

NO. 9

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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TUESDAY, JANUARY 23, 2018

**Tuesday, January 23, 2018**  
**(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:

Psalm 111: 10

In Psalms we read that: “the fear of the Lord is the beginning of wisdom: all who follow his precepts have good understanding. To him belongs eternal praise.”

Let us pray. Gracious God, it is so apparent that we are blessed with an abundance of talent at the staff level and in our elected Senators.

In addition, we are so fortunate to have a strong constitution with an open system of government that has checks and balances. As we move into 2018, we boldly pray for Your presence in this Chamber that guides and directs the hearts and minds of our leaders. Grant to each of our Senators a wise and discerning spirit that glorifies You in every decision that is made. 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 2:02 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:

Alexander	Allen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Hembree	Hutto	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	Nicholson
Peeler	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner

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Williams

Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

**Statewide Appointments**

Initial Appointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2018, and to expire July 1, 2022

3rd Congressional District:

Jake Rasor, Jr., 103 Calvert Avenue, Clinton, SC 29325 *VICE* Larry L. Yonce

Referred to the Committee on Fish, Game and Forestry.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2018, and to expire June 30, 2024

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2018, and to expire June 30, 2024

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2018, and to expire June 30, 2024

At-Large:

Richard M. Campbell II, 131 High Knoll Rd., Columbia, SC 29223

Referred to the Committee on Judiciary.

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Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2015, and to expire June 30, 2019

1st Congressional District:

Rick Toomey, 3 Lucy Creek Drive, Beaufort, SC 29907-2222 *VICE*  
Mark Lutz

Referred to the Committee on Medical Affairs.

Initial Appointment, Director of Department of Health and Human Services, with term coterminous with Governor

Director:

Joshua Baker, 141 Montrose Drive, Lexington, SC 29072-6908 *VICE*  
Deirdra Singleton

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Department of Highways and Public Transportation, with the term to commence February 16, 2017, and to expire February 15, 2021

7th Congressional District:

Tony K. Cox, 817 Saint Charles Road, North Myrtle Beach, SC 29582

Referred to the Committee on Transportation.

### **COMMUNICATION FROM THE CLERK**

Chapter 2, Title 2 of the 1976 Code, as added by the South Carolina Restructuring Act of 2014, provides a framework for systematic oversight of government agencies by the General Assembly. The President *Pro Tempore*, after consulting with the Standing Committee Chairmen and the Clerk of the Senate pursuant to Section 2-2-30 of the 1976 Code, determined that the Senate will schedule the following state agencies for Oversight Review during 2018:

Arts Commission  
SC Ethics Commission  
First Steps  
Department of Health and Environmental Control - environmental  
State Housing Finance and Development Authority  
John de la Howe School  
Law Enforcement Training Council

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Department of Motor Vehicles  
State Board for Technical and Comprehensive Education  
Sea Grant Consortium  
Vocational Rehabilitation Department

Agencies scheduled for review are encouraged to review the provisions contained in Chapter 2, Title 2 so that they may prepare for the oversight process. Final reports issued for the 2017 Oversight Reviews can be found on the individual committee pages of the General Assembly's website.

**Doctor of the Day**

Senator CAMPSER introduced Dr. Alexander Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator HEMBREE, at 3:10 P.M., Senator GREGORY was granted a leave of absence for the balance of the week.

**Leave of Absence**

On motion of Senator HEMBREE, at 3:10 P.M., Senator BENNETT was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator KIMPSON, at 3:10 P.M., Senator M.B. MATTHEWS was granted a leave of absence for the balance of the day.

**Expression of Personal Interest**

Senator CLIMER rose for an Expression of Personal Interest.

**Remarks to be Printed**

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator CLIMER, when reduced to writing and made available to the Desk, would be printed in the Journal.

**Expression of Personal Interest**

Senator PEELER rose for an Expression of Personal Interest.

