**Thursday, February 15, 2018**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.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:

Psalm 147:3

“God heals the broken hearted and binds up their wounds.”

Let us pray. Gracious God, we are indeed broken hearted when we hear that seventeen high school students were killed yesterday in Parkland, Florida by a lone gunman. We struggle for words that will help the bereaved but we soon realize that help can only come from You, O God.

We, therefore, pray fervently that You will heal the broken hearted and bind up their wounds as only You can do. Work in and though the faith of their community and their elected officials to comfort and support the devastated families and students of Douglas High School.

As we pray for our neighbors in Florida we also lift up in prayer the family of Phillip Warren, lifetime friend of our own Senator Martin. Losing a friend to cancer is difficult, but we can all find strength in Scripture that says, “Nothing, not even death, can separate us from the love of God.” 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 11:03 A.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:

Alexander Allen Bennett

Climer Corbin Cromer

Fanning Gambrell Gregory

Leatherman Malloy Martin

Massey McElveen McLeod

Nicholson Peeler Rice

Scott Senn Setzler

Talley Timmons Turner

Verdin Williams Young

A quorum being present, the Senate resumed.

**Recorded Presence**

Senator SHEHEEN recorded his presence subsequent to the Call of the Senate.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

**Statewide Appointment**

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2017, and to expire June 30, 2023

1st Congressional District:

Lauren B. Thomas, 109 Legend Oak Way, Summerville, SC 29485-6201 *VICE* Carol S. Russell

Referred to the Committee on Medical Affairs.

**Doctor of the Day**

Senator BENNETT introduced Dr. James J. McCoy, Jr. of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 11:08 A.M., Senator YOUNG requested a leave of absence for Senator SHEALY for the day.

**Leave of Absence**

At 12:15 P.M., Senator HEMBREE requested a leave of absence for Senators GROOMS, CAMPBELL and GOLDFINCH for the day.

**Leave of Absence**

At 12:55 P.M., Senator McELVEEN requested a leave of absence for Senator JOHNSON for the day.

**Expression of Personal Interest**

Senator FANNING rose for an Expression of Personal Interest.

**Remarks by Senator FANNING**

Thank you, Mr. PRESIDENT. This morning, 750,000 South Carolina school children woke up and walked down the street to a bus stop in the dark -- waited to catch a bus at 6:30 or 7 a.m. this morning -- gathering in the dark, waiting by themselves to go to school. At the same time, over 66,000 South Carolina school teachers were waking up. They didn't have a bus to catch but a car to drive. They drove to school so that kids could learn, play, and spend time with their friends. They didn't get to go to their classes because our teachers, as you know, you hear about this all the time, they had duty. We hear about the duties teachers have. We sometimes think of duties as work. As a former high school history teacher, my duty in the morning at 7 a.m. was to go to the hallway -- sometimes the cafeteria. My duty was out front. I was supposed to stand there as kids got off the bus. The purpose of my duty was to make sure there was a safe environment for kids arriving at school. The obligation of a teacher in a classroom is more than teaching but that of the safety of children in school. Yesterday at Douglas High School outside of Boca Raton, 3,000 woke up and walked to the bus stop, took a car or their parents drove them to school where a teacher was waiting to monitor their safety as they entered the classroom. There’s an assumption by parents that our kids will be safe. By the end of the day, senseless violence entered their lives. At least 17 were killed. Teachers and students injured in senseless violence. In the days and weeks ahead, we as a State are going to have to talk about violence and its impact upon school children. We as a Body will have to talk about our duty as well. Today is not that day. Today is a day to pray. So I ask you, my colleagues, to join me in prayer for the families of the victims, the children and teachers in Boca Raton, Florida, but also I ask you to join me in prayer for our 800,000 school children and 66,000 teachers. So at this moment, Mr. PRESIDENT, I request the Senate rise in a moment of silence in honoring not only the school children in Florida but our school children and teachers here in South Carolina.

On motion of Senator JOHNSON, with unanimous consent, the remarks of Senator FANNING, were ordered printed in the Journal.

