

NO. 10

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

WEDNESDAY, JANUARY 24, 2018

Wednesday, January 24, 2018
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator GOLDFINCH.

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

1 Samuel 3:4, 8b, 9

Then the Lord called, "Samuel! Samuel!" and he said "Here I am!"... Then Eli perceived that the Lord was calling the boy. Therefore Eli said to Samuel, "Go, lie down; and if he calls you, you shall say, 'Speak, Lord, for your servant is listening.'"

Let us pray. Gracious and loving God, over the centuries You have spoken to Your people in many different ways -- some are dramatic and some are very subtle. Many times we are not sure it is You that speaks to us. You, O God are a powerful God and we know that You can speak to us clearly or through other people and life situations. So how do we know it is You speaking? By boldly moving in the direction of Your call knowing full well that if it is Your voice, our actions will bear fruit and glorify You.

Empower us now, O God to take a leap of faith in the direction of Your call whether it be dramatic or subtle. For through You all things are possible. Amen

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

Point of Quorum

At 12:02 P.M., Senator SETZLER 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
Campbell	Campsen	Climer
Corbin	Cromer	Davis

[SJ]

1

WEDNESDAY, JANUARY 24, 2018

Gambrell	Goldfinch	Kimpson
Leatherman	Malloy	Martin
Massey	<i>Matthews, John</i>	McElveen
Nicholson	Peeler	Rice
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Williams		

A quorum being present, the Senate resumed.

Recorded Presence

Senators YOUNG and GROOMS recorded their presence subsequent to the Call of the Senate.

Doctor of the Day

Senators JOHNSON and McELVEEN introduced Dr. Gary R. Culbertson of Sumter, S.C., Doctor of the Day.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 761	Sen. Fanning
S. 764	Sen. Fanning
S. 765	Sen. Fanning
S. 766	Sens Talley, Climer, Massey, Davis, Hembree, McElveen, Rice, Fanning, McLeod, Cash, Turner, Bennett
S. 771	Sen. Fanning
S. 772	Sen. Fanning
S. 816	Sen. Fanning
S. 817	Sen. Fanning
S. 839	Sen. Fanning
S. 840	Sen. Fanning
S. 890	Sen. Cromer

WEDNESDAY, JANUARY 24, 2018

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 925 -- Senator Bennett: A BILL TO AMEND SECTION 16-3-910 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO KIDNAPPING, TO INCLUDE THE OFFENSE OF ATTEMPT TO KIDNAP; AND TO AMEND ARTICLE 9, CHAPTER 3, TITLE 16 TO ADD SECTION 16-3-930 TO CREATE THE OFFENSE OF LURING OR ATTEMPTING TO LURE A CHILD UNDER THE AGE OF THIRTEEN WITH INTENT TO COMMIT A CRIME; TO ESTABLISH PENALTIES AND AFFIRMATIVE DEFENSES.

l:\s-jud\bill\benett\jud0067.rem.docx

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

S. 926 -- Senator M. B. Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-1-350 SO AS TO ESTABLISH REQUIREMENTS BEFORE CERTAIN FACILITIES CAN PRESENT AN ARBITRATION AGREEMENT TO A PERSON FOR EXECUTION PRIOR TO RECEIVING SERVICES FROM THE FACILITY, AND FOR OTHER PURPOSES.

l:\council\bill\cc\15196vr18.docx

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

S. 927 -- Senators Campsen, Rice, Davis, Campbell, Cromer and Senn: A BILL TO ENACT THE "BEACHFRONT MANAGEMENT REFORM ACT," BY AMENDING SECTION 48-39-280 OF THE 1976 CODE, RELATING TO THE FORTY-YEAR RETREAT POLICY FOR COASTAL TIDELANDS AND WETLANDS, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL ESTABLISH BASELINES AND SETBACK LINES FOR ALL GEOGRAPHIC AREAS WHERE BASELINES AND SETBACK LINES WERE ESTABLISHED ON OR BEFORE JANUARY 31, 2012, TO PROVIDE THAT THE BASELINES AND SETBACK LINES MUST BE ESTABLISHED ANEW NOT LESS THAN EVERY SEVEN YEARS BUT NOT MORE THAN EVERY TEN YEARS FOLLOWING AN ESTABLISHMENT CYCLE AND MUST BE BASED UPON THE BEST AVAILABLE DATA COLLECTED, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROVIDE

