

NO. 26

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

TUESDAY, FEBRUARY 21, 2017

Tuesday, February 21, 2017
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Micah 6:8

“He has shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.”

George Washington’s Letter (Excerpt)

“I now make it my earnest prayer, that God would have you, and the state over which you preside, in his holy protection; that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another, for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field; and finally, that he would most graciously be pleased to dispose us all to justice, to love mercy, and to demean ourselves with that charity, humility and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion, and without an humble imitation of whose examples in these things, we can never hope to be a happy nation.”

We offer this prayer in Your holy name, Amen.

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

Point of Quorum

At 2:04 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

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Alexander	Bennett	Campbell
Climer	Corbin	Courson
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Grooms	Johnson	Kimpson
Leatherman	Martin	Massey
Nicholson	Peeler	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CAMPSER introduced Dr. Michael Finch of Columbia, SC, Doctor of the Day.

Leave of Absence

At 2:27 P.M., Senator J. MATTHEWS requested a leave of absence for Senator JACKSON until Wednesday, March 1, 2017.

CO-SPONSORS ADDED

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

S. 86 Sens. Turner, Cromer
S. 217 Sens. Peeler, Goldfinch, Climer
S. 269 Sen. Turner
S. 438 Sen. Corbin

RECALLED AND ADOPTED

H. 3673 -- Reps. Hiott, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy,

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McCravy, McEachern, McKnight, Mitchell, D.C. Moss, V.S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN THE OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 18-25, 2017.

Senator DAVIS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Invitations.

Senator DAVIS asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator DAVIS, the Concurrent Resolution was adopted and ordered returned to the House.

Motion to Ratify Adopted

At 2:28 P.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at 12:30 P.M. Wednesday, February 22, 2017.

There was no objection and a message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 438 -- Senators Verdin and Corbin: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA

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MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN THE OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 18-25, 2017.

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The Senate Resolution was adopted.

S. 439 -- Senator Verdin: A SENATE RESOLUTION TO CONGRATULATE AND HONOR THOMAS MCCLINTON AS A RECIPIENT OF A PRUDENTIAL SPIRIT OF COMMUNITY AWARD; TO RECOGNIZE HIS OUTSTANDING RECORD OF VOLUNTEER SERVICE, PEER LEADERSHIP, AND COMMUNITY SPIRIT; AND TO EXTEND BEST WISHES FOR HIS CONTINUED SUCCESS AND HAPPINESS.

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The Senate Resolution was adopted.

S. 440 -- Senators Campsen, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Climer, Corbin, Courson, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXTEND THE WARMEST CONGRATULATIONS TO THE HONORABLE MICK MULVANEY OF LANCASTER, FRIEND AND COLLEAGUE OF THE SOUTH CAROLINA SENATE, UPON HIS CONFIRMATION AS DIRECTOR OF THE WHITE HOUSE OFFICE OF MANAGEMENT AND BUDGET IN PRESIDENT TRUMP'S CABINET, AND TO WISH HIM THE VERY BEST AS HE UNDERTAKES THIS NEW ROLE SERVING OUR NATION.

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The Senate Resolution was adopted.

S. 441 -- Senators Young, Setzler and Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE AIKEN STANDARD NEWSPAPER FOR A CENTURY AND A HALF OF NEWSPAPER PUBLISHING IN THE AIKEN COMMUNITY AND

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TO CONGRATULATE THE OWNERS, PUBLISHERS, REPORTERS, AND STAFF AS THEY CONTINUE THIS NOTEWORTHY LEGACY.

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The Senate Resolution was adopted.

S. 442 -- Senator Corbin: A BILL TO AMEND ARTICLE 1, CHAPTER 39, TITLE 59 OF THE 1976 CODE, RELATING TO HIGH SCHOOLS, BY ADDING SECTION 59-39-105, TO PROVIDE THAT CERTAIN SPECIAL EDUCATION STUDENTS MAY OBTAIN OCCUPATIONAL CREDENTIAL CERTIFICATES DEVELOPED AND ENDORSED BY THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE CERTAIN REQUIREMENTS FOR THESE CERTIFICATES, TO IMPOSE CERTAIN RELATED REQUIREMENTS ON THE DEPARTMENT AND THE STATE BOARD OF EDUCATION, TO PROVIDE THAT THESE PROVISIONS DO NOT PROVIDE SPECIAL EDUCATION STUDENTS WITH ADDITIONAL RIGHTS BEYOND THOSE SPECIFICALLY GUARANTEED BY FEDERAL AND STATE LAW OR DISTRICT POLICY, AND TO PROVIDE THAT PARTICIPATION IN THIS PROGRAM BY DISTRICTS IS VOLUNTARY.