**Expression of Personal Interest**

Senator GREGORY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SENN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator M.B. MATTHEWS rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 816 Sen. Senn

S. 822 Sen. McLeod

S. 869 Sen. McLeod

S. 890 Sen. Senn

S. 917 Sen. Campsen

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 449 Sen. Davis

**RECALLED**

H. 4844 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb‑Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson‑Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson‑Simpson, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 26 THROUGH MARCH 4, 2018, AS “EATING DISORDERS AWARENESS WEEK” IN THE STATE OF SOUTH CAROLINA TO COINCIDE WITH NATIONAL EATING DISORDERS AWARENESS WEEK AND TO DECLARE THURSDAY, MARCH 1, 2018, AS “EATING DISORDERS AWARENESS DAY” IN SOUTH CAROLINA.

Senator PEELER asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 975 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 2018 AS “AMERICAN HEART MONTH” IN SOUTH CAROLINA AND TO PROMOTE HEART DISEASE AWARENESS TO THE CITIZENS OF THIS STATE.

Senator PEELER asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1016 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE RILEY JOHNSON OF SENECA, SOUTH CAROLINA FOR HIS OUTSTANDING EFFORTS AS A MEMBER OF THE OFFICIATING CREW FOR THE 2018 ROSE BOWL.

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The Senate Resolution was adopted.

S. 1017 -- Senator Campsen: A SENATE RESOLUTION TO HONOR AND RECOGNIZE LEO FETTER FOR HIS OUTSTANDING ACCOMPLISHMENTS IN POWERLIFTING AND TO CONGRATULATE HIM FOR SETTING THE STATE RECORD IN HIS DIVISION OF THE UNITED STATES POWERLIFTING ASSOCIATION.

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The Senate Resolution was adopted.

S. 1018 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LATTA HIGH SCHOOL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2017 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 1019 -- Senator Reese: A BILL TO AMEND SECTIONS 12-67-140 AND 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR REHABILITATING AN ABANDONED BUILDING OR A CERTIFIED HISTORIC STRUCTURE, RESPECTIVELY, SO AS TO SPECIFY THE MANNER IN WHICH UNUSED CREDIT MAY BE CARRIED FORWARD AND ALLOCATED.

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

S. 1020 -- Senator McLeod: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF RUSSELL H. "RUSS" MEEKINS AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1021 -- Senator Corbin: A SENATE RESOLUTION TO CONGRATULATE ISABELLA MUNTEAN OF GREER FOR RECEIVING A PRUDENTIAL SPIRIT OF COMMUNITY AWARD AND TO RECOGNIZE HER OUTSTANDING RECORD OF VOLUNTEER SERVICE, PEER LEADERSHIP, AND COMMUNITY SPIRIT.

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The Senate Resolution was adopted.

S. 1022 -- Senators Setzler, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Campsen, Cash, Climer, Corbin, 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, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR AND COMMEND MARVIN DAVANT FOR A LIFETIME OF DEDICATED PUBLIC SERVICE AND TO WISH HIM CONTINUED HAPPINESS AND SUCCESS FOR THE DAYS TO COME.

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The Senate Resolution was adopted.

S. 1023 -- Senators Scott, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Campsen, Cash, Climer, Corbin, 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, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JANET LATIECE PARKER, NEWS ANCHOR FOR WACH FOX NEWS, FOR HER MANY YEARS OF EXCELLENCE AS A BROADCAST JOURNALIST.

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The Senate Resolution was adopted.

H. 4272 -- Reps. Spires and Forrest: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4411 -- Rep. Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 48-39-40 RELATING TO THE COASTAL ZONE MANAGEMENT APPELLATE PANEL.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4617 -- Rep. Delleney: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE DONALD W. BEATTY, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 28, 2018.