[SJ]

WEDNESDAY, JANUARY 24, 2018

FOR A NOTICE AND COMMENT PERIOD TO THE PUBLIC REGARDING NEW BASELINES AND SETBACK LINES, TO PROVIDE THAT THE CREST OF A PRIMARY OCEANFRONT SAND DUNE MAY NOT BE LOCATED IN AN AREA WITHIN ONE YEAR FOLLOWING A SIGNIFICANT STORM EVENT, AND TO PROVIDE FOR A REVIEW PROCESS FOR LANDOWNERS WHO MAY BE ADVERSELY AFFECTED BY THE ESTABLISHMENT OF A BASELINE OR SETBACK LINE; BY AMENDING SECTION 44-1-60(A) OF THE 1976 CODE, RELATING TO APPEALS FROM DEPARTMENT OF ENVIRONMENTAL HEALTH AND CONTROL DECISIONS, TO EXEMPT THE DECISION TO ESTABLISH A BASELINE OR SETBACK LINE FROM THIS SECTION; AND BY DEFINING NECESSARY TERMS.

l:\s-res\gec\016base.dmr.gec.docx

Senator CAMPSER spoke on the Bill.

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

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

l:\council\bills\ggs\22058zw18.docx

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

S. 929 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE TUESDAY, FEBRUARY 6, 2018 AS "CITIES MEAN BUSINESS DAY" AND TO HONOR THE VALUABLE CONTRIBUTIONS THAT SOUTH CAROLINA CITIES AND TOWNS MAKE TO THE STATE'S ECONOMIC PROSPERITY THROUGH THEIR RELATIONSHIPS WITH LOCAL BUSINESSES.

l:\s-res\ngs\027hld.kmm.ngs.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

[SJ]

WEDNESDAY, JANUARY 24, 2018

H. 4668 -- Reps. Hewitt, Anderson, Alexander, Allison, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BATTALION CHIEF JOSHUA CARNEY OF HORRY COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

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

H. 4669 -- Reps. Clemmons, Weeks, Erickson, Crawford, Hiott, Forrester, G. R. Smith, Bernstein, Bennett, Rutherford, Douglas, Felder, Funderburk, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crosby, Daning, Davis, Delleney, Dillard, Duckworth, Elliott, Finlay, Forrest, Fry, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, 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, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Spires, Stavrinakis,

WEDNESDAY, JANUARY 24, 2018

Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SEVENTIETH ANNIVERSARY OF THE FOUNDING OF THE MODERN STATE OF ISRAEL AND TO REAFFIRM THE BONDS OF CLOSE FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF SOUTH CAROLINA AND ISRAEL.

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

REPORTS OF STANDING COMMITTEES

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

S. 587 -- Senators Timmons, Talley, Rice, Turner and Climer: A BILL TO AMEND SECTION 12-43-220(c) OF THE 1976 CODE, RELATING TO ASSESSMENT RATIOS, TO PROVIDE THAT, WHEN AN OWNER RECEIVING THE FOUR PERCENT ASSESSMENT RATIO DIES, THE PROPERTY SHALL CONTINUE TO RECEIVE THE SPECIAL ASSESSMENT RATE UNTIL THE DECEDENT'S ESTATE IS CLOSED, SO LONG AS THE PROPERTY IS NOT RENTED.

Ordered for consideration tomorrow.

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

S. 759 -- Senator Rankin: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW AN EXEMPTION FOR THE DWELLING HOUSE AND ONE ACRE OF LAND FOR A PERSON WITH A BRAIN OR SPINAL CORD INJURY.

Ordered for consideration tomorrow.