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

S. 443 -- Senators Campsen, Young and McElveen: A BILL TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO NIGHT HUNTING AND HARASSMENT OF WILDLIFE, TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE NIGHT HUNTING, BY ADDING SECTION 50-11-705, TO PROVIDE THAT NIGHT HUNTING ANY ANIMAL EXCEPT DEER, BEAR, TURKEY, OR ANY ANIMAL LISTED IN SECTIONS 50-11-710 OR 50-11-715 IS UNLAWFUL, TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT NIGHT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY REGISTERED WITH THE DEPARTMENT IS UNLAWFUL AND TO

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PROVIDE APPROPRIATE PENALTIES, AND TO PROVIDE THAT THE DISPLAY OR USE OF ARTIFICIAL LIGHT AT NIGHT ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS, IN A MANNER CAPABLE OF DISCLOSING THE PRESENCE OF DEER, BEAR, OR TURKEY, TOGETHER WITH THE POSSESSION OF OR ACCESS TO A CENTERFIRE RIFLE AND AMMUNITION LARGER THAN CERTAIN WEAPONS, SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF NIGHT HUNTING DEER, BEAR, OR TURKEY; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 BY ADDING SECTION 50-11-715, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR HOGS, COYOTES, OR ARMADILLOS, AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 BY ADDING SECTION 50-11-717, TO PROVIDE THAT THE USE OF ARTIFICIAL LIGHTS FOR THE PURPOSE OF OBSERVING OR HARASSING WILDLIFE IS UNLAWFUL, EXCEPT THAT A PROPERTY OWNER MAY USE ARTIFICIAL LIGHTS TO OBSERVE WILDLIFE PRIOR TO 11:00 PM, AND TO PROVIDE OTHER APPROPRIATE USES OF ARTIFICIAL LIGHT; TO AMEND SECTION 50-11-710, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR RACCOONS, OPOSSUMS, FOXES, MINKS, OR SKUNKS UNLESS OTHERWISE PROVIDED IN THIS SECTION AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND SECTIONS 50-11-740, 50-11-745(A), AND 50-9-1120(2)(b), TO ADD TURKEY TO THE LISTS THAT INCLUDE DEER OR BEAR; TO REPEAL SECTIONS 50-11-708 AND 50-11-720, AND TO DEFINE NECESSARY TERMS.

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

S. 444 -- Senator Grooms: A BILL TO AMEND SECTION 56-1-10(15) AND 56-1-10(18) OF THE 1976 CODE, RELATING TO DRIVER'S LICENSE DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND PROVIDE THE DEFINITION AND TO UPDATE REFERENCES TO THE DEFINITION; TO AMEND SECTION 56-1-130(C), RELATING TO LICENSE EXAMINATIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND

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SECTION 56-3-20(30) AND 56-3-20(31), RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING DEFINITIONS, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-145, RELATING TO THE DEFINITION OF "AUTOMOTIVE THREE-WHEEL VEHICLE", TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE"; TO AMEND SECTION 56-5-155, RELATING TO THE DEFINITION OF "MOTORCYCLE THREE-WHEEL VEHICLE", TO UPDATE REFERENCES; AND TO AMEND SECTION 56-19-10(44) AND 56-19-10(45), RELATING TO DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, TO CHANGE "AUTOMOTIVE THREE-WHEEL VEHICLE" TO "AUTOCYCLE" AND UPDATE REFERENCES.