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

H. 4643 -- Reps. Thayer, Magnuson, Jefferson, Gagnon, Allison, West, Clyburn, Erickson, Hill, Pitts, Toole and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE AND NOT SUBJECT TO REGULATION BY THE DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM DIRECT PRIMARY CARE AGREEMENT.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4657 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATIVE PENALTIES FOR THE VIOLATION OF THE INSURANCE LAWS OF SOUTH CAROLINA, SO AS TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE THESE PENALTIES FOR VIOLATIONS OF FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT; TO AMEND SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS AND INVESTIGATIONS, SO AS TO REQUIRE THAT INFORMATION RELATED TO AN EXAMINATION OR INVESTIGATION TO BE TREATED AS PRIVILEGED AND CONFIDENTIAL; TO AMEND SECTION 38-13-70, RELATING TO INVESTIGATIONS CONDUCTED BY THE DEPARTMENT OF INSURANCE, SO AS TO AUTHORIZE THE DEPARTMENT TO RESPOND TO MOTIONS AND COMPLAINTS AGAINST HEALTH MAINTENANCE ORGANIZATIONS AND PERSONS LICENSED TO TRANSACT THE BUSINESS OF INSURANCE IN THIS STATE AND TO ESTABLISH A DEADLINE FOR RESPONSES TO THE DEPARTMENT'S INQUIRIES; TO AMEND SECTION 38-21-290, AS AMENDED, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO PROVIDE DOCUMENTS, MATERIALS, OR OTHER INFORMATION SUBMITTED IN SUPPORT OF AN APPLICATION MUST BE TREATED AS CONFIDENTIAL; TO AMEND SECTION 38-33-170, RELATING TO THE EXAMINATIONS OF THE AFFAIRS OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO REQUIRE AN EXAMINATION NO LESS THAN EVERY FIVE YEARS; TO AMEND SECTION 38-33-230, RELATING TO LEVY OF ADMINISTRATIVE PENALTY IN LIEU OF OTHER PENALTIES, SO AS TO ALLOW THE LEVY OF AN ADMINISTRATIVE PENALTY FOR VIOLATIONS OF STATE AND FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-61-20, RELATING TO THE APPROVAL OF INSURANCE POLICIES, CONTRACTS, OR POLICIES BY THE DEPARTMENT OF INSURANCE, SO AS TO REQUIRE THAT ALL FORMS FILED WITH THE DEPARTMENT SATISFY ALL APPLICABLE STATE AND FEDERAL LAWS AND TO AUTHORIZE THE DIRECTOR TO IMPOSE A PENALTY IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 38-71-90, RELATING TO THE PENALTIES FOR ISSUING OR DELIVERING A POLICY THAT VIOLATES CHAPTER 71, SO AS TO EXTEND THE PENALTIES TO ANY INSURER OR HEALTH MAINTENANCE ORGANIZATION WHO VIOLATES APPLICABLE STATE OR FEDERAL LAWS GOVERNING THE TRANSACTION OF THE BUSINESS OF INSURANCE SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4675 -- Reps. Sandifer and Spires: A BILL TO AMEND ARTICLE 1, CHAPTER 90, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE REFERENCES TO CAPTIVE REINSURANCE COMPANIES, TO REQUIRE A CAPTIVE INSURANCE COMPANY TO POSSESS AND MAINTAIN FREE AND UNIMPAIRED PAID-IN CAPITAL, SURPLUS, OR A COMBINATION THEREOF AND ESTABLISH REQUIREMENTS, TO DELETE CERTAIN SURPLUS REFERENCES AND INCORPORATION REQUIREMENTS, TO PROVIDE THE PROVISIONS OF CHAPTER 90 APPLY TO CAPTIVE INSURANCE COMPANIES FORMED AS A MUTUAL INSURER, TO ESTABLISH REPORTING REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES AND REMOVE CERTAIN PROVISIONS, TO ALLOW A CAPTIVE INSURANCE COMPANY TO DISCOUNT ITS LOSS AND LOSS ADJUSTMENT WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH OVERSIGHT REQUIREMENTS FOR RISK RETENTION GROUPS AND CAPTIVE INSURANCE COMPANIES, TO ALLOW FOR CERTAIN CAPTIVE INSURANCE COMPANIES TO MAKE LOANS TO ITS PARENT COMPANY AND AFFILIATES WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH STANDARDS FOR AGGREGATE TAXES FOR PROTECTED CELLS, TO ALLOW THE DIRECTOR TO REDUCE CAPITAL REQUIREMENTS FOR AN INACTIVE CAPTIVE INSURANCE COMPANY, TO REMOVE CERTAIN ASSET REQUIREMENTS, AND TO ALTER PARTICIPANT REQUIREMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; AND TO REPEAL ARTICLE 5, CHAPTER 90, TITLE 38 RELATING TO THE COASTAL CAPTIVE INSURANCE COMPANY ACT.