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**Remarks to be Printed**

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator PEELER, when reduced to writing and made available to the Desk, would be printed in the Journal.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bill:  
S. 878 Sens. Turner, Campbell, Verdin

**RECALLED**

H. 4268 -- Rep. Crawford: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE VARIOUS PRECINCTS AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator GOLDFINCH asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

**Expression of Personal Interest**

Senator CAMPSER rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 897 -- Senators Setzler, Massey and Young: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF ALLEAN COLEMAN HAMMOND, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 898 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH

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CAROLINA SENATE UPON THE PASSING OF DR. LUNS C. RICHARDSON, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 899 -- Senator Johnson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF HAYES F. SAMUELS, JR., AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 900 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MIKE GRAY UPON THE OCCASION OF HIS RETIREMENT AS SENIOR VICE PRESIDENT OF RESOURCE DEVELOPMENT FOR UNITED WAY OF THE MIDLANDS, TO COMMEND HIM FOR HIS THIRTY-FIVE YEARS OF SERVICE TO THE ORGANIZATION, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 901 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE UNIVERSITY OF SOUTH CAROLINA DANCE MARATHON UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY AND TO RECOGNIZE AND HONOR THE ORGANIZATION FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 902 -- Senator Sheheen: A CONCURRENT RESOLUTION TO CONGRATULATE ST. PAUL UNITED METHODIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN CAMDEN, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.

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

S. 903 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21 THROUGH JANUARY 27, 2018 AS "NATIONAL SCHOOL CHOICE WEEK IN SOUTH CAROLINA" AND TO HONOR STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 904 -- Senator Peeler: A CONCURRENT RESOLUTION TO CONGRATULATE THE LIMESTONE COLLEGE MEN'S LACROSSE TEAM AND COACHES FOR AN EXTRAORDINARY SEASON AND FOR WINNING THE 2017 NCAA DIVISION II NATIONAL CHAMPIONSHIP TITLE.

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

S. 905 -- Senator J. Matthews: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF DR. BENJAMIN FRANKLIN PAYTON AND TO HONOR HIS SIGNIFICANT CONTRIBUTIONS TO ACADEMIA.

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

S. 906 -- Senator J. Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LOW COUNTRY HEALTHY START (LCHS) FOR TWENTY YEARS OF DEDICATED SERVICE IN REDUCING DISPARITIES IN INFANT MORTALITY AND TO EXTEND BEST WISHES TO THE ORGANIZATION FOR CONTINUED SUCCESS IN ITS WORTHY ENDEAVORS.

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The Senate Resolution was adopted.

S. 907 -- Senator Shealy: A BILL TO AMEND ARTICLE 31, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO MISCELLANEOUS TRAFFIC RULES, TO PROVIDE THAT A



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VEHICLE IN A FUNERAL PROCESSION HAS THE RIGHT OF WAY AT AN INTERSECTION AND MAY PROCEED THROUGH THE INTERSECTION IF THE PROCESSION IS LED BY AN ESCORT VEHICLE DISPLAYING FLASHING AMBER OR PURPLE LIGHTS, VISIBLE IN ALL DIRECTIONS FOR A DISTANCE OF FIVE HUNDRED FEET IN NORMAL SUNLIGHT AND ATTACHED SO AS TO BE CLEARLY VISIBLE TO APPROACHING TRAFFIC; TO PROVIDE FOR EXCEPTIONS; AND TO DEFINE NECESSARY TERMS.

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

S. 908 -- Senator Shealy: A BILL TO AMEND SECTION 56-1-2080 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR A COMMERCIAL DRIVER'S LICENSE, TO PROVIDE THAT A PERSON MAY NOT BE ISSUED A COMMERCIAL DRIVER'S LICENSE UNLESS THAT PERSON COMPLETES AN IN-PERSON OR ONLINE HUMAN TRAFFICKING AWARENESS COURSE AND TO PROVIDE THAT THE PERSON MUST PROVIDE EVIDENCE OF COMPLETION TO THE DEPARTMENT WITH HIS APPLICATION FOR A COMMERCIAL DRIVER'S LICENSE.