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

S. 793 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PROPERTY TAX PROCEDURE ACT"; TO AMEND SECTION 12-60-30, RELATING TO SOUTH CAROLINA REVENUE PROCEDURES DEFINITIONS, SO AS TO PROVIDE DEFINITIONS; TO AMEND SECTION 12-60-450, RELATING TO APPEALS OF PROPOSED

WEDNESDAY, JANUARY 24, 2018

ASSESSMENTS, SO AS TO REQUIRE THE DEPARTMENT TO NOTIFY AFFECTED COUNTIES IN CERTAIN INSTANCES; TO AMEND SECTION 12-60-2120, RELATING TO PROPERTY TAX APPEALS BY WRITTEN PROTEST, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY ANY AFFECTED COUNTIES OF A WRITTEN PROTEST; TO AMEND SECTION 12-60-2140, RELATING TO CERTAIN PAYMENTS AND REFUNDS, SO AS TO PROVIDE THAT NO REFUND IS DUE FOR ANY TAX YEAR BEFORE THE THREE TAX YEARS IMMEDIATELY PRECEDING THE FINAL DETERMINATION; AND TO AMEND SECTION 12-60-2150, RELATING TO FILING A CLAIM FOR A REFUND, SO AS TO PROVIDE FOR CERTAIN NOTIFICATIONS AND TO PROVIDE THAT A FAILURE TO TIMELY ISSUE A WRITTEN NOTICE IS CONSIDERED A DENIAL.

Ordered for consideration tomorrow.

Appointments Reported

Senator PEELER from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2016, and to expire June 30, 2020

2nd Congressional District:

Lorri Shealy Unumb, 125 Ashworth Drive, Lexington, SC 29072
VICE William O. Danielson

Received as information.

Initial Appointment, Director of Department of Alcohol and Other Drug Abuse Services, with term coterminous with Governor

Sara A. Goldsby, 2311 Park Street, Columbia, SC 29201

Received as information.

WEDNESDAY, JANUARY 24, 2018

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

Director:

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

Received as information.

HOUSE CONCURRENCES

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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

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.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, 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,

[SJ]

WEDNESDAY, JANUARY 24, 2018

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.

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

Amendment No. 1A

Senator YOUNG proposed the following amendment (3653R006.DR.TRY), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 27 through 29 and inserting:

/ (1) is operating pursuant to and in compliance with the requisite licenses, permits, certifications, or authorizations under the applicable federal and state environmental law; and /

Amend the bill further, as and if amended, page 3, by striking lines 10 through 12 and inserting:

/ Section 31-24-150. The provisions of this chapter may not be construed as modifying a provision of existing statutory eminent domain or environmental law nor as affecting common law claims of trespass or negligent operation. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG spoke on the amendment.

The amendment was adopted.

WEDNESDAY, JANUARY 24, 2018

Amendment No. 2

Senator MASSEY proposed the following amendment (3653R007.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 14-21 and inserting:

/ Section 31-24-120. (A) ‘Manufacturing sector’ means establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including, but not limited to, plants, factories, or mills, and characteristically use power-driven machines and materials-handling equipment.

(B) ‘Transportation and warehousing sector’ means industries providing transportation of passengers and cargo, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation by air, rail, water, road, and pipeline.

(C) ‘Manufacturing and industrial facility’ means any facility that operates in a manufacturing sector or transportation and warehousing sector, including, but not limited to, any land, building, structure, pond, impoundment, appurtenance, machinery, or equipment used for manufacturing, processing, distribution, warehousing, and technology intensive operations. /

Re-number sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

Amendment No. 3

Senator SHEHEEN proposed the following amendment (3653VS6):

Amend the bill, as and if amended, page 2, by striking lines 14-21 and inserting:

/ Section 31-24-120. For purposes of this chapter, ‘manufacturing or industrial facility’ means any facility that operates under North American Industry Classification System codes 48-49 (Transportation and Warehousing), including, but not limited to, any land, building, structure, pond, impoundment, appurtenance, machinery, or equipment used for manufacturing, processing, distribution, warehousing, and technology intensive operations. /

Re-number sections to conform.

WEDNESDAY, JANUARY 24, 2018

Amend title to conform.

Senator SHEHEEN spoke on the amendment.

PRESIDENT PRESIDES

At 1:27 P.M., the PRESIDENT assumed the Chair.

Senator SHEHEEN spoke on the amendment.

Motion Adopted

On motion of Senator YOUNG, with unanimous consent, Senators McLEOD, McELVEEN, TIMMONS, CLIMER and YOUNG were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator SHEHEEN resumed speaking on the amendment.

ACTING PRESIDENT PRESIDES

At 3:19 P.M., Senator CROMER assumed the Chair.