Read the first time and referred to the Committee on Banking and Insurance.

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.

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

H. 4807 -- Reps. Hixon, Hiott, Kirby and Yow: A BILL TO AMEND SECTION 7 OF ACT 41 OF 2015, RELATING TO THE ACT'S TIME EFFECTIVE CLAUSE, SO AS TO EXTEND THE PERIOD IN WHICH WILD TURKEY SEASONS AND BAG LIMITS FOR CERTAIN COUNTIES ARE SUSPENDED.

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

H. 4928 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 15, 2018, HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Concurrent Resolution was introduced and referred to the Committee on Invitations.

**REPORTS OF STANDING COMMITTEES**

Senator PEELER from the Committee on Education submitted a favorable with amendment report on:

S. 857 -- Senator Setzler: A BILL TO AMEND SECTION 59‑51‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD BY ELIMINATING TWO EX OFFICIO SEATS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Education submitted a favorable with amendment report on:

S. 888 -- Senators Hembree, Gregory, Bennett, Grooms, Climer, Shealy, Peeler, Goldfinch, Massey, Talley, Verdin, Turner, Timmons, Alexander, Cash, Gambrell, Campbell, Senn, Young, Cromer, Davis, Rice, Martin and Corbin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑25‑47 SO AS TO PROVIDE CERTAIN PUBLIC SCHOOL FACULTY MEMBERS ANNUALLY MAY RECEIVE PAYMENTS FOR UNUSED ANNUAL LEAVE AND SICK LEAVE IN EXCESS OF NINETY DAYS AT AN ESTABLISHED RATE OF SUBSTITUTE PAY FOR THEIR JOB CLASSIFICATION, TO PROVIDE THESE PAYMENTS ARE AVAILABLE TO TEACHERS IN PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS, AND TO PROVIDE THESE PROVISIONS DO NOT AMEND OR REPEAL EXISTING PROGRAMS THAT MAKE SIMILAR PAYMENTS BUT AT LOWER RATES, OR RELATED RIGHTS OF SCHOOL DISTRICTS OR LEGISLATIVE DELEGATIONS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 911 -- Senator Alexander: A BILL TO AMEND SECTION 12‑39‑360 OF THE 1976 CODE, RELATING TO A COUNTY’S AUTHORITY TO EXTEND THE PAYMENT OF PROPERTY TAXES FOR SERVICE MEMBERS IN OR NEAR A HAZARD DUTY ZONE, TO REQUIRE EACH COUNTY TO ALLOW FOR A DEFERMENT, TO PROVIDE THAT THE DEFERMENT BEGINS ON THE TAX DUE DATE AND ENDS NINETY DAYS AFTER THE LAST DATE OF DEPLOYMENT, AND TO PROVIDE THAT NO INTEREST MAY BE CHARGED DURING THE DEPLOYMENT UNLESS THE TAX IS NOT PAID WITHIN THE NINETY‑DAY GRACE PERIOD.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Education submitted a favorable with amendment report on:

