(B)(1) The coordinating council shall:

(a) develop and implement procedures for sharing information and coordinating efforts among stakeholders to prepare the State's current and emerging workforce to meet the needs of the State's economy. ~~The primary workforce focus of the council shall be on persons over age twenty-one;~~

(b) make recommendations to the General Assembly concerning matters related to workforce development that exceed the council members' agencies' scope of authority to implement and legislation is required;

(c) recommend, to the General Assembly, programs intended to increase student access to and incentivize workforce training within state training programs or through programs offered by businesses through scholarships, grants, loans, tax credits, or other programs documented to be effective in addressing current and future workforce needs;

(d) develop a method for identifying and addressing long-term workforce needs;

(e) conduct an ongoing inventory of existing workforce programs to identify duplications among and within the programs and identify ineffective programs. The council may make recommendations concerning the appropriate actions necessary to eliminate duplication, improvements to ineffective programs so that the programs can achieve the desired result, or the elimination of programs that no longer meet workforce needs;

(f) advise appropriate agencies and governing boards to ensure the components of Chapter 59, Title 59, are implemented with fidelity to provide a better prepared workforce, student success in postsecondary education, and enhanced coordination between K-12, higher education, and employers. The council shall review accountability and performance measures for implementation of this article and make recommendations for the promulgation of regulations to carry out its provisions including, but not limited to, enforcement procedures, which may include monitoring and auditing functions, and addressing consequences for noncompliance; and

(g) submit an annual progress report to the Governor and the General Assembly, by ~~July~~ September first of each fiscal year, concerning the actions taken by the council during the previous fiscal year, and any recommendations for legislation or agency action. The

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council may submit additional reports on an ongoing basis as deemed necessary by the council chairman.

(2) The coordinating council may create subcommittees or advisory groups comprised of community or state or local government stakeholders to assist the council in carrying out the council's duties as contained in item (1).

(C) The Secretary of the Department of Commerce or his designee to the coordinating council ~~shall be~~ is the coordinating council's chairman.

(D) The Department of Education, the Commission on Higher Education, the Department of Commerce, and the State Board for Technical and Comprehensive Education shall provide staff for the coordinating council."

SECTION \_\_\_\_ Chapter 53, Title 59 of the 1976 Code is amended by adding:

"Article 29

Pathways Initiative

Section 59-53-2620. (A) The member agencies of the Coordinating Council for Workforce Development, as designated in this article, shall define, develop, and implement a statewide Pathways Initiative in alignment with Chapter 59, Title 59, the South Carolina Education and Economic Development Act, to improve employment outcomes and address critical workforce needs. The Pathways Initiative consists of a Career Pathways program to facilitate a student's transition from education to employment and a Pathways to New Opportunities Initiative to provide career services, including education, training, and job search assistance to adults.

(B) The Coordinating Council for Workforce Development shall include an update on the Pathways Initiative in the progress report submitted annually by September fifteenth to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

Section 59-53-2630. The State Board for Technical and Comprehensive Education (SBTCE), in consultation with the Department of Education, shall develop, coordinate, and implement a statewide Career Pathways program to facilitate a seamless transition from secondary education and postsecondary technical education to employment in industry sectors with critical workforce needs.

Section 59-53-2640. (A) There is created a 'Career Pathways Grant Fund' administered by the SBTCE. The purpose of the fund is to award grants to eligible technical colleges in order to provide and



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support the infrastructure necessary to offer Pathways programs. Grants awarded to technical colleges must be used only for Pathways-specific expenses, to include program administration, career and technical equipment, facilities, instructional materials, transportation, and tuition grants. The SBTCE or board-appointed committee, in consultation with the Department of Education, shall develop and maintain eligibility criteria for these competitive grants.

(B) Funds available through these competitive grants are awarded to technical colleges that demonstrate the strongest ability to meet grant criteria. Funds may not be awarded to all colleges in a given year.

(C) Funds must be used to establish new pathways or enhance existing pathways that confer the necessary skills and training to prepare students for careers in high-demand fields. Funds only support career and technical education programs and courses in industry sectors with critical workforce needs.

(D) To qualify for Career Pathways grant funding as established pursuant to this section, the technical college and school or school district must enter into Memorandums of Understanding that meet the grant requirements.

(E) The SBTCE or board-appointed committee, in consultation with the State Department of Education, is responsible for determining if a pathway meets the established criteria and may promulgate regulations further enumerating the specifics of these criteria and the evaluation process.

(F) The SBTCE shall prepare an annual report on the Career Pathways program and grant awards by September first of each year. The report must be submitted to the Coordinating Council for Workforce Development for inclusion in its annual report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. The report must include, at minimum, an update of progress toward full statewide implementation of the Career Pathways program, and upon implementation, an analysis of program accountability measures and key performance indicators.

(G) As used in this section:

(1) 'Industry sectors with critical workforce needs' means the industry sectors as outlined by the member agencies of the Coordinating Council for Workforce Development and their business and industry partners.

(2) 'Pathways' means a partnership between a secondary education provider, a technical college, and a business or industry that incorporates the following elements:

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- (a) secondary and postsecondary education elements;
- (b) coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;
- (c) opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits at no cost to the student; and
- (d) student attainment of an industry-recognized credential, or a postsecondary certificate, diploma, or associate degree, with multiple entrance and exit points.

Section 59-53-2650. (A) The Department of Employment and Workforce, in coordination with the SBTCE and the Department of Commerce, shall develop, coordinate, and implement a Pathways to New Opportunities Initiative, which must leverage existing services and new resources to provide subsidized career training and certification and job placement assistance to adults throughout the State pursuing careers in high-demand occupations in industry sectors with critical workforce needs.

(B) The SBTCE shall administer the Workforce Opportunity Scholarship and Grant Fund, established pursuant to Section 59-53-110, to be used for tuition and education-related expenses for eligible career training and certification programs for qualifying individuals. The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, shall develop and maintain eligibility criteria for scholarships and grants. Funds may be used to provide opportunities through existing programs.

(C) The Department of Employment and Workforce shall coordinate with the SBTCE to identify and refer qualifying individuals to the training programs and scholarship opportunities established in this section. The Department of Employment and Workforce, in consultation with the Department of Commerce, also shall develop and implement a plan to facilitate the job placement of qualifying individuals who have completed the necessary training and certification, to ensure that they are matched with available employment opportunities in industry sectors with critical workforce needs throughout the State.”

SECTION \_\_\_\_ Article 1, Chapter 53, Title 59 of the 1976 Code is amended by adding:

“Section 59-53-110. (A) There is created a ‘Workforce Scholarship and Grant Fund’ administered by the State Board for

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Technical and Comprehensive Education (SBTCE). The purpose of the fund is to provide financial assistance to qualifying individuals pursuing career education or professional certification through eligible programs.

(B) As used in this section:

(1) 'Qualifying individual' means a person who is a South Carolina resident and who is eligible to be enrolled in a South Carolina technical college or professional certification program.

(2) 'Cost of attendance' means the total amount of money charged for the cost of a qualifying individual to attend an eligible program including, but not limited to, tuition, fees for attending the school, textbooks, and school related transportation, less all federal grants, need-based grants, and lottery tuition assistance.

(3) 'Eligible program' means a program that:

(a) does not discriminate on the basis of race, color, or national origin;

(b) is located in this State;

(c) has school facilities that are subject to applicable federal, state, and local laws; and

(d) meets all eligibility guidelines promulgated by the SBTCE;

(C) Grants may be awarded from the fund in an amount not exceeding the total cost of attendance for a qualifying individual to attend the eligible program of his choice. The cumulative grant award for each qualifying individual may not exceed ten thousand dollars.

(D)(1) The SBTCE, in consultation with the Department of Education and the Commission on Higher Education, is responsible for determining if a program meets the criteria established by subsection (B)(3), and shall publish an approved list of qualifying programs. For the purpose of this subsection, the board may promulgate regulations further enumerating the specifics of these criteria.

(2) By the first day of August for the current fiscal year, the SBTCE, on its website available to the general public, shall provide a list of approved programs that accept grants for eligible students and that in the board's determination are in compliance with the requirements of subsection (B)(3)." /

Renumber sections to conform.

Amend title to conform.

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**POINT OF ORDER**

Rep. ELLIOTT raised the Point of Order that under Rule 9.3 that Amendment No. 1A to H. 4931 was out of order in that it was not germane to the Bill.

Rep. WHITE spoke against the Point of Order.

Rep. ELLIOTT spoke to the Point of Order.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and ruled Amendment No. 1A to be germane.

Rep. WHITE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 14

Those who voted in the affirmative are:

|                 |             |             |
|-----------------|-------------|-------------|
| Anderson        | Arrington   | Atkinson    |
| Atwater         | Bales       | Ballentine  |
| Bannister       | Bennett     | Bernstein   |
| Blackwell       | Bowers      | Bradley     |
| Brawley         | Brown       | Bryant      |
| Burns           | Caskey      | Clary       |
| Clyburn         | Cole        | Crawford    |
| Davis           | Delleney    | Duckworth   |
| Erickson        | Forrest     | Forrester   |
| Fry             | Funderburk  | Gagnon      |
| Gilliard        | Govan       | Hamilton    |
| Hart            | Hayes       | Henderson   |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hiott       | Hixon       |
| Hosey           | Huggins     | Johnson     |
| Jordan          | King        | Kirby       |
| Loftis          | Lucas       | Mack        |
| Martin          | McCoy       | McCravy     |
| McEachern       | McGinnis    | D. C. Moss  |
| W. Newton       | Pendarvis   | Pitts       |
| Pope            | Putnam      | M. Rivers   |
| S. Rivers       | Sandifer    | Simrill     |
| G. M. Smith     | G. R. Smith | Sottile     |
| Spires          | Stringer    | Tallon      |
| Taylor          | Thayer      | Toole       |
| Wheeler         | White       | Whitmire    |

[HJ]

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|          |        |        |
|----------|--------|--------|
| Williams | Willis | Wooten |
| Young    | Yow    |        |

**Total--83**

Those who voted in the negative are:

|          |          |        |
|----------|----------|--------|
| Allison  | Crosby   | Daning |
| Dillard  | Douglas  | Hill   |
| Knight   | Long     | Mace   |
| Magnuson | Murphy   | Parks  |
| Ridgeway | Trantham |        |

**Total--14**

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

#### **H. 4009--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4009 -- Reps. Lucas, Williams, Crawford, Alexander, McCoy, Hiott, Clemmons, Bales, Bedingfield, Ott, G. R. Smith, Herbkersman, Sandifer and S. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 69 TO TITLE 12 SO AS TO ENACT THE "MOTORSPORTS ENTERTAINMENT COMPLEX INVESTMENT ACT" BY EXEMPTING CERTAIN BUILDING MATERIALS FOR A COMPLEX FROM THE SALES TAX AND TO PROVIDE THE PROCESS BY WHICH A QUALIFIED COMPANY MAY CLAIM THE EXEMPTION, TO CREATE THE MOTORSPORTS TOURISM INCENTIVE FUND TO AWARD GRANTS OR LOANS TO ATTRACT AND EXPAND TOURISM AND HOSPITALITY PROJECTS RELATED TO EVENTS AT SUCH COMPLEXES, TO PROVIDE THAT A COMPLEX IS ELIGIBLE FOR BENEFITS FROM THE CLOSING FUND, TO ALLOW A TAX CREDIT OF TWENTY-FIVE PERCENT OF THE COSTS INCURRED BY A TAXPAYER TO INSTALL EQUIPMENT OR TECHNOLOGY THAT ALLOWS INFORMATION TO BE TRANSMITTED THROUGH A WIRELESS LOCAL AREA NETWORK AT A COMPLEX; TO AMEND SECTION 12-20-110, RELATING TO THE

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APPLICABILITY OF CORPORATION LICENSE FEE PROVISIONS, SO AS TO MAKE SUCH PROVISIONS INAPPLICABLE TO A COMPLEX; AND TO AMEND SECTION 12-21-2425, RELATING TO THE ADMISSION LICENSE TAX, SO AS TO INCREASE THE EXEMPTION ON A COMPLEX, TO REMOVE THE TIME PERIOD FOR THE EXEMPTION, AND TO PROVIDE THAT THE EXEMPTED REVENUE MUST BE USED ON MARKETING FOR EVENTS AT THE COMPLEX.