Senator SHEHEEN resumed speaking on the amendment.

Debate was interrupted by recess.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed that, when the Senate completed its business today, the Senate would stand in recess until 6:40 P.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would stand adjourned to meet at 11:00 A.M. tomorrow

RECESS

At 4:46 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 6:40 P.M.

At 6:40 P.M., the Senate resumed.

NIGHT SESSION

The Senate assembled at 6:40 P.M. and was called to order by the PRESIDENT.

WEDNESDAY, JANUARY 24, 2018

Committee to Escort

The PRESIDENT appointed Senators PEELER, REESE, MASSEY, SHEALY and BRIGHT-MATTHEWS to escort the Honorable Henry D. McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:55 P.M., the Senate recessed for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

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

The Honorable Henry D. McMaster, and members of his party, were escorted to the rostrum by Senators PEELER, REESE, MASSEY, SHEALY and BRIGHT-MATTHEWS and Representatives Bennett, Bryant, Hamilton, Funderburk, Henegan and Putnam.

The PRESIDENT of the Senate introduced the Honorable Henry D. McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

State of the State Address

Mr. Speaker, Mr. PRESIDENT, Ladies and Gentlemen of the General Assembly, Constitutional Officers, and my fellow South Carolinians:

I begin tonight by recognizing those South Carolinians in uniform no longer with us – who gave their lives in the line of duty, and in service to us all.

Corporal James Eric Chapman, of the Johnston Police Department;

Trooper Daniel Keith Rebman, Jr., of the South Carolina Highway Patrol;

Master Deputy Devin Pressley Hodges, of the Anderson County Sheriff's Office;

Officer Jason Gregory Harris, of the Spartanburg Police Department;

[SJ]

WEDNESDAY, JANUARY 24, 2018

Detective Michael Robert Doty of the York County Sheriff's Office;
And Specialist Javion Shavonte Sullivan, United States Army, of Fort
Mill, who gave his life in Iraq in support of Operation Inherent Resolve.

To the families and loved ones of these six men, on behalf of all South
Carolinians, we share your sadness, honor their service and wish you
strength.

To my wife Peggy and my children, Henry and Mary Rogers, and to
the members of my Cabinet: I thank you for your support.

Ladies and gentlemen, our State is strong.

Today, we stand at the dawn of a NEW PROSPERITY. In the history
of our great country, this is our time.

To those generations of South Carolinians who have fought, toiled and
labored -- I say: Thank you.

To those of us here tonight who have inherited the richness, beauty
and brilliance of this land -- and the fruits of our predecessors' talents
and imaginations -- I say: Let us not hesitate, stumble or stall, but let us
act.

Let us open our eyes. Let us focus our energies on the vast
opportunities which can be ours. Knowing yet, that though they are vast,
they are also fleeting.

And to the young ones of today, those born and yet to be born, we
pledge to you now that when our work is done, we will be able to say to
you:

We have done our best. We have kept the faith. We have accepted the
treasures and accomplishments of South Carolina -- enhanced them, built
upon them -- and now we give them to you.

May you see our time not as one of petty squabbles, ambitions or
bickering -- and not one of favor to friend or punishment of foe -- but
one of vision, principled service and sacrifice for you, our children. And
yours to come. And theirs.

I am confident that in this Assembly and in others throughout our
State, there are men and women of good will and determination who can
forge the ideas, hopes and dreams of our people today -- and the wisdom
of the centuries -- into a force which can lift our state into an era of
prosperity, strength and happiness unlike any we have seen before.

So, with the freshness and promise of this new year, let us begin.

In 2017, we announced more than 17,000 new jobs from over 120
economic development projects, with nearly \$5 billion in new capital
investment.

WEDNESDAY, JANUARY 24, 2018

In this, we welcomed new friends to our South Carolina family, through new businesses or expansions. These companies have placed great faith in our people, as we have in them. Some are here tonight.

Representing Samsung, Mr. Joon So and Mr. Tony Fraley;

Representing Volvo, Ms. Katarina Fjording and Ms. Katherine Yehl;

Representing BMW, Mr. Alfred Haas;

Representing Magna, Mr. Steve Salvatore and Ms. Misti Rice;

And, representing Harbor Freight Tools, Mr. Robby Roberson and Mr. David Matthews.