H. 3427 -- Reps. Lucas, Loftis, Allison, Stringer, Erickson, Simrill, G.R. Smith, McKnight, Robinson‑Simpson, Martin, West, Long, Burns, Atwater, McCoy, Hardee, Hewitt, Fry, Jordan, Murphy, Spires, G.M. Smith, McCravy, Clemmons, McEachern, Taylor, Arrington, Johnson, Huggins, Hamilton, Elliott, Funderburk, Bales, Bannister, Blackwell, Bradley, Chumley, Clary, Clyburn, Cobb‑Hunter, Cole, Crawford, Delleney, Dillard, Douglas, Forrest, Forrester, Hayes, Henderson, Herbkersman, Hiott, Lowe, D.C. Moss, B. Newton, W. Newton, Pope, Quinn, S. Rivers, Ryhal, Sandifer, Tallon, Thayer, Whitmire, Anderson, Anthony, Gagnon, Parks, Pitts, Ott, King, Henegan, Willis, Yow, Williams, Jefferson, Duckworth, White, Finlay, Bernstein, J.E. Smith, Bedingfield, Felder, Bennett, Davis, Mitchell, Rutherford, Neal, Stavrinakis, Govan, Putnam, Collins, Brown, Weeks, Hosey, Bowers, V.S. Moss, Howard, Kirby, Sottile, Whipper, Norrell, Ballentine, Toole, Thigpen, Cogswell, Daning, Crosby, Knight, Wheeler and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE” BY ADDING SECTION 59‑29‑250 SO AS TO PROVIDE THE PURPOSE OF THE SECTION, TO PROVIDE THAT, BEGINNING WITH THE 2018‑2019 SCHOOL YEAR, PUBLIC HIGH SCHOOLS AND PUBLIC CHARTER HIGH SCHOOLS SHALL OFFER CERTAIN COMPUTER SCIENCE COURSEWORK, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND ENSURE IMPLEMENTATION OF GRADE‑APPROPRIATE STANDARDS FOR COMPUTER SCIENCE AND COMPUTATIONAL THINKING FOR PUBLIC SCHOOL STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE, TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE REQUIREMENTS FOR THE OFFICE OF THE GOVERNOR TO ESTABLISH CRITERIA AND PROCESSES FOR DESIGNATING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH COMMUNITIES AND REGIONS, AND TO PROVIDE RELATED REQUIREMENTS OF SUCH COMMUNITIES AND REGIONS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4612 -- Reps. Sandifer and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑11‑262 SO AS TO PROVIDE APPLICANTS FOR GENERAL AND MECHANICAL LICENSURE SUBJECT TO FINANCIAL STATEMENT REQUIREMENTS MAY INSTEAD PROVIDE CERTAIN SURETY BONDS, AND TO PROVIDE REQUIREMENTS CONCERNING THE SURETY BONDS.

Ordered for consideration tomorrow.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**READ THE SECOND TIME**

S. 954 -- Senators Leatherman, Setzler, Massey and Fanning: A JOINT RESOLUTION TO PROHIBIT THE PUBLIC SERVICE COMMISSION FROM ISSUING AN ORDER FOR REQUESTS MADE PURSUANT TO THE BASE LOAD REVIEW ACT UNTIL NINETY DAYS AFTER THE SOUTH CAROLINA GENERAL ASSEMBLY ADJOURNS SINE DIE FOR THE 2018 LEGISLATIVE SESSION, BUT TO PERMIT AN EXPERIMENTAL RATE ORDER TO REVISE ELECTRIC RATES IN ACCORDANCE WITH CHAPTER 34, TITLE 58.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

Senator HUTTO spoke on the Resolution.

Senator FANNING spoke on the Resolution.

**ACTING PRESIDENT PRESIDES**

At 12:20 P.M., Senator WILLIAMS assumed the Chair.

Senator FANNING spoke on the Resolution.

**PRESIDENT PRESIDES**

At 12:36 P.M., the PRESIDENT assumed the Chair.

Senator FANNING spoke on the Resolution.