Rep. SIMRILL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 102

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|           |                 |            |
|-----------|-----------------|------------|
| Allison   | Anderson        | Anthony    |
| Arrington | Atkinson        | Atwater    |
| Bales     | Ballentine      | Bannister  |
| Bennett   | Bernstein       | Blackwell  |
| Bowers    | Bradley         | Brawley    |
| Brown     | Bryant          | Burns      |
| Caskey    | Chumley         | Clary      |
| Clyburn   | Cole            | Collins    |
| Crawford  | Crosby          | Daning     |
| Davis     | Delleney        | Dillard    |
| Douglas   | Duckworth       | Elliott    |
| Erickson  | Finlay          | Forrest    |
| Forrester | Fry             | Funderburk |
| Gagnon    | Gilliard        | Govan      |
| Hamilton  | Hart            | Hayes      |
| Henderson | Henderson-Myers | Henegan    |
| Hewitt    | Hill            | Hiott      |
| Hixon     | Hosey           | Huggins    |
| Jefferson | Johnson         | Jordan     |
| King      | Kirby           | Knight     |
| Loftis    | Long            | Lucas      |
| Mace      | Mack            | Magnuson   |

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|             |             |            |
|-------------|-------------|------------|
| Martin      | McCoy       | McCravy    |
| McEachern   | McGinnis    | D. C. Moss |
| Murphy      | W. Newton   | Ott        |
| Pendarvis   | Pitts       | Pope       |
| Putnam      | Ridgeway    | M. Rivers  |
| S. Rivers   | Sandifer    | Simrill    |
| G. M. Smith | G. R. Smith | Sottile    |
| Spires      | Stavrinakis | Stringer   |
| Tallon      | Taylor      | Thayer     |
| Toole       | Trantham    | White      |
| Whitmire    | Williams    | Willis     |
| Wooten      | Young       | Yow        |

**Total--102**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**S. 1043--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

S. 1043 -- Senators Turner and Talley: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE UNTIL DECEMBER 31, 2025.

Rep. COLE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 2; Nays 101

Those who voted in the affirmative are:

|             |       |
|-------------|-------|
| Herbkersman | Hosey |
|-------------|-------|

**Total--2**

Those who voted in the negative are:

|           |            |           |
|-----------|------------|-----------|
| Allison   | Anderson   | Anthony   |
| Arrington | Atkinson   | Atwater   |
| Bales     | Ballentine | Bannister |

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|            |                 |             |
|------------|-----------------|-------------|
| Bennett    | Bernstein       | Blackwell   |
| Bowers     | Bradley         | Brawley     |
| Brown      | Bryant          | Burns       |
| Caskey     | Chumley         | Clary       |
| Clyburn    | Cole            | Collins     |
| Crawford   | Crosby          | Daning      |
| Davis      | Delleney        | Dillard     |
| Douglas    | Duckworth       | Elliott     |
| Erickson   | Finlay          | Forrest     |
| Forrester  | Fry             | Funderburk  |
| Gagnon     | Gilliard        | Govan       |
| Hamilton   | Hart            | Hayes       |
| Henderson  | Henderson-Myers | Henegan     |
| Hewitt     | Hill            | Hiott       |
| Hixon      | Huggins         | Jefferson   |
| Johnson    | Jordan          | King        |
| Kirby      | Knight          | Loftis      |
| Long       | Lucas           | Mace        |
| Mack       | Magnuson        | Martin      |
| McCravy    | McEachern       | McGinnis    |
| D. C. Moss | Murphy          | W. Newton   |
| Ott        | Pendarvis       | Pitts       |
| Pope       | Putnam          | Ridgeway    |
| M. Rivers  | S. Rivers       | Sandifer    |
| Simrill    | G. M. Smith     | G. R. Smith |
| Sottile    | Spires          | Stavrinakis |
| Stringer   | Tallon          | Taylor      |
| Thayer     | Toole           | Trantham    |
| Wheeler    | White           | Whitmire    |
| Williams   | Willis          | Wooten      |
| Young      | Yow             |             |

**Total--101**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**S. 1097--ADOPTED AND RETURNED TO SENATE WITH  
CONCURRENCE**

The following Concurrent Resolution was taken up:

[HJ]



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S. 1097 -- Senators Martin and Turner: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF I-385 AND BRIDGES ROAD "TROOPER DANIEL K. REBMAN, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 1217--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1217 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 276 AND HIGHWAY 288 (PUMPKINTOWN HIGHWAY) IN NORTHERN GREENVILLE COUNTY "DR. JAMES E. BARNETT INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 1164--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 1164 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH ACADEMY STREET IN THE CITY OF GREENVILLE FROM ITS INTERSECTION WITH EAST NORTH STREET TO ITS INTERSECTION WITH NORTH MAIN STREET "ROBERT PEABO BRYSON BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

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**STATEMENT BY REP. LUCAS**

Rep. LUCAS made a statement relative to Rep. DELLENEY'S service in the House.

**STATEMENT BY REP. DELLENEY**

Rep. DELLENEY made a statement relative to his service in the House.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4973--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4973 -- Reps. Bales, Taylor, Brown, Hosey, Simrill, Hixon, Blackwell and Young: A BILL TO AMEND SECTION 56-3-2150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL LICENSE PLATES ISSUED TO CERTAIN CURRENT AND RETIRED PUBLIC OFFICIALS, SO AS TO PROVIDE THAT TWO SPECIAL LICENSE PLATES MAY BE ISSUED TO EACH OF THESE OFFICIALS, AND THAT A SPECIAL LICENSE PLATE ISSUED TO A MEMBER OF THE GENERAL ASSEMBLY WHO IS RECEIVING RETIREMENT BENEFITS MUST CONTAIN THE SEAL IMPRINTED ON SPECIAL LICENSE PLATES ISSUED TO CURRENT MEMBERS OF THE GENERAL ASSEMBLY.

Rep. TAYLOR explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

|           |           |           |
|-----------|-----------|-----------|
| Alexander | Allison   | Anderson  |
| Arrington | Atkinson  | Bales     |
| Bannister | Bernstein | Blackwell |
| Bowers    | Bradley   | Brown     |
| Bryant    | Burns     | Caskey    |

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|                 |             |             |
|-----------------|-------------|-------------|
| Chumley         | Clary       | Clyburn     |
| Cole            | Collins     | Crosby      |
| Danings         | Davis       | Dillard     |
| Douglas         | Duckworth   | Elliott     |
| Erickson        | Felder      | Forrest     |
| Forrester       | Fry         | Funderburk  |
| Gagnon          | Gilliard    | Govan       |
| Hamilton        | Hayes       | Henderson   |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hiott       | Hixon       |
| Hosey           | Huggins     | Jefferson   |
| Johnson         | Jordan      | King        |
| Kirby           | Knight      | Loftis      |
| Long            | Lucas       | Mace        |
| Mack            | McCoy       | McCravy     |
| McEachern       | McGinnis    | D. C. Moss  |
| B. Newton       | W. Newton   | Ott         |
| Pendarvis       | Pitts       | Pope        |
| Putnam          | Ridgeway    | M. Rivers   |
| S. Rivers       | Sandifer    | Simrill     |
| G. M. Smith     | G. R. Smith | Spires      |
| Stavrinakis     | Stringer    | Tallon      |
| Taylor          | Thayer      | Trantham    |
| White           | Whitmire    | Williams    |
| Willis          | Wooten      | Young       |
| Yow             |             |             |

**Total--91**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

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**S. 917--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 917:

S. 917 -- Senators Kimpson, Scott and Campsen: A BILL TO AMEND SECTIONS 6-1-530, 6-1-730, AND 6-4-10, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE EXPENDITURE OF THE STATE ACCOMMODATIONS TAX, LOCAL HOSPITALITY TAX, AND LOCAL ACCOMMODATIONS TAX, RESPECTIVELY, SO AS TO ALLOW THE REVENUE TO BE EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

Very respectfully,  
President

On motion of Rep. WHITE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. PITTS, FINLAY and CRAWFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 709--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to S. 709:

S. 709 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE FIRE AND SAFETY INSPECTIONS AT ALL PUBLIC SCHOOL FACILITIES AT LEAST

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ANNUALLY, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE OFFICE OF THE STATE FIRE MARSHAL.

Very respectfully,  
President

On motion of Rep. ALLISON, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. ALLISON, PENDARVIS and FELDER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 3138--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3138:

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

and asks for a Committee of Conference and has appointed Senators Rankin, Hutto and Rice to the Committee of Conference on the part of the Senate.

[HJ]

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Very respectfully,  
President

Whereupon, the Chair appointed Reps. ERICKSON, STAVRINAKIS and BANNISTER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4009--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4009:

H. 4009 -- Reps. Lucas, Williams, Crawford, Alexander, McCoy, Hiott, Clemmons, Bales, Bedingfield, Ott, G. R. Smith, Herbkersman, Sandifer and S. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 69 TO TITLE 12 SO AS TO ENACT THE "MOTORSPORTS ENTERTAINMENT COMPLEX INVESTMENT ACT" BY EXEMPTING CERTAIN BUILDING MATERIALS FOR A COMPLEX FROM THE SALES TAX AND TO PROVIDE THE PROCESS BY WHICH A QUALIFIED COMPANY MAY CLAIM THE EXEMPTION, TO CREATE THE MOTORSPORTS TOURISM INCENTIVE FUND TO AWARD GRANTS OR LOANS TO ATTRACT AND EXPAND TOURISM AND HOSPITALITY PROJECTS RELATED TO EVENTS AT SUCH COMPLEXES, TO PROVIDE THAT A COMPLEX IS ELIGIBLE FOR BENEFITS FROM THE CLOSING FUND, TO ALLOW A TAX CREDIT OF TWENTY-FIVE PERCENT OF THE COSTS INCURRED BY A TAXPAYER TO INSTALL EQUIPMENT OR TECHNOLOGY THAT ALLOWS INFORMATION TO BE TRANSMITTED THROUGH A WIRELESS LOCAL AREA NETWORK AT A COMPLEX; TO AMEND SECTION 12-20-110, RELATING TO THE APPLICABILITY OF CORPORATION LICENSE FEE PROVISIONS, SO AS TO MAKE SUCH PROVISIONS INAPPLICABLE TO A COMPLEX; AND TO AMEND SECTION 12-21-2425, RELATING TO THE ADMISSION LICENSE TAX, SO AS TO INCREASE THE EXEMPTION ON A COMPLEX, TO REMOVE

[HJ]

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THE TIME PERIOD FOR THE EXEMPTION, AND TO PROVIDE THAT THE EXEMPTED REVENUE MUST BE USED ON MARKETING FOR EVENTS AT THE COMPLEX.

and asks for a Committee of Conference and has appointed Senators Malloy, Campbell and Martin to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. WILLIAMS, LUCAS and SIMRILL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 5231--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 5231:

H. 5231 -- Reps. Pitts, West and White: A BILL TO AMEND SECTION 50-9-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTRIBUTION OF REVENUES GENERATED FROM THE SALE OF PRIVILEGES TO HUNT AND FISH BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REVISE THE DISTRIBUTION OF REVENUE GENERATED FROM THE SALE OF RECREATIONAL AND COMMERCIAL MARINE LICENSES, PERMITS, AND TAGS.

and asks for a Committee of Conference and has appointed Senators Campsen, McElveen and Talley to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

**THURSDAY, MAY 10, 2018**

Whereupon, the Chair appointed Reps. PITTS, HIXON and ATKINSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 1043--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 1043:

S. 1043 -- Senators Turner and Talley: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE UNTIL DECEMBER 31, 2025.

and asks for a Committee of Conference and has appointed Senators Reese, Cromer and Talley to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. COLE, SIMRILL and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4931--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 4931:

H. 4931 -- Reps. Elliott, Alexander, Simrill, Stringer, West, Allison, Henderson, G. R. Smith, Burns, Trantham, Hamilton, Bannister,

[HJ]



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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.