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

S. 445 -- Senator Hembree: A BILL TO AMEND SECTION 59-40-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHARTER SCHOOLS ACT OF 1996, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 59-40-50, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF CHARTER SCHOOL BOARDS, SO AS TO REVISE AND ADD REQUIREMENTS CONCERNING NONCERTIFIED TEACHER QUALIFICATIONS, GOVERNANCE, NEPOTISM, AND USE OF PROGRAM FUNDING FOR TRANSPORTATION; TO AMEND SECTION 59-40-55, AS AMENDED, RELATING TO CHARTER SCHOOL SPONSORS, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER SCHOOL CONTRACTS, REPORTING REQUIREMENTS, NOTIFICATION OF IDENTIFIED PROBLEMS, ADMISSIONS PROCEDURES, LIMITS ON STATE APPROPRIATIONS SCHOOLS MAY RECEIVE, AND RESERVE FUNDS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO CHARTER SCHOOL FORMATION PROCEDURES, SO AS TO REVISE REQUIREMENTS CONCERNING CHARTER AMENDMENT PROCEDURES, PUBLIC MEETINGS, AND TRANSFER OF GOVERNANCE AND OPERATIONS OF NEW CHARTER SCHOOLS FROM CHARTER COMMITTEES TO CHARTER

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SCHOOL LEADERS AND BOARDS; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATION PROCEDURES, SO AS TO REVISE PROCEDURES CONCERNING SUBMISSION OF LETTERS OF INTENT, POWERS OF SCHOOL BOARDS TO REQUEST INFORMATION FROM CHARTER APPLICANTS, APPLICATION MATERIALS REQUIRED FOR SUBMISSION, AND SPONSOR REVIEW OF APPLICATIONS AND RESPONSES TO APPLICATIONS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-80, AS AMENDED, RELATING TO CONDITIONAL AUTHORIZATIONS OF CHARTER SCHOOLS, SO AS TO ALLOW CERTAIN AMENDMENTS TO CHARTER SCHOOL APPLICATIONS OR FORM AGREEMENTS CONCERNING PREOPENING BENCHMARKS REGARDING ENROLLMENT, TO PROVIDE SPONSOR DECISIONS TO GRANT OR DENY CONDITIONAL APPROVAL ARE NOT SUBJECT TO APPEAL, AND TO PROVIDE OPTIONAL OUTCOMES FOR CONDITIONALLY APPROVED CHARTER SCHOOLS THAT FAIL TO MEET CONDITIONS FOR CHARTER APPROVAL; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO DURATIONS, RENEWALS, REVOCATIONS, AND TERMINATIONS OF CHARTERS, SO AS TO PROVIDE CHARTER SCHOOLS MUST BE CONSIDERED ACCREDITED PUBLIC SCHOOLS UPON CHARTER APPROVAL AND SUBMISSION OF REQUIRED ANNUAL REPORTS, AND TO SPECIFY THE EVENT THAT BEGINS THE TEN-YEAR TERMS OF CHARTERS; TO AMEND SECTION 49-40-115, AS AMENDED, RELATING TO TERMINATION OF CONTRACTS WITH SPONSORS, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH CHARTERS MAY SEEK AND OBTAIN ALTERNATE SPONSORS, AMONG OTHER THINGS; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO CHARTER SCHOOL FUNDING, SO AS TO REQUIRE REPORTS OF CERTAIN FEDERAL FUNDS RETAINED BY SPONSORS; TO AMEND SECTION 59-40-150, AS AMENDED, RELATING TO DUTIES OF THE STATE DEPARTMENT OF EDUCATION TO DISSEMINATE INFORMATION ABOUT CHARTER SCHOOLS' FORMATION AND OPERATION AND TO PROVIDE A DIRECTORY OF AUTHORIZED CHARTER SCHOOLS, SO AS TO REVISE THE SPECIFIC REQUIREMENTS OF THESE DUTIES; TO AMEND SECTION 59-40-170, AS AMENDED, RELATING TO THE DUTY