**Remarks by Senator FANNING**

I'd like to thank Senator LEATHERMAN, PRESIDENT *Pro Tempore*, Senator MASSEY and Senator SETZLER for their leadership on this V.C. Summer Nuclear issue, known by Senator HUTTO as the biggest fiasco in the history of the State of South Carolina. And not just this, but also the future of power in South Carolina. On July 31st of this year, in the middle of the summer when we were not in session, SCANA abandoned ten years’ worth of work, $9.5 billion spent on two nuclear reactors in Fairfield county, abandoning 5,560 fired workers and abandoning a county that had worked with them for 40 years and abandoned, still holding bag today, 800,000 ratepayers still holding the bag this month -- paying 18% more for their utility bills than they've actually used. But thanks to Senator LEATHERMAN, the leaders Senator MASSEY and Senator SETZLER and the nuclear committee, we were able to unearth mountains of evidence that helped us dig deep to find out not only what caused it, but what could point us toward a solution. In fact, every meeting, Senator MASSEY, did we not surprise ourselves at the amazing amount of monumental evidence that was found each time that if we had known this, Senator HUTTO, this Body could have taken some appropriate prospective not reactive action to maybe keep this from happening. But not to our fault this information was kept from us. But we had that action this fall when we were out of session. When we came back in January, last month, many of the members of this Body expressed dismay that we were moving on an issue that happened when we were out of session -- that they didn't have the opportunity to learn. They didn't maybe have SCANA’s customers. The customers in the area, the media might not have covered this much in Anderson as it maybe did in the midlands or they weren't on the Senate Nuclear Review Committee. So many of you, my colleagues, mentioned that we are going too fast and we need, y'all remember we asked for some bullet points, some summary documents, so that we as a Body could be caught up on what Senator HUTTO would call the biggest fiasco in the history of South Carolina. And so the entire purpose of this S. 954, which we're on this morning, was to give folks time to digest it. Today we're hearing about time for the PSC and time for ORS, and that certainly is a part of it. But that's not what was discussed this last month. What was discussed with us last month was members of the Body felt like we had a gun to our heads because this freight train had taken off in July when we were out of session and then the committee worked in the fall, and all of this evidence came out in the fall when we were out of session and we came back in January and we weren't ready to make a decision.