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

S. 909 -- Senators Davis and Fanning: A BILL TO AMEND SECTION 58-31-200 OF THE 1976 CODE, RELATING TO JOINT OWNERSHIP OF THE NUCLEAR ELECTRIC GENERATING STATION IN FAIRFIELD COUNTY, TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY IS JOINTLY RESPONSIBLE FOR PRESERVING ANY PARTIALLY CONSTRUCTED NUCLEAR ELECTRIC GENERATION UNITS ON THE SITE AT OR NEAR PARR SHOALS IN FAIRFIELD COUNTY; TO PROVIDE THAT A PRIVATELY OWNED ELECTRIC UTILITY PROVIDING POWER TO RATEPAYERS PURSUANT TO SECTION 58-27-620 THAT IS A JOINT OWNER WITH THE PUBLIC SERVICE AUTHORITY OF A PARTIALLY CONSTRUCTED NUCLEAR ELECTRIC PLANT SHALL BE RESPONSIBLE FOR PRESERVING THE PARTIALLY CONSTRUCTED SITE AS A CONDITION OF BEING APPROVED TO DO BUSINESS IN THIS STATE; TO PROVIDE FOR COST RECOVERY; AND TO PROVIDE CONDITIONS FOR PRESERVATION; AND TO DEFINE NECESSARY TERMS.

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Senator DAVIS spoke on the Bill.

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

S. 910 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE FOR A SALARY SCHEDULE FOR THOSE JUDGES; TO AMEND SECTION 1-7-325 OF THE 1976 CODE, RELATING TO SOLICITOR COMPENSATION, TO PROVIDE THAT EACH FULL-TIME CIRCUIT SOLICITOR SHALL EARN A SALARY NOT LESS THAN THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 14-11-30 OF THE 1976 CODE, RELATING TO MASTER-IN-EQUITY COMPENSATION, TO PROVIDE FOR A PAY SCHEDULE BASED ON THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 17-3-510(C) OF THE 1976 CODE, RELATING TO CIRCUIT PUBLIC DEFENDERS, TO PROVIDE THAT THE CIRCUIT PUBLIC DEFENDER FOR EACH JUDICIAL CIRCUIT MUST EARN A SALARY NOT LESS THAN THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTIONS 22-8-40(B)(2) AND (3) OF THE 1976 CODE, RELATING TO FULL-TIME AND PART-TIME MAGISTRATE SALARIES, TO PROVIDE FOR A PAY SCHEDULE BASED ON THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR; TO AMEND SECTION 42-3-40 OF THE 1976 CODE, RELATING TO SALARIES OF WORKERS' COMPENSATION COMMISSIONERS, TO PROVIDE THAT THE ANNUAL SALARY FOR EACH COMMISSIONER SHALL BE EIGHTY-FIVE PERCENT OF THE SALARY PAID TO A CIRCUIT COURT JUDGE FOR THE 2016-2017 FISCAL YEAR;

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Senator MALLOY spoke on the Bill.

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

**Objection**

Senator MALLOY asked unanimous consent that S. 910 be placed on the calendar without reference.

Senator PEELER objected.

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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.

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

S. 912 -- Senators Jackson, Allen, Reese, Shealy, Talley, Johnson, Campbell, Sabb, Gambrell, Nicholson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-18-75 SO AS TO PROHIBIT A PRIVATE INVESTIGATION BUSINESS FROM KNOWINGLY REPRESENTING MULTIPLE PARTIES WITH OPPOSING INTERESTS IN CIVIL OR CRIMINAL MATTERS AND TO PROVIDE PENALTIES.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

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.

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

S. 914 -- Senators Shealy and Massey: A BILL TO AMEND SECTION 61-4-730 OF THE 1976 CODE, RELATING TO SALES BY PERMITTED WINERIES, TO PROVIDE THAT PERMITTED WINERIES MAY APPLY FOR A RETAIL ON-PREMISES PERMIT FOR THE SALE OF WINE PRODUCED BY THE LICENSEE FOR SALE IN A SEPARATE LOCATION FROM ITS LICENSED

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PREMISES, TO PROVIDE THAT PERMITTED WINERIES MAY APPLY FOR UP TO FIFTY SPECIAL EVENT PERMITS PER YEAR FROM THE DEPARTMENT OF REVENUE FOR LOCATIONS THAT ARE NOT A WINERY'S LICENSED PREMISES, AND TO PROVIDE FOR QUALIFICATIONS FOR ON-PREMISES PERMITS.