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OF THE DEPARTMENT TO MAINTAIN AND PROVIDE A LIST OF SCHOOL BUILDINGS SUITABLE AND AVAILABLE FOR CHARTER SCHOOL USE, SO AS TO PROVIDE THE LIST BE MADE AVAILABLE ONLINE AND BE UPDATED AT LEAST ANNUALLY; TO AMEND SECTION 59-40-175, AS AMENDED, RELATING TO THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM, SO AS TO PROVIDE THE STATE TREASURER MAY USE PROGRAM FUNDS TO CREATE A DEBT RESERVE FUND TO ENHANCE THE ABILITY OF CHARTER SCHOOLS TO OBTAIN FAVORABLE FINANCING TERMS ON CERTAIN BONDS TO FINANCE CHARTER SCHOOL CAPITAL PROJECTS AND CREDIT ENHANCEMENTS, AND TO PROVIDE RELATED REQUIREMENTS AND PROCEDURES; TO AMEND SECTION 59-40-180, AS AMENDED, RELATING TO DUTIES OF THE DEPARTMENT TO PROMULGATE CERTAIN REGULATIONS AND GUIDELINES, SO AS TO REVISE REQUIREMENTS CONCERNING GUIDELINES FOR APPLICATIONS PROCEDURES; TO AMEND SECTION 59-40-230, AS AMENDED, RELATING TO SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT BOARD OF TRUSTEES, SO AS TO REVISE REQUIREMENTS CONCERNING VACANCIES ON THE BOARD; AND TO REPEAL SECTION 59-40-200 RELATING TO THE EFFECT OF ESTABLISHMENT OF SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICTS ON PENDING AND FUTURE APPLICATIONS.

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

S. 446 -- Senators Leatherman, Setzler, Williams and Campbell: A BILL TO AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

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

S. 447 -- Senators Young, Sabb, Shealy, M. B. Matthews, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTING OF SUSPECTED

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CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE REPORTING WHEN AN INFANT OR FETUS IS EXPOSED TO ALCOHOL OR CONTROLLED SUBSTANCES.

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Read the first time and referred to the General Committee.

S. 448 -- Senators Young, Shealy, Johnson, Climer, Talley and McElveen: A BILL TO AMEND SECTION 63-7-940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES.

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Read the first time and referred to the General Committee.

S. 449 -- Senators Martin, Corbin, Rice and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2017", TO AMEND SECTION 16-23-20 RELATING TO THE UNLAWFUL CARRYING OF A FIREARM, TO AFFIRMATIVELY ASSERT THAT IT IS LEGAL TO CARRY A HANDGUN IN THIS STATE, UNLESS OTHERWISE PROHIBITED, WITH LOCATION EXCEPTIONS WHERE FIREARMS ARE PROHIBITED; TO AMEND 16-23-50(A)(2) TO PROVIDE THAT A PERSON WHO ENTERS A PREMISES WITH A SIGN PROHIBITING FIREARMS WHILE POSSESSING A FIREARM MUST BE CHARGED WITH TRESPASS; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO DELETE SECTION 16-23-460 RELATED TO THE UNLAWFUL CARRYING

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OF A CONCEALED WEAPON; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR CONSUMPTION ON THE PREMISES, TO DELETE A REFERENCE TO A PERSON CARRYING A CONCEALABLE WEAPON PURSUANT TO ARTICLE 4, CHAPTER 31, TITLE 23, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON LAWFULLY CARRYING A WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING A WEAPON ON THE BUSINESS PREMISES AND TO REMOVE REFERENCE TO "CONCEALABLE WEAPON" AND REPLACE WITH "WEAPON"; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT; TO DELETE SECTIONS 23-31-225 AND 23-31-230 RELATING TO THE UNLAWFUL CARRYING OF A CONCEALED WEAPON INTO A RESIDENCE AND THE CARRYING OF A WEAPON BETWEEN AN AUTOMOBILE AND AN ACCOMMODATION; TO AMEND SECTION 23-31-235 RELATING TO THE POSTING OF SIGNS PROHIBITING "CONCEALED WEAPONS" AND REPLACE WITH CONFORMING LANGUAGE OF "WEAPONS"; AND BY AMENDING SECTION 10-11-320 RELATED TO THE TRESPASSES AND OFFENSES OF PUBLIC BUILDINGS ON CAPITOL GROUNDS, TO DELETE THE TERM "CONCEALABLE WEAPONS' PERMIT" AND REPLACE WITH THE TERM "FIREARM";

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Senator MARTIN spoke on the Bill.