Very respectfully,  
President

On motion of Rep. ALLISON, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. TAYLOR, ELLIOTT and ALEXANDER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 913--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

S. 913

The General Assembly, Columbia, S.C., May 10, 2018

The Committee of Conference, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

[HJ]

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/ SECTION 1. Section 50-9-740 of the 1976 Code is amended to read:

“Section 50-9-740. (A) The department may select one or more days to designate as a ‘South Carolina Youth Hunting Day’, in addition to the regular seasons for a species of wild game. A youth hunting day must be held outside a regular season on a weekend, holiday, or other nonschool day when a youth hunter may have the maximum opportunity to participate. The A day must be held on the Saturday before the regular Game Zone season framework for hunting antlered deer only. The daily bag limit on this day is one antlered deer. For all other game, the day may be held up to fourteen days before or after a regular season framework or within a split of a regular season, or within another open season.

(B) A person who is less than eighteen years of age may be a youth hunter. A licensed Youth hunters who have not completed the hunter education program pursuant to Section 50-9-310 who hunt on a statewide youth hunting day must be accompanied by an adult who is at least twenty-one years of age, must accompany a youth hunter in the field and The adult may not harvest or attempt to harvest game during this special hunting event. A license requirement specified in this chapter is waived on a youth hunting day under this section for a youth hunter. A license or tag requirement pursuant to this chapter is waived for a youth hunter on a youth hunting day. A daily harvest limit remains the same as allowed during regular seasons for each species of game.”

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Goldfinch  
/s/Sen. Bright-Matthews  
/s/Sen. Campsen  
On Part of the Senate.

/s/Rep. Hixon  
/s/Rep. Kirby  
/s/Rep. Yow  
On Part of the House.

Rep. KIRBY explained the Conference Report.

The yeas and nays were taken resulting as follows:  
Yeas 98; Nays 0

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Those who voted in the affirmative are:

|             |                 |           |
|-------------|-----------------|-----------|
| Alexander   | Allison         | Anderson  |
| Anthony     | Arrington       | Atkinson  |
| Atwater     | Ballentine      | Bannister |
| Bennett     | Bernstein       | Blackwell |
| Bowers      | Bradley         | Bryant    |
| Burns       | Caskey          | Chumley   |
| Clary       | Clyburn         | Cole      |
| Collins     | Crawford        | Crosby    |
| Daning      | Davis           | Delleney  |
| Dillard     | Douglas         | Duckworth |
| Elliott     | Erickson        | Felder    |
| Forrest     | Forrester       | Fry       |
| Funderburk  | Gagnon          | Gilliard  |
| Govan       | Hamilton        | Hayes     |
| Henderson   | Henderson-Myers | Henegan   |
| Herbkersman | Hewitt          | Hill      |
| Hiott       | Hixon           | Hosey     |
| Huggins     | Jefferson       | Johnson   |
| Jordan      | King            | Kirby     |
| Knight      | Loftis          | Long      |
| Lucas       | Mace            | Mack      |
| Magnuson    | Martin          | McCoy     |
| McCravy     | McEachern       | McGinnis  |
| B. Newton   | W. Newton       | Ott       |
| Pendarvis   | Pitts           | Pope      |
| Putnam      | Ridgeway        | M. Rivers |
| S. Rivers   | Sandifer        | Simrill   |
| G. M. Smith | G. R. Smith     | Sottile   |
| Spires      | Stavrinakis     | Stringer  |
| Tallon      | Taylor          | Thayer    |
| Toole       | Trantham        | White     |
| Whitmire    | Williams        | Willis    |
| Young       | Yow             |           |

**Total--98**

Those who voted in the negative are:

**Total--0**

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The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 913:

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.

The Report of the Committee of Free Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 596--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

S. 596 -- Senators Peeler, Nicholson, Sheheen and Gambrell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF JOHN DE LA HOWE SCHOOL AND DEVOLVE THE BOARD'S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2019 OR UNTIL A FULL NEW BOARD OF TRUSTEES IS APPOINTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, RETENTION, AND TERMINATION OF THE SCHOOL'S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE SCHOOL, TO REVIEW EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE SCHOOL AND MAKE RECOMMENDATIONS TO DIRECT THE

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SCHOOL OUT OF THE CURRENT FINANCIAL CRISIS, WITH AN EMPHASIS ON DETERMINING THE MOST FEASIBLE PATH THE STATE MUST PURSUE TO BE IN COMPLIANCE WITH THE LAST WILL AND TESTAMENT OF JOHN DE LA HOWE.

Rep. WHITE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 97

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|                 |           |             |
|-----------------|-----------|-------------|
| Allison         | Anderson  | Anthony     |
| Arrington       | Atkinson  | Atwater     |
| Ballentine      | Bannister | Bennett     |
| Bernstein       | Blackwell | Bowers      |
| Bradley         | Brawley   | Brown       |
| Bryant          | Caskey    | Chumley     |
| Clary           | Clyburn   | Collins     |
| Crawford        | Crosby    | Daning      |
| Davis           | Delleney  | Dillard     |
| Douglas         | Duckworth | Elliott     |
| Erickson        | Felder    | Forrest     |
| Forrester       | Fry       | Funderburk  |
| Gagnon          | Gilliard  | Govan       |
| Hamilton        | Hayes     | Henderson   |
| Henderson-Myers | Henegan   | Herbkersman |
| Hewitt          | Hill      | Hiott       |
| Hixon           | Hosey     | Huggins     |
| Jefferson       | Johnson   | Jordan      |
| King            | Kirby     | Knight      |
| Loftis          | Long      | Lucas       |
| Mace            | Mack      | Magnuson    |
| Martin          | McCravy   | McEachern   |
| McGinnis        | B. Newton | W. Newton   |
| Ott             | Pendarvis | Pitts       |
| Pope            | Putnam    | Ridgeway    |
| M. Rivers       | S. Rivers | Sandifer    |

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|          |             |             |
|----------|-------------|-------------|
| Simrill  | G. M. Smith | G. R. Smith |
| Sottile  | Spires      | Stavrinakis |
| Stringer | Tallon      | Taylor      |
| Thayer   | Toole       | Trantham    |
| White    | Whitmire    | Williams    |
| Willis   | Wooten      | Young       |
| Yow      |             |             |

**Total--97**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3209--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3209 -- Reps. Pope, Robinson-Simpson, Crosby, Whipper, Brown, M. Rivers, King, Magnuson, Norrell, Martin, B. Newton, Long, Govan, Henegan, Dillard and Gilliard: A BILL TO AMEND SECTION 17-22-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT OF OFFENSES SUBSEQUENTLY REPEALED WHEN THE ELEMENTS OF THE OFFENSE ARE CONSISTENT WITH AN EXISTING SIMILAR OFFENSE WHICH IS SUBJECT TO EXPUNGEMENT, AND CLARIFY THAT EXPUNGEMENT PROVISIONS APPLY RETROACTIVELY TO THE OFFENSES DELINEATED.

Reps. G.M. SMITH and STAVRINAKIS proposed the following Amendment No. 1A to H. 3209 (COUNCIL\CZ\3209C001. AGM.CZ18), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 22-5-910(E) and inserting:

/ (E) As used in this section, 'conviction' includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for crimes carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both,

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that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes. /

Amend further, SECTION 3, by striking Section 22-5-920(A) and inserting:

/ (A) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes. /

Amend further, SECTION 4, by striking Section 22-5-930(F) and inserting:

/ (F) As used in this section, ‘conviction’ includes a guilty plea, a nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes. /

Amend further by striking SECTION 5 and inserting:

/ SECTION 5. Section 63-19-2050(C)(2) of the 1976 Code is amended to read:

“(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.” /

ReNUMBER sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|            |           |         |
|------------|-----------|---------|
| Allison    | Anderson  | Anthony |
| Arrington  | Atkinson  | Atwater |
| Ballentine | Bannister | Bennett |
| Bernstein  | Blackwell | Bowers  |

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|             |                 |           |
|-------------|-----------------|-----------|
| Bradley     | Brawley         | Bryant    |
| Burns       | Caskey          | Chumley   |
| Clary       | Clyburn         | Cole      |
| Collins     | Crawford        | Crosby    |
| Daning      | Davis           | Delleney  |
| Dillard     | Douglas         | Duckworth |
| Elliott     | Forrester       | Fry       |
| Funderburk  | Gagnon          | Gilliard  |
| Govan       | Hamilton        | Hayes     |
| Henderson   | Henderson-Myers | Henegan   |
| Herbkersman | Hewitt          | Hill      |
| Hiott       | Hixon           | Hosey     |
| Huggins     | Jefferson       | Johnson   |
| Jordan      | King            | Kirby     |
| Knight      | Loftis          | Long      |
| Lucas       | Mace            | Mack      |
| Magnuson    | Martin          | McCoy     |
| McCravy     | McEachern       | McGinnis  |
| Murphy      | B. Newton       | Ott       |
| Pendarvis   | Pitts           | Pope      |
| Putnam      | Ridgeway        | M. Rivers |
| S. Rivers   | Sandifer        | Simrill   |
| G. M. Smith | G. R. Smith     | Sottile   |
| Spires      | Stavrinakis     | Stringer  |
| Tallon      | Taylor          | Thayer    |
| Toole       | Trantham        | Wheeler   |
| White       | Whitmire        | Williams  |
| Willis      | Wooten          | Young     |
| Yow         |                 |           |

**Total--97**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

Reps. G.M. SMITH and STAVRINAKIS proposed the following Amendment No. 2A to H. 3209 (COUNCIL\CZ\3209C001.AGM. CZ18), which was adopted:

[HJ]



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Amend the bill, as and if amended, SECTION 2, by striking Section 22-5-910(E) and inserting:

/ (E) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for crimes carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

Amend further, SECTION 3, by striking Section 22-5-920(A) and inserting:

/ (A) As used in this section, ‘conviction’ includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

Amend further, SECTION 4, by striking Section 22-5-930(F) and inserting:

/ (F) As used in this section, ‘conviction’ includes a guilty plea, a nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes. /

Amend further by striking SECTION 5 and inserting:

/ SECTION 5. Section 63-19-2050(C)(2) of the 1976 Code is amended to read:

“(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order. For the purpose of this section, any number of offenses for which the individual received a youthful offender sentence that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.”/

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 74; Nays 21

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Those who voted in the affirmative are:

|             |                 |           |
|-------------|-----------------|-----------|
| Allison     | Anderson        | Anthony   |
| Atkinson    | Bannister       | Bernstein |
| Blackwell   | Bowers          | Bradley   |
| Brawley     | Burns           | Caskey    |
| Clary       | Clyburn         | Cole      |
| Collins     | Crosby          | Davis     |
| Dillard     | Douglas         | Duckworth |
| Elliott     | Erickson        | Forrest   |
| Forrester   | Funderburk      | Gilliard  |
| Govan       | Hamilton        | Hayes     |
| Henderson   | Henderson-Myers | Henegan   |
| Herbkersman | Hewitt          | Hill      |
| Hosey       | Jefferson       | Jordan    |
| King        | Kirby           | Knight    |
| Long        | Lucas           | Mace      |
| Mack        | Magnuson        | McCoy     |
| McEachern   | McGinnis        | Murphy    |
| W. Newton   | Ott             | Pendarvis |
| Pitts       | Putnam          | Ridgeway  |
| M. Rivers   | S. Rivers       | Sandifer  |
| G. R. Smith | Sottile         | Spires    |
| Stavrinakis | Stringer        | Taylor    |
| Toole       | Trantham        | Wheeler   |
| White       | Williams        | Willis    |
| Wooten      | Young           |           |

**Total--74**

Those who voted in the negative are:

|         |            |           |
|---------|------------|-----------|
| Atwater | Ballentine | Bennett   |
| Bryant  | Crawford   | Fry       |
| Gagnon  | Hiott      | Hixon     |
| Huggins | Johnson    | Martin    |
| McCravy | D. C. Moss | B. Newton |
| Pope    | Simrill    | Tallon    |
| Thayer  | Whitmire   | Yow       |