Ladies and gentlemen, we welcome you to this historic State House.

We have a lot to offer. Our port in Charleston will soon be the deepest on the eastern seaboard. Our two inland ports in Dillon and Greer provide unique logistical strength. And we have three research universities and a world-renowned technical college system.

But newcomers all tell us the same thing: it's our people who make the biggest difference. South Carolina is a "handshake state." When someone from South Carolina gives you their word, they keep it.

My word to you, the people of South Carolina, is that I will do whatever it takes to continue the success we see today, to keep and enhance our competitive edge and build for an even better tomorrow.

The recent Tax Reform Bill signed by President Trump was a great victory for American taxpayers and our economy. Companies have already begun announcing reinvestment and raises for employees.

But with the federal government cutting taxes, it is now more important than ever for us to do our part. I recently unveiled my executive budget, which proposes a \$2.2 billion tax cut for every South Carolinian.

The first year's cut amounts to \$139 million. To all the South Carolinians listening tonight: that's \$139 million that would have gone to government, and will stay with you instead.

Also under my plan, retired veterans, first responders and law officers will never pay state income taxes on their retirement pay again -- ever.

This tax relief not only enhances their compensation during their retirement years, but also strengthens recruitment and retention. It reaffirms the unwavering commitment of South Carolinians to the people who have chosen to serve.

We thank you for your service.

Like Presidents Reagan, Kennedy and now Trump, I believe that low taxes spur economic growth and prosperity. Yet, South Carolina currently has the highest marginal income tax rate in the southeast -- the

WEDNESDAY, JANUARY 24, 2018

12th highest in the nation. Seven states have no income tax at all. Taxes of all kinds at all levels add up -- little by little -- to smother growth.

We must act. We must heed the lessons of history. We must respect the right of the people to their own money, for their own purposes, according to their own priorities.

Today, the nations of the world are transitioning into a new kind of economy. Information, goods and services are moving with lightning speed. Language is no barrier and neither is distance. Workers who previously carried tool boxes now carry tablets.

In South Carolina, our workforce must keep pace with our own success. Despite our low unemployment rate, we still have an estimated 60,000 jobs available throughout the state. That number is expected to grow. Good paying jobs.

We must invest in our workforce development institutions. Fortunately, we have the talent, vision and means to do just that.

Dr. Tim Hardee is here tonight representing the South Carolina Technical College System, the engine of our economic and workforce development.

We should use this magnificent system to the fullest extent. To that end, I'm calling for the creation of the South Carolina Workforce Partnership.

This new initiative will connect businesses with high schools and technical colleges to collaborate on internships, dual credit and certificate programs for students interested in the skilled trades -- focused on rural areas of our state.

My budget also increases funding for Workforce Scholarships and Grants -- so that more students can access the financial resources to obtain certificates and associate's degrees at our technical colleges.

Just as we cannot have a thriving economy without an educated workforce, we cannot have a productive educational system without economic growth. When a school district prospers, the schools *in* that district prosper.

We know that South Carolina has some of the best educators in the country. We have with us tonight the 2017 National Principal of the Year, Dr. Akil Ross from Chapin High School.

Dr. Ross represents the kind of educator we must have; men and women who are not just good teachers, but role models as well.

I recently visited most of the school districts in the *Abbeville* case. One thing is clear: the words "minimally adequate" bear absolutely no relation to our aspirations for our children.

So what do we want? And what must we do?

WEDNESDAY, JANUARY 24, 2018

We want a multifaceted system, anchored by traditional public schools boasting the best teachers, principals and technologies. We want charter schools -- all public -- to flourish, including those for children with special needs. Parents want vigorous, accountable, innovative school choice.

So how do we accomplish this?

After meeting with educators, parents and students with this question in mind, I offer these observations:

Poverty is the enemy of education; some of our children, through no fault of their own, live in circumstances so bleak that intellectual stimulation and learning are but fleeting experiences. Ultimately, gainful employment of the parents or adults in the home offers the surest deliverance of the child into educated society.

But economic development often comes slowly, and is easily outpaced by the child's birthdays. What can be done in the meantime?