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

S. 450 -- Senators Gambrell and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES WADE WILLIAMS, THE DIRECTOR OF THE T. ED GARRISON ARENA, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF OUTSTANDING SERVICE TO CLEMSON UNIVERSITY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 451 -- Senators Scott, Cromer and Alexander: 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 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.

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

S. 452 -- Senators Campbell, Grooms, Gregory, Massey, Hembree and Bennett: A BILL TO AMEND TITLE 15 OF THE 1976 CODE OF

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LAWS, BY ADDING CHAPTER 83, TO ENACT THE "ASBESTOS BANKRUPTCY TRUST CLAIMS TRANSPARENCY ACT"; TO DEFINE TERMS; TO ESTABLISH THE REQUIRED DISCLOSURES BY PLAINTIFFS; TO ESTABLISH DISCOVERY PROVISIONS; TO ESTABLISH THAT A COURT MAY STAY AN ACTION; TO ESTABLISH THAT A DEFENDANT MAY IDENTIFY ADDITIONAL OR ALTERNATIVE ASBESTOS TRUSTS; TO ESTABLISH VALUATION OF ASBESTOS TRUST CLAIMS; TO ESTABLISH SETOFF PROVISIONS; AND TO ESTABLISH SANCTIONS.

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

S. 453 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WIC VENDORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4671, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 454 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NEW LIGHT BEULAH BAPTIST CHURCH OF HOPKINS AND TO CELEBRATE WITH THE PASTOR AND MEMBERS THEIR ONE HUNDRED FIFTY YEARS OF INDEPENDENCE AS A CONGREGATION FAITHFULLY SERVING THEIR COMMUNITY.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 455 -- Senators Scott, Alexander, Allen, Bennett, Campbell, Campsen, Climer, Corbin, Courson, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR VEJETHA H. JONES FOR HER COMMITMENT TO

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THE EDUCATION OF THE CHILDREN OF THE PALMETTO STATE AND FOR THIRTY-FOUR YEARS OF DEDICATION TO THIS SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 3176 -- Reps. Clemmons, Daning, Pitts and Norrell: A BILL TO AMEND SECTION 15-41-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INDIVIDUAL RETIREMENT ACCOUNT BEING EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO DELETE THE PROVISION THAT THE EXEMPTION APPLIES ONLY TO THE EXTENT THAT IS PERMITTED IN SECTION 522(d) OF THE FEDERAL BANKRUPTCY CODE.

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

H. 3429 -- Reps. Clemmons and Norrell: A BILL TO AMEND SECTION 15-41-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY EXEMPT FROM BANKRUPTCY PROCEEDINGS OR ATTACHMENT, LEVY, AND SALE, SO AS TO REVISE EXEMPTIONS IN BANKRUPTCY.

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

H. 3515 -- Reps. Erickson, W. Newton, Yow, Loftis, Bowers, Bradley and Herbkersman: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN COUNTIES FOR WHICH FEDERAL MAJOR DISASTER DECLARATIONS WERE MADE AS A RESULT OF HURRICANE MATTHEW, AND TO PROVIDE THAT THESE WAIVERS ARE AVAILABLE ONCE WAIVERS AVAILABLE UNDER THE AUTHORITY OF THE LOCAL SCHOOL DISTRICTS AND STATE BOARD OF EDUCATION ARE EXHAUSTED.

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

H. 3787 -- Reps. Felder, Delleney, King, D. C. Moss, V. S. Moss, B. Newton, Norman, Pope and Simrill: A CONCURRENT RESOLUTION TO DECLARE APRIL 2017 AS "LOVE THE ANNE SPRINGS CLOSE GREENWAY MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS OF THE PALMETTO STATE TO

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VISIT AND ENJOY THIS BEAUTIFUL NATURE PRESERVE AND RECREATIONAL PARK IN FORT MILL.