**Total--21**

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The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 4795--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4795 -- Reps. Herbkersman, Simrill, W. Newton and Bradley: 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. HERBKERSMAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

|             |                 |           |
|-------------|-----------------|-----------|
| Allison     | Anderson        | Anthony   |
| Arrington   | Atkinson        | Atwater   |
| Ballentine  | Bannister       | Bennett   |
| Bernstein   | Blackwell       | Bowers    |
| Bradley     | Brown           | Bryant    |
| Burns       | Caskey          | Clary     |
| Clyburn     | Cole            | Collins   |
| Crawford    | Crosby          | Daning    |
| Davis       | Delleney        | Duckworth |
| Elliott     | Erickson        | Felder    |
| Forrest     | Forrester       | Fry       |
| Funderburk  | Gilliard        | Govan     |
| Henderson   | Henderson-Myers | Henegan   |
| Herbkersman | Hewitt          | Hiott     |
| Hixon       | Hosey           | Huggins   |
| Jefferson   | Johnson         | Jordan    |
| King        | Kirby           | Knight    |

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|             |             |           |
|-------------|-------------|-----------|
| Long        | Mace        | Mack      |
| Martin      | McCravy     | McEachern |
| McGinnis    | D. C. Moss  | Murphy    |
| B. Newton   | W. Newton   | Ott       |
| Pendarvis   | Pitts       | Pope      |
| Putnam      | Ridgeway    | M. Rivers |
| S. Rivers   | Sandifer    | Simrill   |
| G. M. Smith | G. R. Smith | Sottile   |
| Spires      | Stavrinakis | Stringer  |
| Tallon      | Taylor      | Thayer    |
| Toole       | Trantham    | White     |
| Whitmire    | Williams    | Willis    |
| Wooten      | Young       | Yow       |

**Total--90**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 4375--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4375 -- 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, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan: TO AMEND SECTION 58 33 220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY

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ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

Rep. MCCOY proposed the following Amendment No. 1A to H. 4375 (COUNCIL\SD\4375C007.NL.SD18), which was adopted:

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

/ SECTION 1. Section 58-33-220 of the 1976 Code is amended by adding appropriately numbered items to read:

“( ) ‘Imprudent’ or ‘imprudence’ includes, but is not limited to, lack of caution, care, or diligence as determined by the commission in regard to any action or decision taken by the utility or one acting on its behalf including, but not limited to, its officers, board, agents, employees, contractors, subcontractors, consultants affecting the project or any other person acting on behalf of or for the utility affecting the project. Imprudent or imprudence includes, but does not require, a finding of negligence, carelessness, or recklessness.

Imprudence on behalf of any contractor, subcontractor, agent, or person hired to construct a plant or perform any action or service on behalf of the utility shall be attributed to the utility.

Imprudence includes, but is not limited to, any one or more of the following:

(a) failure to timely disclose and provide to the commission or the Office of Regulatory Staff any report, study, analysis, or written communication material to a particular project prepared by a third party engaged or caused to be engaged by the utility and furnished to the utility which relates to the management, supervision, or oversight of the project, the budgeted costs of the project, the performance of contractors or subcontractors on the project, or the scheduled completion date of the project;

(b) inappropriate or poor management or oversight decisions in the construction of the project including, but not limited to, failure to keep knowledgeable utility management or supervisory personnel on the

project site to ensure proper supervision and oversight of the project and its construction; and

(c) any other fact, factor, or relationship which indicates the lack of prudence as defined in this item as determined by the commission.

( ) ‘Prudent’, ‘prudence’, or ‘prudency’ means a high standard of caution, care, and diligence in regard to any action or decision taken by the utility or one acting on its behalf including, but not limited to, its officers, board, agents, employees, contractors, subcontractors, consultants affecting the project or any other person acting on behalf of or for the utility affecting the project.

To the extent a utility enters a contract with a third party that delegates some or all decision-making authority related to the project, the utility retains the burden of establishing the prudency of specific items of cost or specific third-party decisions.

‘Prudent’, ‘prudence’, or ‘prudency’ also requires that any action or decision be made in a timely manner.

In determining whether any action or decision was prudent, the commission shall consider, including, but not limited to:

(a) whether the utility acts in a timely manner, with any passage of time which results in increased costs or expense prior to the utility acting or making the decision weighing against a finding of prudency;

(b) whether prior actions or decisions by the utility were imprudent and such imprudent actions led to a decision by the utility that could otherwise be prudent. Such circumstances weigh against a finding of prudency; and

(c) any other relevant factors, including commission of a fraudulent act, which are deemed not to be prudent.

As used in item (c), ‘fraud’ includes, in addition to its normal legal connotation, concealment, omission, misrepresentation, or nondisclosure of a material fact in any proceeding or filing before the commission or Office of Regulatory Staff. Proceedings and filings to which the provisions of this paragraph apply include, but are not limited to, rate or revised rate filings, responsive filings, motions, pleadings, briefs, memoranda, document requests, and other communications before the commission or Office of Regulatory Staff.”

SECTION 2. (A) Articles 4 and 5, Chapter 33, Title 58 of the 1976 Code are repealed on the effective date of this act.

(B) Notwithstanding the provisions of subsection (A), the provisions of Article 4 and 5, Chapter 33, Title 58, continue to apply only to projects or plants begun pursuant to an order issued under Article

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4, Chapter 33, Title 58, and such provisions, including any amendments, shall remain in effect for any matters or petitions pending before the Public Service Commission related thereto.

SECTION 3. Title 58 of the 1976 Code is amended by adding:

“CHAPTER 34

Determination of Electricity Rates

Section 58-34-10. (A) The investor-owned utility holding the majority interest in the V. C. Summer Nuclear Reactor Units 2 and 3 at Jenkinsville, South Carolina, has entered into a merger agreement with an out-of-state investor-owned utility. This merger agreement contemplates the continuation of rate increases imposed under the Base Load Review Act contained in Article 4, Chapter 33, Title 58.

(B) Pursuant to the authority vested in the General Assembly by Section 1, Article IX of the Constitution of this State, the General Assembly is required to regulate investor owned utilities in order to protect the public interest. The General Assembly has determined that Section 1, Article IX of the Constitution requires that the General Assembly exercise its authority to set certain utility rates for the purpose of protecting the public interest until a determination can be made by the appropriate regulatory and judicial authorities. This rate shall apply to all customers of the investor-owned utility identified in subsection (A), which has imposed nine rate increases for the purpose of funding the V. C. Summer project.

Section 58-34-20. Within five calendar days after the effective date of this chapter, the Public Service Commission, by order, is directed to exercise its authority pursuant to Section 58-27-870(F) to provide an experimental rate that customers of the utility identified in Section 58-34-10 shall pay during the pendency of litigation currently before the commission which shall include full and final compliance by the utility with the order issued by Public Service Commission under this section, or any appeal therefrom or final resolution of any action in a court of competent jurisdiction, or until replaced by an order of the commission under Section 58-34-30. This experimental rate shall cause rates to be reduced on a going forward basis in an amount equal to the electric utility rates these ratepayers are paying reduced by the following rate increases imposed under the provisions of the Base Load Review Act in the Public Service Commission's orders Docket No. 2008-196-E, Order No. 2009-104(A), Docket No. 2009-211-E, Order No. 2009-696, Docket No. 2010-157-E, Order No. 2010-625, Docket No. 2011-207-E, Order No. 2011-738, Docket No. 2012-186-E, Order No. 2012-761, Docket No. 2013-150-E, Order No. 2013-680(A), Docket No. 2014-187-E, Order

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No. 2014-785, Docket No. 2015-160-E, Order No. 2015-712, Docket No. 2016-224-E, Order No. 2015-712, for the period of no earlier than April 1, 2018, until the issuance of the Public Service Commission's final order on the merits on the matters before the commission. In the alternative, this experimental rate shall cause rates to be reduced on a going forward basis in an amount equal to the electric utility rates these ratepayers are paying reduced by the following rate increases imposed under the provisions of the Base Load Review Act after the Public Service Commission's Order Number 2011-738 in Docket 2011-207-E, for the period of no earlier than August 1, 2017, until the issuance of the Public Service Commission's final order on the merits on the matters before the commission. The Public Service Commission shall calculate the amount of money resulting from the removal of these revised rate orders discussed herein and order that such sums be credited to customers of the utility identified in Section 58-34-10 beginning as of the date of the final order and on a going forward basis until the amount of money resulting from the removal of these revised rate orders has been fully credited to customers. The commission's order shall take effect five calendar days after it is issued and the commission shall serve an attested copy of the order upon all interested parties.

Section 58-34-30. Notwithstanding any other provision of law, the experimental rate set pursuant to Section 58-34-20 shall remain in full force and effect during the pendency of the matters before the commission. However, the commission shall monitor the net effect of the experimental rate and may alter the experimental rate, on its own motion, only if it determines that an adjustment to the experimental rate is necessary to satisfy constitutional requirements of utility ratemaking. If required to adjust the rate, the commission shall, under applicable provisions of law, determine the just and reasonable rates for these ratepayers after considering all factors and evidence. In determining such rate and in considering the constitutionally allowable zone of reasonableness in which rates may properly fall, the commission is directed to set the lowest possible rate within the zone of reasonableness. Nothing herein prevents the commission from adopting as its own rate the experimental rate directed by the General Assembly in Section 58-34-10 and ordered pursuant to Section 58-34-20.

Section 58-34-40. Any provision of Article 7, Chapter 27, Title 58 in conflict with the provisions of this chapter, including, but not limited to, Section 58-27-870(B), are suspended for purposes of the utility rates provided for by this chapter and for any pending matters related to V.C. Summer Nuclear Reactor Units 2 and 3 at Jenkinsville, South Carolina,



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pending before the commission on or after the effective date of this chapter. The suspension remains in effect during the pendency of any litigation or appeal concerning the experimental or interim rates directed by the General Assembly or ordered by the Public Service Commission pursuant to this chapter, or related issues surrounding the establishment of these rates, until a final determination of the matter, including any subsequent appeals, is made by the appropriate court.

Section 58-34-50. Section 58-27-930 and the time limitations contained in Section 58-33-240(A) and (E) are hereby suspended for purposes of the utility rates provided for by this chapter and for any pending matters related to V.C. Summer Nuclear Reactor Units 2 and 3 at Jenkinsville, South Carolina, pending before the commission on or after the effective date of this chapter. The suspension remains in effect during the pendency of any litigation or appeal concerning the experimental or interim rates directed by the General Assembly or ordered by the Public Service Commission pursuant to this chapter, or related issues surrounding the establishment of these rates, until a final determination of the matter, including any subsequent appeals, is made by the appropriate court.

SECTION 4. The provisions of this act must be liberally construed to further the legislative intent of the General Assembly to provide the maximum ratepayer protection as more fully stated in this act.

SECTION 5. If any provision of this act is held or determined to be unconstitutional, invalid, or otherwise unenforceable by a court of competent jurisdiction, it is the intention of the General Assembly that the provision is severable from the remaining provisions of this act and that the holding does not invalidate or render unenforceable another provision of this act.

SECTION 6. This act takes effect upon approval by the Governor and applies to all cases, proceedings, petitions, or matters pending before the public service commission or in any other court or venue on or after the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

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Those who voted in the affirmative are:

|             |             |                 |
|-------------|-------------|-----------------|
| Allison     | Anderson    | Arrington       |
| Atkinson    | Atwater     | Bales           |
| Ballentine  | Bannister   | Bennett         |
| Bernstein   | Blackwell   | Bowers          |
| Brawley     | Brown       | Bryant          |
| Burns       | Caskey      | Clary           |
| Clyburn     | Cole        | Collins         |
| Crawford    | Crosby      | Daning          |
| Davis       | Delleney    | Dillard         |
| Douglas     | Duckworth   | Elliott         |
| Erickson    | Felder      | Forrest         |
| Forrester   | Fry         | Gagnon          |
| Gilliard    | Govan       | Hamilton        |
| Hayes       | Henderson   | Henderson-Myers |
| Henegan     | Hewitt      | Hiott           |
| Hixon       | Hosey       | Huggins         |
| Jefferson   | Johnson     | Jordan          |
| King        | Kirby       | Knight          |
| Loftis      | Long        | Lucas           |
| Mace        | Mack        | Magnuson        |
| Martin      | McCoy       | McCravy         |
| McEachern   | McGinnis    | D. C. Moss      |
| Murphy      | B. Newton   | Ott             |
| Pendarvis   | Pitts       | Pope            |
| Putnam      | Ridgeway    | M. Rivers       |
| S. Rivers   | Sandifer    | Simrill         |
| G. M. Smith | G. R. Smith | Sottile         |
| Spires      | Stavrinakis | Stringer        |
| Tallon      | Taylor      | Thayer          |
| Toole       | Trantham    | Wheeler         |
| White       | Whitmire    | Williams        |
| Willis      | Wooten      | Young           |
| Yow         |             |                 |

**Total--97**

Those who voted in the negative are:

**Total--0**

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The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 5042--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 5042 -- Reps. Felder and Allison: A BILL TO AMEND SECTION 59-20-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE PROGRAM FOR IDENTIFYING PUBLIC SCHOOL DISTRICT FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT CAN COMPROMISE THE FISCAL INTEGRITY OF THE DISTRICTS AND FOR ADVISING THE DISTRICTS ON APPROPRIATE CORRECTIVE ACTIONS, SO AS TO REVISE RELATED PROCEDURES.