Good teachers and good principals clearly are the key to success. There is rarely a child who will not or cannot be taught. The key is not trying to pour knowledge in, but rather opening eyes and imaginations and letting eagerness and fascination out. A good teacher can do this.

Clemson's Call Me MISTER program works to increase the pool of available teachers and principals from diverse backgrounds. My executive budget invests more for this important initiative.

But our work will require systemic reforms.

The *Abbeville* Court's observation about administrative costs being disproportionate to school district size remains both accurate and astute. Spiraling administrative costs have a direct impact on educational outcomes. Consolidating small districts will reduce costs, limit duplication and put more money and resources where they belong: in the classrooms.

A Department of Education study recently identified up to \$338 million in savings over five years if consolidation efforts are undertaken. We must realize such savings -- in school districts and across all of state government.

Recruiting new jobs and economic investment will do more to improve educational opportunity than simply sending money from Columbia. Yet, students must have the resources to reach their full potential. My executive budget invests in "base student cost" for South Carolina's public schools, and provides \$3.3 million to train new computer science and coding teachers for classroom instruction in every school in the state.

WEDNESDAY, JANUARY 24, 2018

This will help us align our educational system with the technological necessities of the new economy.

We must continue to invest in school choice. A robust charter school program allows parents to choose the education opportunities that best suit their children. With the entry of Erskine College as a new charter authorizer, we are expanding choice across the state.

My executive budget increases per-pupil funding for charter schools, and establishes a transportation program to reduce barriers to access.

Last year, the House and Senate passed their own versions of legislation which would bring more accountability to our education system by making the Superintendent of Education a Cabinet-level position. The General Assembly has debated this for years. Now, you have the legislation before you -- again. I urge you to pass it this year.

Teachers cannot teach and students cannot learn when distracted or threatened. Too often we have seen crime and violence find their way into our classrooms. A safe learning environment can be enhanced by the presence of a certified, trained police officer as a shield against disruption and tragedy.

My budget provides \$5 million for a need-based grant program to place these officers in schools. I ask each member of the General Assembly to work with me to station a trained police officer in every school, in every county, on every campus, all day, every day.

Prosperity requires law and order. We cannot tolerate lawlessness. That means we must say “no” to “sanctuary cities.”

Right now, there is no way for the people of South Carolina -- or elsewhere -- to know for sure whether our local governments are following state and federal immigration laws.

Experience shows that a refusal to enforce one law generally reflects a softness in enforcing other criminal laws, and attracts criminal behavior.

Our rule is “trust, but verify.” I thank Representative Bruce Bannister and Senator REX RICE for introducing bills which would create an enforcement mechanism to register compliance. This legislation will make our position clear. I ask the General Assembly to pass it immediately.

We will keep our people safe, and send a message across the nation that there will be no “sanctuary cities” in South Carolina.

We also face threats from inside our prisons. Today, cell phones are so concealable and available that they have revolutionized criminal activity. With cell phones smuggled inside the prison or secretly thrown over the wall, inmates and their conspirators on the outside can practice

WEDNESDAY, JANUARY 24, 2018

extortion, conduct blackmail, plan and execute “hits,” operate drug rings and run any number of fraud schemes. It is as though they never got caught.

Bryan Stirling, our Director of the Department of Corrections, is leading the national effort to repeal the federal law which prohibits us from jamming these phone signals. Until we accomplish that, we must take every action, try every idea and implement any law which will stop these criminals. I ask for your determined assistance.

Another threat we now face comes in pill form. The opioid epidemic is affecting every state in the country. But it’s not a typical crime problem; it’s a crisis born of human pain and suffering.

54% of the pills on the street come from your neighbor’s medicine cabinet in an unused prescription of too many pills.

For the last three years, we had more opioid-related deaths in South Carolina than homicides and drunk driving deaths combined. In 2016, this “silent hurricane” killed 616 people.

And it’s not just pills. Addictions intensify from one substance to another. From 2014 to 2016, heroin deaths increased 67%. Since 2015, SLED has seen a more than 700% increase in the number of cases involving fentanyl-related compounds.

We must take a bold new approach to this unprecedented threat. It consists of a “full court press,” including awareness, information and treatment.