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

S. 915 -- Senator Timmons: A BILL TO AMEND SECTION 8-13-1312 OF THE 1976 CODE, RELATING TO CAMPAIGN BANK ACCOUNTS, TO PROVIDE THAT ALL CONTRIBUTIONS RECEIVED BY CANDIDATES SHALL BE DEPOSITED INTO AN INTEREST ON CAMPAIGN ACCOUNT KNOWN AS AN "IOCA," TO PROVIDE THAT AN IOCA BENEFITS THE STATE ETHICS COMMISSION, TO PROVIDE THAT AN IOCA SHALL BE ESTABLISHED WITH AN ELIGIBLE INSTITUTION THAT VOLUNTARILY CHOOSES TO PARTICIPATE, TO PROVIDE FOR THE RATE OF INTEREST OR DIVIDENDS PAYABLE ON ANY IOCA, TO PROVIDE THAT ONE PERCENT OF ALL CONTRIBUTIONS DEPOSITED INTO AN IOCA SHALL BE REMITTED TO BENEFIT THE COMMISSION, AND TO PROVIDE THAT THE FUNDS REMITTED TO THE COMMISSION PURSUANT TO THIS SECTION SHALL BE USED BY THE COMMISSION TO CREATE A POSITION OR POSITIONS WITHIN ITS EMPLOY TO CHECK AND CONFIRM THE COMPLETENESS OF CANDIDATE FILINGS; TO AMEND SECTION 8-13-320 OF THE 1976 CODE, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THOSE DUTIES AND RESPONSIBILITIES INCLUDE RECEIVING, ADMINISTERING, INVESTING, DISBURSING, AND SEPARATELY ACCOUNTING FOR FUNDS REMITTED TO IT PURSUANT TO SECTION 8-13-1312; TO AMEND SECTION 8-13-340 OF THE 1976 CODE, RELATING TO THE ANNUAL REPORT OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THE STATE ETHICS COMMISSION AT THE CLOSE OF EACH FISCAL YEAR SHALL REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR CONCERNING THE ACTION IT HAS TAKEN, THE NAMES, SALARIES, AND DUTIES OF ALL PERSONS IN ITS EMPLOY, THE MONEY IT HAS DISBURSED, AND THE AMOUNT OF FUNDS IT HAS RECEIVED FROM IOCAS AND THAT THE COMMISSION SHALL ALSO MAKE OTHER REPORTS ON

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MATTERS WITHIN ITS JURISDICTION AND RECOMMENDATIONS FOR FURTHER LEGISLATION AS MAY APPEAR DESIRABLE; TO AMEND ARTICLE 3, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO THE STATE ETHICS COMMISSION, BY ADDING SECTION 8-13-367, TO PROVIDE THAT THE COMMISSION SHALL BE GRANTED ACCESS TO A CANDIDATE'S INCOME TAX RETURNS ON FILE WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE IF THE COMMISSION, BY A TWO-THIRDS VOTE DURING A PENDING INVESTIGATION OR OPEN COMPLAINT, DECIDES A CANDIDATE'S INCOME TAX RETURN IS RELEVANT TO A PENDING INVESTIGATION OR OPEN COMPLAINT; TO AMEND ARTICLE 3, CHAPTER 4, TITLE 12 OF THE 1976 CODE, RELATING TO THE GENERAL POWERS AND DUTIES OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-4-365, TO PROVIDE THAT THE DEPARTMENT, WHEN REQUESTED BY THE STATE ETHICS COMMISSION IN ACCORDANCE WITH SECTION 8-13-367, SHALL PROVIDE INFORMATION CONTAINED ON THE INDIVIDUAL INCOME TAX RETURNS OF A CANDIDATE, AS DEFINED IN SECTION 8-13-1300(4), TO THE STATE ETHICS COMMISSION; AND TO DEFINE NECESSARY TERMS.

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

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM TEN ADDITIONAL YEARS.

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

S. 917 -- Senator Kimpson: 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

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EXPENDED FOR THE CONTROL AND REPAIR OF FLOODING  
AND DRAINAGE AT TOURISM-RELATED LANDS OR AREAS.