Rep. FELDER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|                 |            |             |
|-----------------|------------|-------------|
| Alexander       | Allison    | Anderson    |
| Arrington       | Atkinson   | Atwater     |
| Bales           | Ballentine | Bamberg     |
| Bennett         | Bernstein  | Blackwell   |
| Bowers          | Brawley    | Brown       |
| Bryant          | Burns      | Caskey      |
| Chumley         | Clary      | Clyburn     |
| Cole            | Collins    | Crawford    |
| Crosby          | Danig      | Davis       |
| Delleney        | Dillard    | Douglas     |
| Duckworth       | Elliott    | Erickson    |
| Felder          | Forrest    | Forrester   |
| Fry             | Funderburk | Gagnon      |
| Gilliard        | Hayes      | Henderson   |
| Henderson-Myers | Henegan    | Herbkersman |
| Hewitt          | Hill       | Hiott       |
| Hixon           | Hosey      | Huggins     |
| Jefferson       | Johnson    | Jordan      |

[HJ]

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|             |             |            |
|-------------|-------------|------------|
| King        | Kirby       | Knight     |
| Loftis      | Long        | Lucas      |
| Mace        | Mack        | Magnuson   |
| Martin      | McCoy       | McCray     |
| McEachern   | McGinnis    | D. C. Moss |
| Murphy      | B. Newton   | W. Newton  |
| Pendarvis   | Pitts       | Pope       |
| Putnam      | Ridgeway    | M. Rivers  |
| S. Rivers   | Sandifer    | Simrill    |
| G. M. Smith | G. R. Smith | Sottile    |
| Spires      | Stavrinakis | Stringer   |
| Tallon      | Taylor      | Thayer     |
| Toole       | Trantham    | Wheeler    |
| White       | Whitmire    | Williams   |
| Willis      | Wooten      | Young      |
| Yow         |             |            |

**Total--100**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 962--RECOMMITTED**

The following Bill was taken up:

S. 962 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-75-225 SO AS TO PROVIDE CRITERIA FOR LICENSURE AS AN ADDICTION COUNSELOR; TO AMEND SECTION 40-75-5, RELATING TO CERTAIN PROVISIONS GENERALLY APPLICABLE TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-10, AS AMENDED, RELATING TO THE BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO

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AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-20, RELATING TO DEFINITIONS, SO AS TO MAKE REVISIONS; TO AMEND SECTION 40-75-30, RELATING TO THE REQUIREMENT OF LICENSURE BY THE BOARD TO PRACTICE CERTAIN PROFESSIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-50, RELATING TO THE BOARD, SO AS TO REMOVE DUTIES CONCERNING THE ESTABLISHMENT AND FUNCTION OF STANDARDS COMMITTEES; TO AMEND SECTION 40-75-110, RELATING TO DISCIPLINARY PROCEEDINGS CONCERNING BOARD LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-190, RELATING TO CONFIDENTIALITY OF CLIENT COMMUNICATIONS BY LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS AND TO REVISE EXCEPTIONS; TO AMEND SECTION 40-75-220, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST LICENSURE, SO AS TO REVISE THOSE REQUIREMENTS AND PROVIDE ADDITIONAL REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE; TO AMEND SECTION 40-75-230, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR SUPERVISOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST SUPERVISOR LICENSURE, SO AS TO MAKE THOSE REQUIREMENTS APPLICABLE TO ADDICTION COUNSELOR SUPERVISOR LICENSURE; TO AMEND SECTION 40-75-240, RELATING TO INTERN LICENSES, SO AS TO REPLACE THE TERM "INTERN" WITH "ASSOCIATE" AND TO INCLUDE ADDICTION COUNSELOR INTERNS; TO AMEND SECTION 40-75-250, RELATING TO THE ISSUANCE OF DISPLAY OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE ADDICTION COUNSELOR LICENSES AND ADDICTION COUNSELOR ASSOCIATE LICENSES; TO AMEND SECTION 40-75-260, RELATING TO RECIPROCITY AGREEMENTS WITH OTHER STATES, SO AS TO INCLUDE ADDICTION COUNSELOR CREDENTIALS; TO AMEND SECTION 40-75-285, RELATING TO THE APPLICABILITY OF ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO INCLUDE ADDICTION COUNSELORS; AND TO AMEND SECTION 40-75-290, RELATING TO PERSONS NOT APPLICABLE TO ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO REMOVE PROVISIONS CONCERNING CERTAIN ADDICTION

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COUNSELORS; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS", AND TO REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS".

Rep. FRY moved to recommit the Bill to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

**S. 109--RETURNED TO THE SENATE WITH  
AMENDMENTS**

The following Bill was taken up:

S. 109 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

The Bill was read the third time and ordered returned to the Senate with amendments.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4980--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4980 -- Reps. Tallon, Allison, Long and Forrester: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO REVISE THE MEMBERSHIP OF ITS

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GOVERNING COMMISSION TO PROVIDE A MEMBER FROM  
SPARTANBURG COUNTY, AND TO ADD THE "ENOREE BASIN"  
OF SPARTANBURG COUNTY TO REWA'S SERVICE AREA.

Rep. TALLON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|                 |             |             |
|-----------------|-------------|-------------|
| Alexander       | Allison     | Anthony     |
| Arrington       | Atkinson    | Atwater     |
| Bales           | Ballentine  | Bamberg     |
| Bennett         | Bernstein   | Blackwell   |
| Bowers          | Brawley     | Brown       |
| Bryant          | Burns       | Caskey      |
| Clary           | Clyburn     | Collins     |
| Crawford        | Crosby      | Daning      |
| Davis           | Delleney    | Dillard     |
| Douglas         | Duckworth   | Elliott     |
| Erickson        | Felder      | Forrest     |
| Forrester       | Fry         | Funderburk  |
| Gagnon          | Gilliard    | Govan       |
| Hamilton        | Hayes       | Henderson   |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hill        | Hixon       |
| Hosey           | Howard      | Huggins     |
| Jefferson       | Johnson     | Jordan      |
| King            | Kirby       | Knight      |
| Loftis          | Long        | Lucas       |
| Mace            | Mack        | Magnuson    |
| Martin          | McCoy       | McCravy     |
| McEachern       | McGinnis    | D. C. Moss  |
| Murphy          | B. Newton   | W. Newton   |
| Ott             | Pitts       | Pope        |
| Putnam          | Ridgeway    | M. Rivers   |
| S. Rivers       | Sandifer    | Simrill     |
| G. M. Smith     | G. R. Smith | Spires      |
| Stavrinakis     | Stringer    | Tallon      |
| Taylor          | Thayer      | Toole       |
| Trantham        | Wheeler     | Whitmire    |

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Williams  
Young

Willis  
Yow

Wooten

**Total--98**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**LEAVE OF ABSENCE**

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

**H. 3775--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3775 -- Reps. Knight, Delleney, Cobb-Hunter, Felder, J. E. Smith, Simrill, Douglas, West, Wheeler, Thigpen, Williams, McEachern, Johnson, Pitts, Ridgeway, Rutherford, Henegan, Collins, Brawley and King: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO ORIGINAL BIRTH CERTIFICATES OF ADOPTED PERSONS, SO AS TO ALLOW AN ADULT ADOPTEE TWENTY-ONE YEARS OF AGE OR OLDER TO OBTAIN A COPY OF THE ADOPTEE'S OWN ORIGINAL BIRTH CERTIFICATE, TO ALLOW A BIOLOGICAL PARENT TO EXECUTE A CONTACT PREFERENCE FORM AT ANY TIME TO BE PROVIDED TO THE ADULT ADOPTEE WITH THE COPY OF THE ORIGINAL BIRTH CERTIFICATE, AND TO PROVIDE FOR THE SUBMISSION OF A MEDICAL HISTORY FORM BY A BIOLOGICAL PARENT.

Rep. RIDGEWAY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

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Those who voted in the affirmative are:

|            |             |                 |
|------------|-------------|-----------------|
| Alexander  | Allison     | Anthony         |
| Atkinson   | Atwater     | Bales           |
| Ballentine | Bamberg     | Bannister       |
| Bernstein  | Blackwell   | Bowers          |
| Brawley    | Brown       | Bryant          |
| Burns      | Caskey      | Clary           |
| Clyburn    | Collins     | Crawford        |
| Crosby     | Daning      | Davis           |
| Dillard    | Douglas     | Duckworth       |
| Elliott    | Erickson    | Felder          |
| Forrest    | Forrester   | Fry             |
| Funderburk | Gagnon      | Gilliard        |
| Hamilton   | Hayes       | Henderson-Myers |
| Henegan    | Herbkersman | Hill            |
| Hiott      | Hixon       | Hosey           |
| Howard     | Huggins     | Johnson         |
| Jordan     | Kirby       | Knight          |
| Loftis     | Lucas       | Mace            |
| Mack       | Martin      | McCoy           |
| McCravy    | McEachern   | McGinnis        |
| D. C. Moss | B. Newton   | W. Newton       |
| Pitts      | Pope        | Putnam          |
| Ridgeway   | M. Rivers   | S. Rivers       |
| Sandifer   | Simrill     | G. R. Smith     |
| Sottile    | Spires      | Stringer        |
| Tallon     | Taylor      | Thayer          |
| Toole      | Trantham    | Wheeler         |
| White      | Whitmire    | Williams        |
| Willis     | Wooten      | Young           |
| Yow        |             |                 |

**Total--88**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

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**H. 4466--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4466 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-3110 SO AS TO PROVIDE THAT A COUNTY MAY ADOPT AN ORDINANCE THAT REGULATES THE OPERATION OF CERTAIN UNLICENSED VEHICLES UPON THE PUBLIC STREETS AND HIGHWAYS WITHIN ITS JURISDICTION WHEN THE VEHICLES ARE OFFERED TO THE PUBLIC FOR RENTAL ON A DAILY, WEEKLY, OR MONTHLY BASIS, AND TO PROVIDE THAT MUNICIPALITIES MAY ADOPT A SIMILAR ORDINANCE IN THE ABSENCE OF COUNTY ORDINANCES.