Last month, I declared a statewide public health emergency in South Carolina. This allows us to bring the full power of the state’s emergency management infrastructure, health care apparatus and law enforcement resources to bear -- as a single team -- upon the growing epidemic of opioid deaths, addiction and abuse.

A comprehensive, informational website has been established. Doctors are warning patients that opioids which make the procedure pain-free may also make the patient an addict. Disposal protocols are being enshrined. Our task force is scouring the country for ideas that work -- and we will produce results.

In addition, my executive budget provides more than \$10 million for treatment, prevention and education.

I’d like to take a moment to recognize a man who has demonstrated inspirational leadership and courage in challenging the opioid crisis -- Representative Eric Bedingfield. Mr. Bedingfield retired last week after ten years in the House of Representatives. Today, I had the honor of presenting him with the Order of the Palmetto on behalf of five million grateful South Carolinians, but the sentiment bears repeating.

WEDNESDAY, JANUARY 24, 2018

Eric, thank you for your service to the State of South Carolina.

The most important function of government is providing for the safety and security of the people. That extends to all life -- born and unborn, young and old.

I believe that human life begins at conception. That's why, in August, I directed state agencies to stop providing state funds to abortion clinics.

This right to life is the most precious of rights -- and the most fragile. We must never let it be taken for granted.

Nor can we take for granted our precious natural resources which define and sustain us, from the mountains to the sea.

South Carolina's beaches, sea islands and marshes are the most beautiful in the nation, bringing 29 million people to South Carolina every year and supporting a \$20 billion tourism industry.

From Little River and Myrtle Beach, to Georgetown and Charleston, to Hilton Head and Beaufort and Daufuskie Island, our economy and culture depend on a living, pristine coastline. Every municipality along our coast has voted to oppose drilling and seismic testing. They are right.

With offshore drilling comes the construction of onshore infrastructure -- refineries, gas storage tanks, maintenance and operating facilities, trucks and traffic. We have no place to put it. It is incompatible with everything we have and do on our coast.

Oil spills, like hurricanes, can disrupt and damage a state's economy. We cannot stop hurricanes, but we can avoid oil spills. We cannot take a chance. We must do whatever it takes to preserve this economic paradise we call "the beach, the marsh, the coast and the lowcountry." It is made of gold.

South Carolinians must be able to trust those they elect to represent them.

Two years ago, Governor Haley commissioned Attorney General Travis Medlock and me to co-chair the Ethics Reform Commission. Our group proposed sweeping reforms -- some of which have been implemented, some not. My goal as Governor is to see them all implemented.

That means stronger and expanded investigative authority for the State Ethics Commission -- to obtain, verify and investigate campaign finance disclosures and statements of economic interest.

It means requiring legislators to recuse themselves from participating when conflicts exist. And it means everyone complying with the Freedom of Information Act.

Today, the legislature is shielded from Freedom of Information Act requests. That destroys public confidence. This exemption must end.

WEDNESDAY, JANUARY 24, 2018

But ethics reform doesn't start and stop at the State House. It extends to every city hall, county council and school district. Ironically, these government bodies which are closest to the people conduct business with the least transparency of all.

For example, citizens have no way of knowing who is being paid to lobby to raise their school millage rates, change zoning laws or obtain easements across their backyard.

I ask you to join me in making sure that anybody who is paid to lobby county councils, city councils, school boards or anything else be required to register as a lobbyist.

You send me the bills to strengthen the public's trust in government, and I will sign them.

We must also earn the public's trust every day in deciding whether to spend their money. State government can no longer afford to buy, maintain and repair buildings and vehicles which wear out and depreciate. We should not own many of them in the first place.

So, my executive budget requires state agencies to save money by leasing, renting and consolidating administrative services through the Department of Administration. It also establishes a new property management process to provide for maximum efficiency in the use of those facilities we do own, and those we lease in the future.

A recent report from the Department showed that by consolidating IT services, we saved over \$14 million in twelve months.

Another example: a year ago, agents at Probation, Parole and Pardon Services needed more vehicles – sometimes they were assigned three to a car. Director Jerry Adger saw his chance. Instead of buying vehicles, he leased them from the state fleet, and was able to get twice as many cars -- for half the cost.