The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

HOUSE CONCURRENCE

S. 416 -- Senators Alexander, Allen, Bennett, Campbell, Campsen, Climer, Corbin, Courson, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M.B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO CONGRATULATE THE CLEMSON UNIVERSITY FOOTBALL TEAM AND COACHES FOR WINNING THE 2016 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP TITLE, TO RECOGNIZE THE TEAM'S NUMEROUS ACCOMPLISHMENTS DURING THE SEASON, TO INVITE THE NUMBER ONE RANKED TIGERS AND CLEMSON OFFICIALS TO JOIN THE GENERAL ASSEMBLY IN JOINT SESSION AT NOON ON TUESDAY, FEBRUARY 28, 2017, WHEREBY COACH DABO SWINNEY IS INVITED TO ADDRESS THE JOINT SESSION, AND TO EXTEND THE PRIVILEGE OF THE FLOOR DURING THE JOINT SESSION.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**COMMITTEE AMENDMENT AMENDED
DEBATE INTERRUPTED**

S. 107 -- Senators Campsen, Hutto, Massey and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT

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GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70, 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B), 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4), 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3), 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10, 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2), 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373, 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2), 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340, 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110, 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2), 46-3-260(A), 48-52-440(D)(2), 48-59-

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40(A)(4), 51-13-720, 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A), 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D), 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A), 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620, 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A), 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30, 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

The Senate proceeded to a consideration of the committee amendment, the question being the adoption of the committee amendment.

Senator MALLOY explained the committee amendment.

RECESS

At 2:34 P.M., on motion of Senator CAMPSER, the Senate recessed from business not to exceed 5 minutes.

At 2:47 P.M., the Senate resumed.

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Point of Order

Senator SHEALY raised a Point of Order that the 5 minutes allotted for the recess had exceeded the time limitation.

The PRESIDENT sustained the Point of Order.

Amendment No. P1

Senator MALLOY proposed the following amendment (JUD0107.008):

Amend the committee amendment, as and if amended, page [107-3], by striking line 35, in Section 8-13-1314(A)(1)(a), as contained in SECTION 5, and inserting therein the following:

/ (a) three thousand five hundred dollars in the case of a /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the perfecting amendment.

Motion Adopted

Senator MALLOY asked unanimous consent, with Senator MALLOY retaining the floor, to proceed to Amendment No. P4.

There was no objection.

Amendment No. P4

Senators ALEXANDER, CAMPSER and MALLOY proposed the following amendment (JUD0107.010), which was adopted:

Amend the committee report, as and if amended, beginning on page [107-13], line 40, by striking PART V in its entirety and inserting therein the following:

/ PART V

Office or Division on Aging and Related Provisions

SECTION 26. Section 1-11-720(A)(9) of the 1976 Code is amended to read:

“(9) local councils on aging or other governmental agencies providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 27. Section 1-30-10(A) of the 1976 Code is amended to read:

“(A) There are hereby created, within the executive branch of the state government, the following departments:

1. Department of Administration

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2. Department of Agriculture
3. Department of Alcohol and Other Drug Abuse Services
4. Department of Commerce
5. Department of Corrections
6. Department of Disabilities and Special Needs
7. Department of Education
8. Department of Health and Environmental Control
9. Department of Health and Human Services
10. Department of Insurance
11. Department of Juvenile Justice
12. Department of Labor, Licensing and Regulation
13. Department of Mental Health
14. Department of Motor Vehicles
15. Department of Natural Resources
16. Department of Parks, Recreation and Tourism
17. Department of Probation, Parole and Pardon Services
18. Department of Public Safety
19. Department of Revenue
20. Department of Social Services
21. Department of Transportation
22. Department of Employment and Workforce
23. Department on Aging.”

SECTION 28. Section 9-1-10(11)(g) of the 1976 Code is amended to read:

“(g) an employee of a local council on aging or other governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 29. Section 9-1-10(14) of the 1976 Code is amended to read:

“(14) ‘Employer’ means this State, a county board of education, a district board of trustees, the board of trustees or other managing board of a state-supported college or educational institution, or any other agency of this State by which a teacher or employee is paid; the term “employer” also includes a county, municipality, or other political subdivision of the State, or an agency or department of any of these, which has been admitted to the system under the provisions of Section 9-1-470, a service organization referred to in item (11)(e) of this section, an alcohol and drug abuse planning agency authorized to receive funds pursuant to Section 61-12-20, and a local council on aging or other

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governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 30. Section 29-4-60(D) of the 1976 Code is amended to read:

“(D) The ~~Office of the Governor, Division on Aging~~ Department on Aging shall provide independent consumer information on reverse mortgages and their alternatives.”