Rep. HIXON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 1; Nays 91

Those who voted in the affirmative are:

Delleney

**Total--1**

Those who voted in the negative are:

|             |                 |            |
|-------------|-----------------|------------|
| Allison     | Anthony         | Atkinson   |
| Atwater     | Bales           | Ballentine |
| Bamberg     | Bannister       | Bennett    |
| Bernstein   | Blackwell       | Bowers     |
| Brawley     | Brown           | Bryant     |
| Burns       | Caskey          | Chumley    |
| Clary       | Collins         | Crawford   |
| Crosby      | Daning          | Davis      |
| Dillard     | Douglas         | Duckworth  |
| Elliott     | Forrest         | Forrester  |
| Fry         | Funderburk      | Gagnon     |
| Govan       | Hamilton        | Hayes      |
| Henderson   | Henderson-Myers | Henegan    |
| Herbkersman | Hewitt          | Hill       |
| Hiott       | Hixon           | Hosey      |

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|             |            |             |
|-------------|------------|-------------|
| Howard      | Huggins    | Jefferson   |
| Johnson     | Jordan     | King        |
| Kirby       | Knight     | Loftis      |
| Long        | Lucas      | Mace        |
| Martin      | McCoy      | McCravy     |
| McEachern   | D. C. Moss | Murphy      |
| B. Newton   | W. Newton  | Pendarvis   |
| Pitts       | Pope       | Putnam      |
| Ridgeway    | M. Rivers  | S. Rivers   |
| Sandifer    | Simrill    | G. M. Smith |
| G. R. Smith | Sottile    | Spires      |
| Stavrinakis | Stringer   | Tallon      |
| Taylor      | Thayer     | Toole       |
| Trantham    | Whitmire   | Williams    |
| Willis      | Wooten     | Young       |
| Yow         |            |             |

**Total--91**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4799--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4799 -- Reps. Howard, Gilliard, Davis, Brawley and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 45, TITLE 40 ENTITLED THE "PHYSICAL THERAPY LICENSURE COMPACT"; TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTI-STATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; AND TO DESIGNATE THE EXISTING PROVISIONS OF ARTICLE 3, CHAPTER 45, TITLE 40 AS "GENERAL PROVISIONS".

Rep. COLLINS explained the Senate Amendments.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 85; Nays 0

Those who voted in the affirmative are:

|                 |            |             |
|-----------------|------------|-------------|
| Allison         | Anthony    | Atkinson    |
| Atwater         | Bales      | Ballentine  |
| Bamberg         | Bannister  | Bennett     |
| Bernstein       | Blackwell  | Bowers      |
| Brown           | Bryant     | Burns       |
| Chumley         | Clary      | Clyburn     |
| Collins         | Crosby     | Daning      |
| Davis           | Delleney   | Douglas     |
| Duckworth       | Elliott    | Erickson    |
| Felder          | Forrest    | Forrester   |
| Fry             | Funderburk | Gilliard    |
| Govan           | Hayes      | Henderson   |
| Henderson-Myers | Henegan    | Hewitt      |
| Hiott           | Hixon      | Hosey       |
| Howard          | Huggins    | Jefferson   |
| Johnson         | Jordan     | King        |
| Knight          | Loftis     | Lucas       |
| Mace            | Mack       | Martin      |
| McCoy           | McCravy    | McEachern   |
| McGinnis        | D. C. Moss | Murphy      |
| B. Newton       | Pitts      | Pope        |
| Putnam          | Ridgeway   | S. Rivers   |
| Sandifer        | Simrill    | G. M. Smith |
| Sottile         | Spires     | Stavrinakis |
| Stringer        | Tallon     | Taylor      |
| Thayer          | Toole      | Trantham    |
| White           | Whitmire   | Williams    |
| Willis          | Wooten     | Young       |
| Yow             |            |             |

**Total--85**

Those who voted in the negative are:

**Total--0**

**THURSDAY, MAY 10, 2018**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 302--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

S. 302

The General Assembly, Columbia, S.C., May 10, 2018

The Committee of Conference, to whom was referred:

S. 302 -- Senators Sheheen and Bennett: A BILL TO AMEND SECTION 59-29-80(A) OF THE 1976 CODE, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 59-29-80(A) of the 1976 Code is amended to read:

“Section 59-29-80. (A) There ~~shall be~~ is established and provided in all the public schools of this State physical education, training, and instruction of pupils of both sexes, ~~and every~~. Every pupil attending ~~any~~ public school, in so far as he is physically fit and able to do so, shall take the course or courses provided by this section. Suitable modified courses ~~shall~~ must be provided for students physically or mentally unable or unfit to take the course or courses prescribed for normal pupils. However, in ~~any~~ public school ~~which~~ that offers a military or naval ROTC program sponsored by one of the military services of the United States, training in such a program ~~may~~ must be ~~deemed~~ considered to be the equivalent ~~to~~ of physical education instruction; and ~~may~~ must be accepted in lieu of

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such instruction for all purposes, academic or nonacademic, as may hereinafter be provided. Additionally, in a public school that offers instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts and that incorporates the South Carolina Academic Standards for Physical Education, this instruction must be considered to be the equivalent of physical education instruction and must be accepted in lieu of physical education instruction for all purposes; provided the district first shall submit a plan to the department documenting that all South Carolina Academic Standards for Physical Education are met in the proposed marching band instruction, and upon approval of the plan by the department, this instruction may be offered and considered to be the equivalent of physical education instruction.”

SECTION 2. Article 1, Chapter 103, Title 59 of the 1976 Code is amended by adding:

“Section 59-103-155. Any public or private institution of higher education in the State from which a student may earn a degree in a health care profession that allows the person to prescribe controlled substances listed in Schedules II, III, and IV in the State shall require for those programs that students complete coursework on the prescription and monitoring of Schedule II, III, and IV controlled substances, including coursework on the prescription of Schedule II controlled substances to treat or manage pain, and strategies that can be employed to recognize signs of and reduce the likelihood of patient addiction. These institutions of higher education shall coordinate with the state’s Commission on Higher Education, Board of Medical Examiners, Board of Dentistry, and Board of Nursing to develop the curriculum.”

SECTION 3. Section 59-32-20 of the 1976 Code is amended to read:

“Section 59-32-20. (A) Before August 1, 1988, the board, through the department, shall select or develop an instructional unit with separate components addressing the subjects of reproductive health education, family life education, pregnancy prevention education, and sexually transmitted diseases and make the instructional unit available to local school districts. The board, through the department, also shall make available information about other programs developed by other states upon request of a local school district.

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(B) In addition to the provisions of subsection (A), before September 1, 2015, the board, through the department, shall select or develop instructional units in sexual abuse and assault awareness and prevention, with separate units appropriate for each age level from four-year-old kindergarten through twelfth grade.

(C) Before August 1, 2018, and through the cyclical review process, if deemed necessary, the board shall include instruction on prescription opioid abuse prevention, with an emphasis on the prescription drug epidemic and the connection between opioid abuse and addiction to other drugs, such as heroin, in the health standards. In addition, the board shall make available to districts a list of instructional materials that meet state standards. Districts shall continue to adopt or develop curriculum locally.”

SECTION 4. This act takes effect upon approval by the Governor. /

Amend title to conform.

|                            |                           |
|----------------------------|---------------------------|
| /s/Sen. Vincent A. Sheheen | /s/Rep. R. Raye Felder    |
| /s/Sen. Greg Hembree       | /s/Rep. Brandon M. Newton |
| /s/Sen. Sean M. Bennett    | /s/Rep. Terry Alexander   |
| On Part of the Senate.     | On Part of the House.     |

Rep. FELDER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 2

Those who voted in the affirmative are:

|            |           |           |
|------------|-----------|-----------|
| Alexander  | Allison   | Anthony   |
| Atkinson   | Atwater   | Bales     |
| Ballentine | Bannister | Bennett   |
| Bernstein  | Blackwell | Bowers    |
| Brawley    | Brown     | Bryant    |
| Burns      | Chumley   | Clary     |
| Clyburn    | Cole      | Collins   |
| Crawford   | Crosby    | Daning    |
| Davis      | Douglas   | Duckworth |
| Elliott    | Erickson  | Felder    |
| Forrest    | Forrester | Fry       |
| Funderburk | Gagnon    | Gilliard  |

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|             |                 |             |
|-------------|-----------------|-------------|
| Govan       | Hamilton        | Hayes       |
| Henderson   | Henderson-Myers | Henegan     |
| Herbkersman | Hewitt          | Hill        |
| Hiott       | Hosey           | Howard      |
| Huggins     | Jefferson       | Johnson     |
| Jordan      | Kirby           | Knight      |
| Loftis      | Long            | Lucas       |
| Mace        | Mack            | Martin      |
| McCoy       | McCravy         | McEachern   |
| McGinnis    | D. C. Moss      | Murphy      |
| B. Newton   | W. Newton       | Pendarvis   |
| Pope        | Putnam          | Ridgeway    |
| M. Rivers   | S. Rivers       | Sandifer    |
| Simrill     | G. M. Smith     | G. R. Smith |
| Sottile     | Spires          | Stavrinakis |
| Tallon      | Taylor          | Thayer      |
| Toole       | Trantham        | Wheeler     |
| White       | Whitmire        | Williams    |
| Willis      | Wooten          | Young       |
| Yow         |                 |             |

**Total--94**

Those who voted in the negative are:

|       |          |
|-------|----------|
| Pitts | Stringer |
|-------|----------|

**Total--2**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 302:

S. 302 -- Senators Sheheen and Bennett: A BILL TO AMEND SECTION 59-29-80(A) OF THE 1976 CODE, RELATING TO

[HJ]



**THURSDAY, MAY 10, 2018**

PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

**S. 302--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**H. 5153--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 5153 -- Rep. Delleney: A BILL TO AMEND SECTION 42-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN WORKERS' COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE, SO AS TO PROVIDE THESE HEARINGS MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, AND TO PROVIDE THESE DISTRICTS MUST BE DETERMINED BY THE COMMISSION.

Rep. W. NEWTON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

|           |           |            |
|-----------|-----------|------------|
| Alexander | Allison   | Arrington  |
| Atkinson  | Atwater   | Ballentine |
| Bannister | Bernstein | Blackwell  |
| Bowers    | Brown     | Bryant     |
| Burns     | Caskey    | Chumley    |
| Clary     | Clyburn   | Cole       |
| Collins   | Crawford  | Crosby     |
| Daning    | Davis     | Delleney   |

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|                 |             |             |
|-----------------|-------------|-------------|
| Dillard         | Douglas     | Duckworth   |
| Elliott         | Erickson    | Forrest     |
| Forrester       | Fry         | Funderburk  |
| Gagnon          | Gilliard    | Govan       |
| Hamilton        | Hayes       | Henderson   |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hiott       | Hixon       |
| Hosey           | Howard      | Huggins     |
| Jefferson       | Jordan      | King        |
| Kirby           | Knight      | Loftis      |
| Long            | Lucas       | Mace        |
| Mack            | Martin      | McCoy       |
| McEachern       | McGinnis    | D. C. Moss  |
| B. Newton       | W. Newton   | Pendarvis   |
| Pitts           | Pope        | Putnam      |
| M. Rivers       | S. Rivers   | Sandifer    |
| Simrill         | G. M. Smith | G. R. Smith |
| Sottile         | Spires      | Stavrinakis |
| Stringer        | Tallon      | Taylor      |
| Thayer          | Toole       | Trantham    |
| Wheeler         | Whitmire    | Williams    |
| Willis          | Wooten      | Young       |
| Yow             |             |             |

**Total--91**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**LEAVE OF ABSENCE**

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

**THURSDAY, MAY 10, 2018**

**H. 3209--RECALLED FROM SENATE**

On motion of Rep. BANNISTER, with unanimous consent, the following Bill was ordered recalled from the Senate:

H. 3209 -- Reps. Pope, Robinson-Simpson, Crosby, Whipper, Brown, M. Rivers, King, Magnuson, Norrell, Martin, B. Newton, Long, Govan, Henegan, Dillard and Gilliard: A BILL TO AMEND SECTION 17-22-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT OF OFFENSES SUBSEQUENTLY REPEALED WHEN THE ELEMENTS OF THE OFFENSE ARE CONSISTENT WITH AN EXISTING SIMILAR OFFENSE WHICH IS SUBJECT TO EXPUNGEMENT, AND CLARIFY THAT EXPUNGEMENT PROVISIONS APPLY RETROACTIVELY TO THE OFFENSES DELINEATED.

**H. 4698--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4698 -- Rep. G. M. Smith: A BILL TO AMEND SECTION 40-47-32, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS TO OBTAIN A LICENSE TO PRACTICE MEDICINE IN THE STATE, SO AS TO WAIVE CERTAIN ADDITIONAL EXAMINATION REQUIREMENTS FOR APPLICANTS WHO ARE TO PRACTICE IN A POSITION WITHIN THE DISABILITY DETERMINATION SERVICES UNIT OF THE STATE AGENCY OF VOCATIONAL REHABILITATION.