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

S. 918 -- Senators Peeler, Malloy and Hembree: A BILL TO AMEND SECTION 44-53-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE "NARCOTICS AND CONTROLLED SUBSTANCES ACT", SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE"; TO AMEND SECTION 44-53-360, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS WHEN PRESCRIBING NARCOTIC DRUGS, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN PRESCRIBING LIMITATIONS; BY ADDING SECTION 44-53-1655 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROVIDE PRESCRIPTION REPORTS TO PRACTITIONERS AND TO CONDUCT AUDITS OF THE PRESCRIPTION MONITORING PROGRAM, AND SECTION 44-53-1665 SO AS TO ESTABLISH REPORTING REQUIREMENTS OF THE DEPARTMENT; TO AMEND SECTIONS 44-53-1630, AS AMENDED, 44-53-1640, AS AMENDED, 44-53-1645, 44-53-1650, AND 44-53-1680, AS AMENDED, ALL RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE", TO REQUIRE DISPENSERS TO SUBMIT ADDITIONAL INFORMATION TO THE PROGRAM AND TO REVIEW PROGRAM DATA BEFORE DISPENSING IN CERTAIN CIRCUMSTANCES, TO CHANGE THE REQUIREMENTS FOR PRACTITIONERS TO REVIEW PRESCRIPTION HISTORY BEFORE PRESCRIBING SELECT CONTROLLED SUBSTANCES, TO ALLOW PRACTITIONERS TO OBTAIN PRESCRIPTION REPORTS, AND TO MAKE CONFORMING CHANGES, RESPECTIVELY; AND TO AMEND SECTIONS 40-47-965 AND 40-33-34, BOTH AS AMENDED, RELATING TO PRESCRIPTIVE AUTHORITY OF PHYSICIANS ASSISTANTS AND NURSES, RESPECTIVELY, SO AS TO ADDRESS THE AUTHORITY TO PRESCRIBE NARCOTICS TO CERTAIN PATIENTS.

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Read the first time and referred to the Committee on Medical Affairs.

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S. 919 -- Senators Turner and Hembree: A BILL TO AMEND CHAPTER 5, TITLE 43 OF THE 1976 CODE, RELATING TO PUBLIC AID, ASSISTANCE AND RELIEF, GENERALLY, BY ADDING ARTICLE 13, TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A COMPUTERIZED INCOME, ASSET, AND IDENTITY ELIGIBILITY VERIFICATION SERVICE TO VERIFY A PERSON'S IDENTITY AND ELIGIBILITY FOR PUBLIC ASSISTANCE, TO REQUIRE THE DEPARTMENT AND THE DEPARTMENT OF SOCIAL SERVICES TO USE THE SERVICE AS PART OF DETERMINING WHETHER TO AWARD AN APPLICANT OR RECIPIENT PUBLIC ASSISTANCE, TO ENABLE OTHER DEPARTMENTS PROVIDING PUBLIC ASSISTANCE TO USE THE SERVICE, TO REQUIRE CERTAIN REPORTING TO THE ATTORNEY GENERAL AND THE OFFICE OF INSPECTOR GENERAL FOR CASES OF SUSPECTED FRAUD, TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF SOCIAL SERVICES TO SUBMIT REPORTS TO THE GOVERNOR AND OTHER PUBLIC OFFICIALS, AND FOR OTHER PURPOSES.

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Read the first time and referred to the General Committee.

S. 920 -- Senators Turner and Hembree: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 43 OF THE 1976 CODE, RELATING TO PUBLIC AID AND ASSISTANCE, BY ADDING SECTION 43-5-260, TO PROHIBIT THE DEPARTMENT OF SOCIAL SERVICES FROM APPLYING FOR, SEEKING, ACCEPTING, OR RENEWING A WAIVER OF WORK REQUIREMENTS FOR A PERSON APPLYING FOR OR RECEIVING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.

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Read the first time and referred to the General Committee.

S. 921 -- Senator Turner: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 43 OF THE 1976 CODE, RELATING TO PUBLIC AID AND ASSISTANCE, BY ADDING SECTION 43-5-250, TO REQUIRE AN INDIVIDUAL APPLYING OR REAPPLYING FOR BENEFITS THROUGH THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM TO COOPERATE WITH THE

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DEPARTMENT OF SOCIAL SERVICES' DIVISION OF CHILD SUPPORT SERVICES AS A CONDITION OF ELIGIBILITY FOR THOSE BENEFITS.

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Read the first time and referred to the General Committee.