SECTION 31. Section 43-21-10 of the 1976 Code is amended to read:

“Section 43-21-10. There is created ~~in the Office of the Lieutenant Governor, the Division on Aging~~ Department on Aging. The ~~division department~~ must be supported by an Advisory Council on Aging consisting of one member from each of the ten planning and service areas ~~under the Division on Aging~~ and five members from the State at large. The director of the ~~division department~~ shall provide statewide notice that nominations may be submitted to the director from which the ~~Lieutenant~~ Governor shall appoint the members of the council. The members must be citizens of the State who have an interest in and a knowledge of the problems of an aging population. In making appointments to the council, consideration must be given to assure that the council is composed of appointees who are diverse in age, who are able and disabled, and who are active leaders in organizations and institutions that represent different concerns of older citizens and their families. The chair must be elected by the members of the advisory council from its members for a term of two years and until a successor is elected. Members of the council shall serve without compensation but shall receive mileage and subsistence authorized by law for members of boards, commissions, and committees. The advisory council shall meet at least once each quarter and special meetings may be called at the discretion of the director of the ~~division~~ department. Rules and procedures must be adopted by the council for the governance of its operations and activities.”

SECTION 32. Section 43-21-20 of the 1976 Code is amended to read:

“Section 43-21-20. The members of the advisory council shall serve for terms of four years and until their successors are appointed and qualify. The terms of the members expire on June thirtieth and all vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. No member may serve more than two consecutive terms.

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The ~~Lieutenant~~ Governor may terminate a member of the council for any reason pursuant to the provisions of Section 1 3 240, and the reason for the termination must be communicated to each member of the council.”

SECTION 33. Section 43-21-45 of the 1976 Code is amended to read:

“Section 43-21-45. The ~~Office of the Lieutenant Governor, Division on Aging,~~ Department on Aging shall designate area agencies on aging, and area agencies on aging shall designate focal points. Focal points shall provide leadership on aging issues in their respective communities and shall carry out a comprehensive service system for older adults or shall coordinate with a comprehensive service system in providing services for older adults. The area agencies on aging represent the regional level of the state aging network and the focal points represent the local level of the state aging network.”

SECTION 34. Section 43-21-60 of the 1976 Code is amended to read:

“Section 43-21-60. The ~~division~~ Department on Aging shall submit an annual report to the ~~Lieutenant~~ Governor and to the General Assembly on or before January first of each year. The report shall deal with the present and future needs of the elderly and with the work of the ~~division department~~ during the year.”

SECTION 35. Section 43-21-70 of the 1976 Code is amended to read:

“Section 43-21-70. The ~~Lieutenant~~ Governor ~~may employ~~ shall appoint with the advice and consent of the Senate a director to be the administrative officer of the ~~division~~ Department on Aging who shall serve at ~~his~~ the Governor’s pleasure and who is subject to removal pursuant to the provisions of Section 1-3-240.”

SECTION 36. Section 43-21-100 of the 1976 Code is amended to read:

“Section 43-21-100. The ~~division~~ Department on Aging shall prepare the budget for its operation which must be submitted to the ~~Lieutenant~~ Governor and to the General Assembly for approval.”

SECTION 37. Section 43-21-130(A)(1) of the 1976 Code is amended to read:

“(1) the ~~Lieutenant~~ Governor or his designee;”

SECTION 38. Section 43-21-190(2) of the 1976 Code is amended to read:

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“(2) make recommendations to the ~~Lieutenant~~ Governor and members of the General Assembly and to the Joint Legislative Committee on Aging;”

SECTION 39. Section 44-21-130(A)(1) of the 1976 Code is amended to read:

“(1) the ~~Lieutenant~~ Governor or his designee;”

SECTION 40. Section 44-21-190(2) of the 1976 Code is amended to read:

“(2) make recommendations to the ~~Lieutenant~~ Governor and members of the General Assembly and to the Joint Legislative Committee on Aging;”

SECTION 41. Section 44-36-20(21) of the 1976 Code is amended to read:

“(21) Alzheimer's Disease and Related Disorders Resource Coordination Center, ~~Office of the Governor, Division on Aging~~ Department on Aging;”

SECTION 42. Section 44-36-50 of the 1976 Code is amended to read:

“Section 44-36-50. The registry shall submit an annual report to the ~~Office of the Governor, Division on Aging, Department on Aging~~, Alzheimer's Disease and Related Disorders Resource Coordination Center, the Department of Health and Environmental Control, and the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.”