Rep. G. M. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

|           |           |            |
|-----------|-----------|------------|
| Alexander | Allison   | Anderson   |
| Anthony   | Arrington | Atkinson   |
| Atwater   | Bales     | Ballentine |

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|                 |             |             |
|-----------------|-------------|-------------|
| Bamberg         | Bannister   | Bennett     |
| Blackwell       | Brawley     | Brown       |
| Bryant          | Burns       | Chumley     |
| Clary           | Clyburn     | Collins     |
| Crawford        | Crosby      | Daning      |
| Davis           | Douglas     | Duckworth   |
| Elliott         | Erickson    | Felder      |
| Forrester       | Fry         | Funderburk  |
| Gagnon          | Gilliard    | Govan       |
| Hamilton        | Hayes       | Henderson   |
| Henderson-Myers | Henegan     | Herbkersman |
| Hewitt          | Hill        | Hiott       |
| Hixon           | Hosey       | Huggins     |
| Jefferson       | Johnson     | Jordan      |
| King            | Kirby       | Knight      |
| Loftis          | Long        | Lucas       |
| Mace            | Mack        | Martin      |
| McCravy         | McEachern   | McGinnis    |
| D. C. Moss      | Murphy      | B. Newton   |
| Pendarvis       | Pitts       | Pope        |
| Putnam          | Ridgeway    | M. Rivers   |
| S. Rivers       | Sandifer    | Simrill     |
| G. M. Smith     | G. R. Smith | Sottile     |
| Spires          | Stavrinakis | Stringer    |
| Tallon          | Taylor      | Toole       |
| Trantham        | Wheeler     | White       |
| Whitmire        | Williams    | Willis      |
| Wooten          | Young       | Yow         |

**Total--93**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

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**H. 4710--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

H. 4710 -- Reps. Hill, Williams, McKnight, Yow, West, Gagnon, McCravy, Wheeler, Parks, Henegan, Caskey, Gilliard, Brown, B. Newton, Allison, Chumley, Long, Elliott, Henderson and Blackwell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PERSIAN GULF WAR VETERAN SPECIAL LICENSE PLATES.

Rep. ELLIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 4; Nays 82

Those who voted in the affirmative are:

|          |         |            |
|----------|---------|------------|
| Delleney | Dillard | Funderburk |
| Yow      |         |            |

**Total--4**

Those who voted in the negative are:

|                 |            |           |
|-----------------|------------|-----------|
| Allison         | Anderson   | Atwater   |
| Bales           | Ballentine | Bamberg   |
| Bannister       | Bennett    | Blackwell |
| Bowers          | Brawley    | Brown     |
| Bryant          | Burns      | Clary     |
| Cole            | Collins    | Crawford  |
| Crosby          | Danig      | Davis     |
| Douglas         | Duckworth  | Elliott   |
| Felder          | Forrest    | Forrester |
| Fry             | Gagnon     | Gilliard  |
| Govan           | Hamilton   | Henderson |
| Henderson-Myers | Henegan    | Hill      |
| Hiott           | Hixon      | Huggins   |
| Jefferson       | Johnson    | Jordan    |
| King            | Kirby      | Knight    |
| Loftis          | Long       | Lucas     |

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|             |          |             |
|-------------|----------|-------------|
| Mace        | Mack     | Martin      |
| McCoy       | McCravy  | McGinnis    |
| D. C. Moss  | Murphy   | B. Newton   |
| Pendarvis   | Pitts    | Pope        |
| Putnam      | Ridgeway | M. Rivers   |
| S. Rivers   | Sandifer | G. M. Smith |
| G. R. Smith | Sottile  | Spires      |
| Stavrinakis | Stringer | Tallon      |
| Taylor      | Toole    | Trantham    |
| Wheeler     | White    | Whitmire    |
| Williams    | Willis   | Wooten      |
| Young       |          |             |

**Total--82**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 4479--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

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 TRAINING COUNCIL IS AUTHORIZED TO APPOINT 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 PENDING ALLEGATION OF MISCONDUCT MAY BE EMPLOYED AS A LAW ENFORCEMENT OFFICER OR AS A TELECOMMUNICATIONS OPERATOR, MAY HAVE THE 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

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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.

Rep. TALLON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

Those who voted in the affirmative are:

|            |             |           |
|------------|-------------|-----------|
| Alexander  | Allison     | Anderson  |
| Atkinson   | Atwater     | Bales     |
| Bamberg    | Bannister   | Bennett   |
| Bowers     | Brown       | Bryant    |
| Burns      | Caskey      | Clary     |
| Clyburn    | Cole        | Collins   |
| Crosby     | Daning      | Davis     |
| Delleney   | Dillard     | Douglas   |
| Duckworth  | Elliott     | Erickson  |
| Felder     | Forrest     | Forrester |
| Fry        | Funderburk  | Gagnon    |
| Govan      | Hamilton    | Hayes     |
| Henegan    | Herbkersman | Hill      |
| Hiott      | Hixon       | Hosey     |
| Huggins    | Jefferson   | Jordan    |
| King       | Kirby       | Knight    |
| Loftis     | Long        | Lucas     |
| Mace       | Mack        | Martin    |
| McCoy      | McCravy     | McEachern |
| D. C. Moss | B. Newton   | W. Newton |
| Ott        | Pendarvis   | Pitts     |

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|           |             |             |
|-----------|-------------|-------------|
| Pope      | Putnam      | Ridgeway    |
| M. Rivers | S. Rivers   | Sandifer    |
| Simrill   | G. M. Smith | G. R. Smith |
| Sottile   | Spires      | Stavrinakis |
| Stringer  | Tallon      | Taylor      |
| Toole     | Trantham    | Wheeler     |
| White     | Whitmire    | Williams    |
| Willis    | Wooten      | Young       |
| Yow       |             |             |

**Total--88**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**RECORD FOR VOTING**

I was temporarily out of the Chamber on constituent business during the vote on H. 4479. If I had been present, I would have voted in favor the Bill.

Rep. Rosalyn Henderson-Myers

**H. 3209--CONCURRED IN SENATE AMENDMENTS AND  
ENROLLED**

Rep. BANNISTER moved to reconsider the vote whereby the Senate Amendments to the following Bill were amended, which was agreed to:

H. 3209 -- Reps. Pope, Robinson-Simpson, Crosby, Whipper, Brown, M. Rivers, King, Magnuson, Norrell, Martin, B. Newton, Long, Govan, Henegan, Dillard and Gilliard: A BILL TO AMEND SECTION 17-22-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN OFFENSES, SO AS TO PROVIDE FOR ELIGIBILITY FOR EXPUNGEMENT OF OFFENSES SUBSEQUENTLY REPEALED WHEN THE ELEMENTS OF THE OFFENSE ARE CONSISTENT WITH AN EXISTING SIMILAR OFFENSE WHICH IS SUBJECT TO



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EXPUNGEMENT, AND CLARIFY THAT EXPUNGEMENT PROVISIONS APPLY RETROACTIVELY TO THE OFFENSES DELINEATED.

**AMENDMENT NO. 1A--RECONSIDERED AND TABLED**

Rep. BANNISTER moved to reconsider the vote whereby Amendment No. 1A was adopted, which was agreed to.

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

**AMENDMENT NO. 2A--RECONSIDERED AND TABLED**

Rep. BANNISTER moved to reconsider the vote whereby Amendment No. 2A was adopted, which was agreed to.

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

Rep. BANNISTER spoke in favor the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 13

Those who voted in the affirmative are:

|            |           |                 |
|------------|-----------|-----------------|
| Allison    | Anderson  | Anthony         |
| Arrington  | Atkinson  | Bales           |
| Ballentine | Bamberg   | Bannister       |
| Bernstein  | Blackwell | Bowers          |
| Brawley    | Brown     | Bryant          |
| Burns      | Caskey    | Clary           |
| Clyburn    | Cole      | Collins         |
| Crosby     | Danig     | Davis           |
| Delleney   | Dillard   | Douglas         |
| Duckworth  | Elliott   | Erickson        |
| Felder     | Forrester | Funderburk      |
| Gilliard   | Govan     | Hamilton        |
| Hayes      | Henderson | Henderson-Myers |
| Henegan    | Hewitt    | Hixon           |
| Hosey      | Howard    | Jefferson       |
| Johnson    | Jordan    | King            |
| Kirby      | Knight    | Long            |
| Lucas      | Mace      | Mack            |

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|             |           |           |
|-------------|-----------|-----------|
| Martin      | McCoy     | McEachern |
| McGinnis    | Murphy    | B. Newton |
| W. Newton   | Ott       | Pendarvis |
| Pope        | Putnam    | Ridgeway  |
| M. Rivers   | S. Rivers | Sandifer  |
| G. M. Smith | Sottile   | Spires    |
| Stavrinakis | Stringer  | Tallon    |
| Taylor      | Toole     | Trantham  |
| Wheeler     | Williams  | Willis    |
| Wooten      | Young     |           |

**Total--83**

Those who voted in the negative are:

|         |         |            |
|---------|---------|------------|
| Atwater | Bennett | Forrest    |
| Fry     | Gagnon  | Hiott      |
| Huggins | McCravy | D. C. Moss |
| Pitts   | Simrill | White      |
| Yow     |         |            |

**Total--13**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3068--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

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 THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES

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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.

Rep. TAYLOR explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 2

Those who voted in the affirmative are:

|             |                 |             |
|-------------|-----------------|-------------|
| Allison     | Anderson        | Anthony     |
| Atkinson    | Atwater         | Ballentine  |
| Bamberg     | Bannister       | Bernstein   |
| Blackwell   | Bowers          | Brown       |
| Bryant      | Burns           | Caskey      |
| Chumley     | Clary           | Clyburn     |
| Cole        | Collins         | Crawford    |
| Crosby      | Daning          | Davis       |
| Delleney    | Dillard         | Douglas     |
| Duckworth   | Elliott         | Erickson    |
| Felder      | Forrest         | Forrester   |
| Fry         | Funderburk      | Gagnon      |
| Gilliard    | Hamilton        | Hayes       |
| Henderson   | Henderson-Myers | Henegan     |
| Herbkersman | Hewitt          | Hiott       |
| Hixon       | Hosey           | Howard      |
| Huggins     | Jefferson       | Johnson     |
| Jordan      | King            | Kirby       |
| Knight      | Loftis          | Long        |
| Lucas       | Mace            | Mack        |
| Martin      | McCoy           | McCravy     |
| McEachern   | McGinnis        | D. C. Moss  |
| Murphy      | B. Newton       | W. Newton   |
| Pendarvis   | Pitts           | Pope        |
| Putnam      | Ridgeway        | Sandifer    |
| Simrill     | G. M. Smith     | G. R. Smith |
| Sottile     | Spires          | Stavrinakis |
| Stringer    | Taylor          | Toole       |
| Wheeler     | White           | Whitmire    |

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Williams  
Young

Willis  
Yow

Wooten

**Total--92**

Those who voted in the negative are:

Brawley

M. Rivers

**Total--2**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 5408 -- Reps. Yow and Lucas: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF REVEREND DOUG B. TAYLOR OF CHESTERFIELD COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 5409 -- Reps. Pendarvis, 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,

[HJ]

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B. Newton, W. Newton, Norrell, Ott, Parks, 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, Wooten, Young and Yow: A HOUSE RESOLUTION TO HONOR THE LEVI PEARSON SCHOLARSHIP FUND FOR ITS COMMENDABLE EFFORTS IN PROVIDING SCHOLARSHIPS FOR HIGHER EDUCATION TO STUDENTS IN CLARENDON AND SUMTER COUNTIES AND TO WISH THE ORGANIZATION THE GREATEST SUCCESS AT ITS ANNUAL LEVI PEARSON BLACK TIE SCHOLARSHIP GALA.

The Resolution was adopted.