S. 922 -- Senators Turner and Hembree: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 43 OF THE 1976 CODE, RELATING TO PUBLIC AID AND ASSISTANCE, BY ADDING SECTION 43-5-255, TO PROHIBIT THE DEPARTMENT OF SOCIAL SERVICES FROM ESTABLISHING FINANCIAL RESOURCE LIMITS APPLICABLE TO DETERMINING ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM THAT EXCEED FEDERAL LIMITS OR EXEMPTING HOUSEHOLDS FROM THE RESOURCE LIMITS.

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Read the first time and referred to the General Committee.

S. 923 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO DECLARE JANUARY 31, 2018, AS OMPHALOCELE AWARENESS DAY IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO LEARN MORE ABOUT OMPHALOCELE AND MORE ABOUT HOW THEY CAN SUPPORT OMPHALOCELE PATIENTS AND THEIR FAMILIES.

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

S. 924 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE JAMES P. "SONNY" DAVIS ON THE OCCASION OF HIS RETIREMENT FROM HONEA PATH TOWN COUNCIL AND TO THANK HIM FOR HIS DEDICATED SERVICE TO THE PEOPLE OF THE TOWN OF HONEA PATH.

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The Senate Resolution was adopted.

H. 4631 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT

[SJ]



**TUESDAY, JANUARY 23, 2018**

7:00 P.M. ON WEDNESDAY, JANUARY 24, 2018, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

H. 4646 -- Reps. Bryant, Pope, Simrill, Delleney, Felder, King, D. C. Moss, V. S. Moss and B. Newton: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY DETECTIVE MICHAEL R. DOTY OF THE YORK COUNTY SHERIFF'S OFFICE IN THE LINE OF DUTY AND TO EXPRESS TO HIS FAMILY THE DEEPEST SYMPATHY AND APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

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

**Message from the House**

Columbia, S.C., January 9, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.127, S. 662 by a vote of 86 to 3:

(R127, S662) -- Senators J. Matthews and Hutto: AN ACT TO CONSOLIDATE THE SCHOOL DISTRICTS IN ORANGEBURG COUNTY INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE ORANGEBURG COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE ORDERLY TRANSITION TO A SINGLE SCHOOL DISTRICT; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF TRUSTEES, ITS ELECTION, POWERS, AND DUTIES; TO PROVIDE THAT A DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES.

Very respectfully,  
Speaker of the House

Received as information.

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**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**READ THE THIRD TIME  
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 882 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUMES 15A AND 18 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE; AND TO ADOPT THE 2017 CUMULATIVE SUPPLEMENTS TO THE CODE OF LAWS AS PART OF THE CODE AND PROVIDE THAT THESE SUPPLEMENTS, VOLUMES AS SUPPLEMENTED BY THEM, AND THE REPLACEMENT VOLUMES CONSTITUTE THE ONLY GENERAL PERMANENT STATUTORY LAWS OF THE STATE AS OF JANUARY 1, 2018.

**CARRIED OVER**

H. 3929 -- Reps. Hiott, Pitts, Kirby, Forrest, Yow, Sandifer, Atkinson, Hayes, Hixon, V.S. Moss, S. Rivers, Magnuson, Long, Chumley, Burns, Loftis and Gagnon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-65 SO AS TO ESTABLISH SPECIFIC REQUIREMENTS FOR THE REVIEW AND APPEAL OF DECISIONS BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) REGARDING THE PERMITTING OF CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 44-1-60, AS AMENDED, RELATING TO APPEALS FROM DHEC DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEWING PERMITS FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES; TO AMEND SECTION 46-45-60, RELATING TO APPLICABILITY OR LOCAL ORDINANCES TO AGRICULTURAL OPERATIONS, SO AS TO CHANGE CERTAIN EXCEPTIONS; AND TO AMEND SECTION 46-45-80, RELATING TO SETBACK DISTANCES FOR CERTAIN AGRICULTURAL ANIMAL FACILITIES, SO AS TO PROHIBIT DHEC FROM REQUIRING

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ADDITIONAL SETBACK DISTANCES IF ESTABLISHED DISTANCES ARE ACHIEVED, TO PROHIBIT THE WAIVER OR REDUCTION OF SETBACK DISTANCES IF THEY ARE ACHIEVED, WITH EXCEPTIONS, WITHOUT WRITTEN CONSENT OF ADJOINING PROPERTY OWNERS, AND TO ALLOW DHEC TO REQUIRE CERTAIN BUFFERS.