SECTION 43. Section 44-36-310 of the 1976 Code is amended to read:

“Section 44-36-310. ~~There~~ In the Department on Aging, there is created ~~in the Office of the Lieutenant Governor, Division on Aging~~, the Alzheimer's Disease and Related Disorders Resource Coordination Center to provide statewide coordination, service system development, information and referral, and caregiver support services to individuals with Alzheimer's disease and related disorders, their families, and caregivers.”

SECTION 44. Section 44-36-320(7) of the 1976 Code is amended to read:

“(7) submit an annual report to the Chairman of the Medical Affairs Committee of the Senate and the Chairman of the Medical, Military, Public and Municipal Affairs Committee of the House of Representatives in addition to publishing the report on the ~~Lieutenant~~ Governor's website.”

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SECTION 45. Section 44-36-330 of the 1976 Code is amended to read:

“Section 44-36-330. (A) The Alzheimer’s Disease and Related Disorders Resource Coordination Center must be supported by an advisory council appointed by the ~~Lieutenant~~ Governor including, but not limited to, representatives of:

- (1) Alzheimer’s Association Chapters;
- (2) American Association of Retired Persons;
- (3) Clemson University;
- (4) Department of Disabilities and Special Needs;
- (5) Department of Health and Environmental Control;
- (6) Department of Mental Health;
- (7) Department of Social Services;
- (8) Department of Health and Human Services;
- (9) Medical University of South Carolina;
- (10) National Association of Social Workers, South Carolina

Chapter;

- (11) South Carolina Adult Day Care Association;
- (12) South Carolina Association of Area Agencies on Aging;
- (13) South Carolina Association of Council on Aging Directors;
- (14) South Carolina Association of Nonprofit Homes for the Aging;
- (15) South Carolina Association of Residential Care Homes;
- (16) South Carolina Health Care Association;
- (17) South Carolina Home Care Association;
- (18) South Carolina Hospital Association;
- (19) South Carolina Medical Association;
- (20) South Carolina Nurses’ Association;
- (21) Statewide Alzheimer’s Disease and Related Disorders

Registry;

- (22) University of South Carolina;
- (23) South Carolina State University.

(B) Members of the advisory council are not entitled to mileage, per diem, subsistence, or any other form of compensation.” /

Amend the committee amendment further, as and if amended, page [107-18], by inserting after line 13, an appropriately numbered PART to read:

/ PART ____

Joint Legislative Committee on Aging’s Report

SECTION ____ . On or before January 1, 2019, the Joint Legislative Committee on Aging shall prepare and deliver a report to the President

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of the Senate and the Speaker of the House of Representatives recommending any additional changes to the Department on Aging created by this act to enhance efficient and cost effective delivery of services to the aging community in accordance with the federal Older Americans Act. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the perfecting amendment.

The question then was the adoption of the perfecting amendment.

The perfecting amendment was adopted.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator COURSON, ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSER, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GROOMS, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, RANKIN, REESE, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TALLEY, TIMMONS, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Eleanor Ward Purdy Gregory Tillman of Beaufort, S.C. Ms. Tillman was the mother of our beloved Senator GREGORY. She was a graduate of Columbia College who loved to read, write, study history and shag. Ms. Tillman was a great storyteller and enjoyed researching, collecting family history and memorabilia. Ms. Tillman was a loving wife, devoted mother and doting grandmother who will be dearly missed.

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and

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Betty Jo Huggins of Conway, S.C. Ms. Huggins worked as the Registrar of Mesne Conveyance for Horry County for 36 years. She was a member of First United Methodist Church in Conway. Betty Jo was the grandmother of Gunner Huggins, a page in the South Carolina Senate. Ms. Huggins was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 3:02 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 noon.

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