### **HOUSE RESOLUTION**

The following was introduced:

H. 5410 -- Reps. Hosey, 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, 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, Wooten, Young and Yow: A HOUSE RESOLUTION TO SALUTE MAYOR JESSIE MARTIN "MARTY" SCHUMPERT, MAYOR OF THE TOWN OF ELKO, WHO, HAVING SERVED THE PUBLIC WITH DISTINCTION FOR MORE THAN FORTY YEARS, IS WORTHY OF DEEP APPRECIATION FOR HIS DECADES OF COMMITTED

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SERVICE AND OF BEST WISHES FOR MUCH CONTINUED SUCCESS IN THE YEARS TO COME.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5411 -- Reps. Crosby, Sottile and S. Rivers: A HOUSE RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 176 AND UNITED STATES HIGHWAY 52 IN BERKELEY COUNTY "JOE DANING INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5412 -- Rep. Wheeler: A HOUSE RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RED TOP ROAD (SOUTH CAROLINA HIGHWAY 102) IN LEE COUNTY FROM ITS INTERSECTION WITH VISTA LANE (SOUTH CAROLINA HIGHWAY 44) TO ITS INTERSECTION WITH COWBOYS LANE "ULYSSIS BENJAMIN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1153 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF ROBERTSON BOULEVARD AND SOUTH CAROLINA HIGHWAY

[HJ]

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64 (HAMPTON STREET) IN WALTERBORO, SOUTH CAROLINA "BISHOP LEWIS N. TAYLOR INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1260 -- Senator Alexander: A CONCURRENT RESOLUTION TO CONGRATULATE DR. FRANK BERGER, DIRECTOR OF THE CENTER FOR COLON CANCER RESEARCH AND PROFESSOR IN THE DEPARTMENT OF BIOLOGICAL SCIENCES AT THE UNIVERSITY OF SOUTH CAROLINA, UPON THE OCCASION OF HIS RETIREMENT; TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE; AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3895:

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED,

[HJ]

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RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 820:

[HJ]



**THURSDAY, MAY 10, 2018**

S. 820 -- Senators Fanning, Climer and Peeler: A BILL TO AMEND SECTION 61-6-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS UPON A REFERENDUM VOTE, SO AS TO DELETE A PRIOR REFERENCE TO A DATE.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10  
Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 176:

S. 176 -- Senators Sheheen and Young: A BILL TO AMEND CHAPTER 1, TITLE 24 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF CORRECTIONS, BY ADDING SECTION 24-1-300, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A DEPARTMENT OF CORRECTIONS FACILITY WITHOUT WRITTEN CONSENT, AND TO PROVIDE PENALTIES FOR THE VIOLATION.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10  
Mr. Speaker and Members of the House:

[HJ]

**THURSDAY, MAY 10, 2018**

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4458:

H. 4458 -- Reps. Johnson, Hixon, Kirby, Yow, Duckworth, Burns, Blackwell, Dillard, Davis, Forrest, Fry, Hewitt, Crawford, McGinnis, Ott, Bamberg, Erickson, Cobb-Hunter, Willis, Mace, Hill, Gagnon, West, Hardee, Wheeler, McEachern, Magnuson, Martin and Bowers: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY AND ITS PENALTIES, SO AS TO RESTRUCTURE THE OFFENSES TO ENSURE CIGARETTE BUTTS AND CIGARETTE COMPONENT LITTER AND DECEASED ANIMALS ARE INCLUDED IN THE PURVIEW OF THE STATUTE, AND TO RESTRUCTURE THE PENALTIES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 810:

S. 810 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-39-165 SO AS TO PROVIDE COUNTIES OR MUNICIPALITIES MAY ENACT ORDINANCES REQUIRING THE PAYMENT OF FEES OR TAXES RELATED TO PAWN TRANSACTIONS OR PURCHASES, AND TO PROVIDE THE PROVISIONS OF CHAPTER 39, TITLE 40 DO NOT AFFECT THE AUTHORITY OF A COUNTY OR MUNICIPALITY TO ESTABLISH LAND USE CONTROLS OR REQUIRE A PAWNBROKER TO OBTAIN A LOCAL OCCUPATIONAL LICENSE; TO AMEND SECTION 40-39-40, AS AMENDED, RELATING TO THE PROHIBITION ON

[HJ]

**THURSDAY, MAY 10, 2018**

AUTHORIZED PAWNBROKER FEES, SO AS TO REMOVE THE PROHIBITION; TO AMEND SECTION 40-39-70, AS AMENDED, RELATING TO RECORDKEEPING AND MISCELLANEOUS REQUIREMENTS OF PAWNBROKERS, SO AS TO REQUIRE CERTAIN DIGITAL RECORDS AND TO PROVIDE ALL PLEDGED ITEMS MUST BE HELD FOR TWENTY-ONE DAYS; TO AMEND SECTION 40-39-90, RELATING TO RECORDS PAWNBROKERS SHALL MAINTAIN FOR INSPECTION BY CERTAIN PUBLIC OFFICIALS, SO AS TO PROVIDE MUNICIPALITIES OR COUNTY GOVERNMENTS MAY ENACT LOCAL REGULATIONS REQUIRING THE PAWNSHOPS TO PROVIDE OR TRANSFER THE PAWN RECORDS BY ELECTRONIC DATA TRANSFER TO A LAW ENFORCEMENT DATABASE; TO AMEND SECTION 40-39-145, AS AMENDED, RELATING TO HOLD ORDERS, SO AS TO REMOVE THE EXISTING PROVISIONS AND PROVIDE LAW ENFORCEMENT SHALL SEIZE SUSPECTED STOLEN OR MISAPPROPRIATED PROPERTY IN THE POSSESSION OF A PAWN SHOP, TO PROVIDE A PAWNBROKER'S RELEASE OF SUCH PROPERTY TO LAW ENFORCEMENT DOES NOT CONSTITUTE WAIVER OF THE PAWNBROKER'S INTEREST IN THE PROPERTY, AND TO PROVIDE PLEDGORS SHALL PAY RESTITUTION FOR STOLEN GOODS PLEDGED TO PAWNBROKERS UPON THE COMPLETION OF RELATED CRIMINAL PROCEEDINGS INVOLVING THE STOLEN PLEDGED PROPERTY; TO AMEND SECTION 40-39-160, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS CONCERNING PAWN TICKETS; AND TO REPEAL SECTION 15 OF ACT 262 OF 2016 RELATING TO CERTAIN AUTHORITY OF COUNTIES AND MUNICIPALITIES REGARDING PAWNBROKERS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

[HJ]

**THURSDAY, MAY 10, 2018**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4116:

H. 4116 -- Reps. Ridgeway, Douglas, Spires, G. M. Smith, Clemmons, Tallon and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-47-38 SO AS TO PROVIDE THAT NO PROVISION OF THE MEDICAL PRACTICE ACT MAY BE CONSTRUED TO REQUIRE A PHYSICIAN TO SECURE A MAINTENANCE OF CERTIFICATION AS A CONDITION OF LICENSURE, REIMBURSEMENT, EMPLOYMENT, OR ADMITTING PRIVILEGES AT A HOSPITAL IN THIS STATE; AND TO DEFINE A NECESSARY TERM.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 170:

S. 170 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY

[HJ]

**THURSDAY, MAY 10, 2018**

HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 928:

S. 928 -- Senators Scott, Jackson, McLeod, Campbell and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO PROVIDE THAT A SPECIAL PURPOSE DISTRICT THAT HAS ACQUIRED A WORK OF ART BY GIFT, BEQUEST, PURCHASE, OR BY OTHER MEANS, MAY TRANSFER OWNERSHIP OF THE OBJECT TO A NONPROFIT CORPORATION ORGANIZED FOR THE PURPOSE OF DISPLAYING WORKS OF ART FOR SUCH CONSIDERATION OR UPON THE TERMS THE GOVERNING BODY OF THE SPECIAL PURPOSE DISTRICT, IN ITS DISCRETION, FINDS TO BE SUFFICIENT AND APPROPRIATE.

and has ordered the Bill enrolled for ratification.

[HJ]

**THURSDAY, MAY 10, 2018**

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 671:

S. 671 -- Senator Leatherman: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2017-2018 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

and has ordered the Bill enrolled for ratification.

Very respectfully,  
President  
Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Campsen, Scott and Young to the Committee of Conference on the part of the Senate on H. 3789:

H. 3789 -- Reps. Govan, Yow, Henegan, J. E. Smith, Thigpen, Hart, Clemmons, Whipper and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT"; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO

**THURSDAY, MAY 10, 2018**

SECTION 17-22-910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17-22-940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

Very respectfully,  
President  
Received as information.

**S. 109--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 109:

S. 109 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Very respectfully,  
President

On motion of Rep. G. M. SMITH, the House insisted upon its amendments.

[HJ]

**THURSDAY, MAY 10, 2018**

Whereupon, the Chair appointed Reps. G. M. SMITH, WEEKS and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4375--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 4375:

H. 4375 -- 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, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan: TO AMEND SECTION 58 33 220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

Very respectfully,  
President

On motion of Rep. MCCOY, the House insisted upon its amendments.



**THURSDAY, MAY 10, 2018**

Whereupon, the Chair appointed Reps. MCCOY, FINLAY and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Shealy, McElveen and Climer to the Committee of Conference on the part of the Senate on S. 109:

S. 109 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C. Thursday, May 10

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Setzler, Rankin and Massey to the Committee of Conference on the part of the Senate on H. 4375:

H. 4375 -- 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, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and

[HJ]

**THURSDAY, MAY 10, 2018**

Govan: TO AMEND SECTION 58 33 220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

Very respectfully,  
President  
Received as information.

**STATEMENT FOR THE JOURNAL**

I hereby appoint Representatives Gary Simrill, Kirkman Finlay and Russell Ott to a Conference Committee for any matter related to or addressed by Section (C)(11) and/or Section (D)(9) of the 2018 Sine Die Resolution, H. 5383, as applicable.

Rep. Jay Lucas

**ACTING SPEAKER DELLENEY IN CHAIR**

Rep. ANTHONY raised the Point of Order that under Article III, Section 9, of the Constitution of South Carolina, 1895, and the Sine Die Resolution, H. 5383, the clock had struck 5:00 p.m. and the House must adjourn.

ACTING SPEAKER DELLENEY sustained the Point of Order and pursuant to the provisions of the Constitution and the Sine Die Resolution, declared the House to be adjourned.

**THURSDAY, MAY 10, 2018**

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5401 -- Reps. Jefferson, 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, 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, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF NATASHA ROBERTA WESTON MCCOY, WHO PASSED FROM HER EARTHLY HOME ON SUNDAY, MAY 6, 2018, TO LIVE IN PEACE WITH HER LORD AND TO WISH THE DEEPEST SYMPATHY TO HER LOVING FAMILY AND FRIENDS.

H. 5400 -- Reps. Felder, 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, 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,

**THURSDAY, MAY 10, 2018**

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, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO HONOR AND COMMEND CHIEF THOMAS SAMUEL "SAM" LESSLIE, JR., ON THE OCCASION OF HIS RETIREMENT FROM RIVERVIEW FIRE DEPARTMENT AFTER FORTY-FIVE YEARS OF COMMITTED SERVICE AND TO WISH HIM MUCH HAPPINESS IN HIS WELL-EARNED RETIREMENT.

H. 5399 -- Reps. Funderburk, Bales, Lucas and Wheeler: A CONCURRENT RESOLUTION TO CONGRATULATE MR. AND MRS. LAWRENCE ERWIN "LARRY" SLADE OF KERSHAW COUNTY ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSINGS AND FULFILLMENT.

H. 5402 -- Reps. Ridgeway, 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, 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, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DONNA COLLINS SHUMPERT ON THE OCCASION OF HER RETIREMENT AFTER MORE THAN THIRTY-TWO YEARS OF OUTSTANDING SERVICE WITH THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES, AND WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

**THURSDAY, MAY 10, 2018**

H. 5302 -- Reps. Johnson, Duckworth, McGinnis, Hewitt, Hardee, Crawford, Clemmons and Fry: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 135 (CATES BAY HIGHWAY) AND FIREHOUSE ROAD IN HORRY COUNTY "JAMES RONALD HUCKS MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

**ADJOURNMENT**

At 5:00 p.m. the House, in accordance with the motion of Rep. CRAWFORD, adjourned in memory of Joe DeFeo, and in accordance with H. 5383, the Sine Die Adjournment Resolution, to meet at 12:00 noon in Statewide Session on Wednesday, May 23.

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# THURSDAY, MAY 10, 2018

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