On motion of Senator VERDIN, the Bill was carried over.

**AMENDED, CARRIED OVER**

S. 841 -- Agriculture and Natural Resources Committee: A BILL TO AMEND SECTION 22-1-17(A) OF THE 1976 CODE, RELATING TO CONTINUING EDUCATION FOR MAGISTRATES, TO PROVIDE THAT CONTINUING EDUCATION FOR MAGISTRATES MUST REQUIRE TWO HOURS OF EDUCATION IN THE AREA OF ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE THAT A PERSON WHO CRUELLY TETHERS A DOG IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE PUNISHED BY IMPRISONMENT NOT EXCEEDING NINETY DAYS OR BY A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS, OR BOTH, FOR A FIRST OFFENSE, OR BY IMPRISONMENT NOT EXCEEDING TWO YEARS OR BY A FINE NOT EXCEEDING TWO THOUSAND DOLLARS, OR BOTH, FOR A SECOND OR SUBSEQUENT OFFENSE; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE THAT ALL HEALTHY, UNIDENTIFIABLE CATS FOUND OR PICKED UP FROM AN OUTSIDE AREA AND CONSIDERED STRAY MAY BE STERILIZED WITHIN TWENTY-FOUR HOURS AND THEN RETURNED TO THE AREA IN WHICH THEY WERE FOUND TWENTY-FOUR HOURS AFTER SURGERY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL UNDER THE PROVISIONS OF SECTION 47-1-150 AND THAT PROVIDES

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SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AT THE BEGINNING OF EACH FISCAL YEAR AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, SUBJECT TO THE JURISDICTION OF THIS STATE, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE IF AN OFFICIAL DECLARATION OF A STATE OF EMERGENCY HAS BEEN MADE BY THE GOVERNOR AND AN OFFICIAL INVITATION HAS BEEN EXTENDED TO THE VETERINARIAN OR VETERINARY TECHNICIAN FOR A SPECIFIED TIME BY THE GOVERNOR WITHIN OR OUTSIDE THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTERING STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE

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INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO, SHEHEEN, RANKIN, and VERDIN proposed the following amendment (JUD0841.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 11 through 16, and inserting therein the following:

/ TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, SO AS TO PROVIDE THAT, EVERY FOUR YEARS, AT THEIR MANDATORY CONTINUING LEGAL EDUCATION PROGRAMS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 /

Amend the bill further, as and if amended, page 3, lines 10 through 22, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Chapter 1, Title 47 of the 1976 Code is amended by adding:

“Section 47-1-225. Every four years, at their mandatory continuing legal education programs, magistrates and municipal court judges must receive at least two hours of instruction on issues concerning animal cruelty. The content of the continuing legal education must be determined by the South Carolina Court Administration at the direction of the Chief Justice of the South Carolina Supreme Court.” /

Re-number sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

On motion of Senator VERDIN, the Bill was carried over.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

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**MOTION ADOPTED**

At 4:01 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**Message from the House**

Columbia, S.C., January 9, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 13 by the Governor on R128, H. 3720 by a vote of 81 to 22:

**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 13 Part IB, Page 405, Section 81, Department of Labor, Licensing and Regulation - Proviso 81.13, LLR: Amusement Park Rides**

Respectfully submitted,  
Speaker of the House

Received as information.

**VETO 13 OVERRIDDEN**

**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 13 Part IB, Page 405, Section 81, Department of Labor, Licensing and Regulation - Proviso 81.13, LLR: Amusement Park Rides**

Senator SETZLER moved that the veto be taken up for immediate consideration.

Senator SHEHEEN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

**Ayes 39; Nays 1; Abstain 1**

**AYES**

Alexander

Allen

Campbell

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Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Martin
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams

**Total--39**

**NAYS**

Massey

**Total--1**

**ABSTAIN**

Young

**Total--1**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., January 9, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 28 by the Governor on R128, H. 3720 by a vote of 86 to 24:

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**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 28 Part IB, Page 356, Section 34, Department of Health and Environmental Control - Proviso 34.59, DHEC: Alida Street Project**

Respectfully submitted,  
Speaker of the House

Received as information.