The purpose of this Bill, S. 954, is to take the gun away from our heads and place that end of date, that final date to make a decision next March when we're in session. This amendment that we passed yesterday, the amended version now of S. 954 moves that date back to November - December. I voted “no” on this for three reasons. I'll share them and I'll sit down, Senator SETZLER. But there are three concerns that I have with the amendment which is now S. 954. The un-amended version had us in session when the end date was approaching, meaning that when ORS and PSC research this and they develop their findings and we get their recommendation, long before any recommendation -- decision is made, we would be in session. We'd be here to take whatever action is needed. Now, thanks to this amended version, we will not be in session when the PSC rules. We will not be in a session when the PSC makes its findings. We will not be in this session when reports are issued like the reports we received this past fall. We are getting ready to do the same thing next fall that we did last fall. You that don't live in SCANA areas won't know anything that's going on. The media won't cover it as much except for the commercials giving you one side of it in your area. And we will be getting ready to take action. Yesterday Senator LEATHERMAN gave us assurance we'd be called back into session. I now no longer have that as a worry and I thank you. And I really feel he will call us back into session. But I do caution this Body, we can come back in session all we want to, but maybe once or twice since Moses and Methuselah walked the earth we wanted to do something and the House didn't. And while I do believe that the Speaker has this as a priority, there could be a chance that we might want to come back in session and do something and the House decides not to. And if that happens, then decisions will be made without any chance for you to represent your constituents. Remember, this Body could do the right thing and still have our ability to pass something vacated by that body over there. And I'll get to why in a second -- number one. But number two, and this is probably most importantly and most likely the final ORS findings that are going to be unearthed, remember all those surprising Bechtal reports that Senator MASSEY and Senator SETZLER dug and dug, and we unearthed -- the Bechtel report. No one was willing to give it to us. It wasn't PSC's fault. It wasn't ORS's fault because SCANA said they didn't ask us to give them the Bechtel report. And the reason was they didn't know there was a Bechtel report to ask for. That same process where we're asking the PSC and ORS to investigate -- the process is about to happen next fall when we're out of session. Based on what happened last fall, folks as a member of that Senate Nuclear Committee, I am telling you we will find monumental additional evidence that will shock us in this next round of investigations, because we're asking the PSC and ORS to look into some of the things we found out were problems last time. So we are going to be shocked and surprised by these while we are out of session. But anything else could happen. And so Senator McELVEEN, one other thing that could happen is we could leave here in May, Dominion could pull their deal off the table; another company could come back in on the table, and all of a sudden we find ourselves dealing with something in November that has -- doesn't look anything like what we're facing when we leave in May because we're out of session and we'll have no opportunity to debate it. Last fall’s monumental information came out changing the entire framework of the conversation beyond just my two nuclear reactors in Fairfield to now a statewide crisis. And in January of this year, many of you in this Body said we feel unprepared to make a decision quickly. This amended version of S. 954 sets us up for something worse next time. Because even if the PRESIDENT *Pro Tem* calls us back in October, which I believe he would, we're going to be called back in October with a November/December deadline looming, and you will not have been a part of the information gathering process; you'll be called back to this Body and we'll be in the same position we were when you arrived in January, with no information, no opportunity to have debate on the floor until all of a sudden we have a one-month deadline. We're called in October and do something in December. And the reason I mention October is it's very likely we don't even have a report issued until September. So we will have a timeline that's not manageable. Then my third point, because I promised I would sit down, the third point ‑- I've just shared with you problems in the Senate. No one has talked about the problems in the House. Think about what's going to be going on next fall. And let's suppose that PRESIDENT *Pro Tem* LEATHERMAN calls us back in October because there's amazing new information to act on. We'll be asking the House of Representatives to set politics aside, not intervene Senator HUTTO -- to intervene where we don't want them to intervene and have them voting two weeks before they're facing re-election. You think the commercials right now that Dominion is putting out all over the State are having an impact. Imagine the commercials that will be done in house districts all across the State when we're called back in next October with a month to go and nothing to do about it. Dominion right now is spending millions of dollars on T.V. ads, radio ads, Facebook, pop-up ads in Rockville that has no customers for miles. Dominion dollars are flying like dollar bills at a strip club, and if you think it's bad, this amended version of S. 954 sets up for that same thing to happen three weeks before an election in the House of Representatives. I close by being told yesterday that this compromise was worked out by all stakeholders. Dominion was at the table, SCANA was at the table, PSC was at the table, ORS was at the table and they all agreed. Two things I want to point out as I close. Number one, the last time those four agreed we got the BLRA. The second thing is who was not at the table? And ratepayers were not at the table. Senator HUTTO brings up an excellent point that we need to reform the ORS and PSC so they become advocates of that. But yesterday when the deal was made, they were not advocates for the consumer. They were advocates for both. So to this point I will close by saying I intend to vote -- if I can finish -- I want to make sure I end by saying that I plan on voting for the amended version of S. 954, because I now have a gun to my head the other way because if I don't vote for S. 954, Senator MASSEY, correct me if I'm wrong, then we have no cushion to go with. And I believe a November cushion is better than a March cushion.

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator FANNING, were ordered printed in the Journal.

Senator MALLOY spoke on the Resolution.

The question then was second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 35; Nays 0; Abstain 1**

**AYES**

Alexander Allen Bennett

Campsen Cash Climer

Corbin Cromer Davis

Fanning Gambrell Gregory

Hembree Hutto Leatherman

Malloy Martin Massey

*Matthews, Margie* McElveen McLeod

Nicholson Peeler Rankin

Reese Rice Scott

Senn Setzler Talley

Timmons Turner Verdin

Williams Young

**Total--35**

**NAYS**

**Total--0**

**ABSTAIN**

Kimpson

**Total--1**

There being no further amendments, the Resolution was read the second time, passed and ordered to a third reading.

**Motion Adopted**

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

**ADJOURNMENT**

At 12:56 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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