**SUSTAINED**

**RECONSIDERED AND OVERRIDDEN**

**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 28 Part IB, Page 356, Section 34, Department of Health and Environmental Control - Proviso 34.59, DHEC: Alida Street Project**

Senator SETZLER asked unanimous consent to take up Veto 28.

**Motion Adopted**

On motion of Senator SETZLER, the vote whereby Veto 28 was sustained was reconsidered.

Senator ALEXANDER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

**Ayes 39; Nays 2**

**AYES**

Alexander	Allen	Campbell
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Senn
Setzler	Shealy	Sheheen

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Talley	Timmons	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

Cash	Rice
------	------

**Total--2**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., January 9, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 29 by the Governor on R128, H. 3720 by a vote of 86 to 22:

**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 29 Part IB, Page 374, Section 49, Department of Parks, Recreation and Tourism - Proviso 49.18, PRT: Horry County Museum**

Respectfully submitted,

Speaker of the House

Received as information.

**SUSTAINED**

**RECONSIDERED AND OVERRIDDEN**

**R128, H. 3720--GENERAL APPROPRIATIONS ACT**

**Veto 29 Part IB, Page 374, Section 49, Department of Parks, Recreation and Tourism - Proviso 49.18, PRT: Horry County Museum**

**Motion Adopted**

On motion of Senator SETZLER, the vote whereby Veto 29 was sustained was reconsidered.

Senator SETZLER spoke on the veto.

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The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

**Ayes 26; Nays 15**

**AYES**

Alexander	Allen	Campbell
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Setzler	Sheheen
Williams	Young	

**Total--26**

**NAYS**

Cash	Climer	Corbin
Davis	Malloy	Martin
Massey	Peeler	Rice
Senn	Shealy	Talley
Timmons	Turner	Verdin

**Total--15**

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

**Motion Adopted**

On motion of Senator MALLOY, the vote whereby Veto 29 was sustained was reconsidered.

Senator MALLOY spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

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**Ayes 29; Nays 9**

**AYES**

Alexander	Allen	Campbell
Campsen	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	McElveen
McLeod	Nicholson	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Turner
Williams	Young	

**Total--29**

**NAYS**

Cash	Climer	Corbin
Martin	Massey	Peeler
Rice	Talley	Timmons

**Total--9**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Motion Adopted**

Senator SETZLER moved to carry over all further vetoes on H. 3720.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**RECOMMITTED**

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

**TUESDAY, JANUARY 23, 2018**

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.

The Senate proceeded to the consideration of the Bill.

Senator HUTTO moved to recommit the Bill to the Committee on Judiciary.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

H. 3653 -- Reps. Forrester, Yow, Loftis, Henegan, Spires, Anderson, Burns, V.S. Moss, Crawford, Hamilton, Felder, Norman, Anthony, Chumley, Erickson, Gagnon, Hayes, Henderson, Hosey, Jefferson, S. Rivers, Ryhal, Sandifer, Thayer, Willis, Atkinson, Alexander, West, Hixon, Murphy, Arrington, Bennett and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 24 TO TITLE 31 SO AS TO PROVIDE THE OPERATIONS OR EXPANSIONS OF MANUFACTURING AND INDUSTRIAL FACILITIES MAY NOT BE CONSIDERED PUBLIC OR PRIVATE NUISANCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE RELATED FINDINGS, TO EXPLICITLY PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES TO THE CONTRARY, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE CONSTRUED TO MODIFY STATUTORY EMINENT DOMAIN LAWS OR ENVIRONMENTAL LAWS, AND TO PROVIDE THE PROVISIONS OF THIS ACT DO NOT APPLY TO NUISANCE ACTIONS COMMENCED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS CHAPTER.

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

Senator MASSEY spoke on the Bill.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable William "Bill" Kimbrough Charles, Jr. of Greenwood, S.C. Bill served during World War II in the United States Marine Corps. He worked at Charles & Charles Law Firm and later served as City Attorney for the City of Greenwood for over twenty years. He became a Family Court Judge from 1983 - 1997. Bill was a life-long member of Main Street United Methodist Church and was a member of the Kiwanis Club, Greenwood Country Club and Gatewood Club. He enjoyed playing golf, telling stories and listening to swing music. Bill was a loving husband, devoted son and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 4:57 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 12:00 Noon.

\* \* \*

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