There's no reason we cannot extend this "shared services" model across other agencies with similar functions -- human resources, accounts payable, procurement, budgeting, reporting and maintenance.

Here's the point: Let's let the taxpayers keep their money.

This session, we must take further action to address the ongoing crisis in our pension system. We are now facing a \$24 billion unfunded liability which threatens our long-term stability.

In April, we enacted legislation increasing employee and employer contributions for the South Carolina Retirement System and the Police Officers Retirement System. This was the only way to immediately begin reducing this unfunded liability. Now we must finish our work.

I believe we must close the current "defined benefit plan" and move to a "defined contribution plan" for new employees. And, as I asked the

WEDNESDAY, JANUARY 24, 2018

Joint Committee on Pension Systems Review, we should consider: enhanced contributions which recognize employees' years of service, the elimination of unfunded cost-of-living adjustments and raising the age of retirement eligibility.

We must maintain our commitment to the many people who rely on our state retirement systems. We must protect the taxpayers from bearing the financial burden caused by delay. And we must do it now, before this body adjourns.

South Carolina's bright economic future and continued job growth require an abundant supply of clean and affordable energy. Without it, we are at a competitive disadvantage.

Santee Cooper's and SCANA's decisions to suspend and abandon the construction of two nuclear reactors at the V.C. Summer Nuclear Station require us to take action immediately, but carefully.

Customers of Santee Cooper and SCANA have already paid billions for this project. Now, they face the prospect of also being charged for years in the future for reactors which may never be completed. This cannot happen.

We must carefully assess our situation. We must construct the best possible solution. The customers must either get the reactors or get their money back.

On Friday, the Office of Regulatory Staff produced an independent audit which contradicted the bleak scenario painted by SCANA's executives, concluding SCANA's bankruptcy to be "unlikely" if the Base Load Review Act is reformed.

In light of this new information, it is plainly irresponsible to allow SCANA or any prospective purchasers to continue collecting money from customers for this project. Send me a bill that replaces the Base Load Review Act and prevents ratepayers from being charged in the future for the abandoned reactors, and I will sign it. Send me a Bill that continues to place the financial burden of this corporate failure on South Carolina ratepayers, and I will veto it.

The interests of the ratepayers must come first.

Unlike SCANA, Santee Cooper has no stockholders to bear part or all of this debt. Santee Cooper is owned by the state. It is currently saddled with \$4.3 billion in debt from this project alone, with nothing to show for it. It also has another \$4 billion in other debt.

This debt will have to be paid. But it won't be paid from the sale of power from these two unfinished nuclear reactors. Santee Cooper will have no choice but to raise rates on customers. Their largest customer,

WEDNESDAY, JANUARY 24, 2018

the electric cooperatives, will be required to pay roughly 70% of it for the next 30 years.

The only feasible solution suggested so far is the sale of Santee Cooper.

As you know, I have been meeting with several companies which have expressed serious interest in buying Santee Cooper. Some have made proposals. Its value is well recognized.

I have informed all of these interested purchasers that the State will not consider *any* proposal which saddles the customers or taxpayers with Santee Cooper's debt.

There are powerful market and competitive forces at play here, as well as economic and legal consequences. All of us in this room have to be deliberate and wise. But being deliberate and wise does not mean we have to be tentative. We have to make the best decisions for the people, both now and for generations to come. I have great confidence in our people and our future.

There are other things we must do.

We must encourage the spirits of charity and volunteerism among our people, organizations and institutions, including our houses of worship, because government cannot and should not attempt to be all things to all people.

We must promote and celebrate excellence wherever we find it, whether in academics, industry, athletics or art, because excellence in one thing begets excellence in another.

And we must approach our duties not with the goal of managing scarcity but of creating abundance.

Above all, I ask that we reaffirm our commitment to being smart, innovative and doing more with less. Let the taxpayers keep more and more of their money. Let us build a state government which is efficient, transparent and accountable, and let our service be distinguished by wisdom, vision and steady hands.

As I close, I am reminded that the scriptures tell us to be awake, for we know neither the day nor the hour in which the moments of opportunity will come. I believe such moments are here. This is our time.

So, let us seize this day, and each which follows. Let us recognize that there is no power in a small idea.

And let us resolve to serve the people of South Carolina in ways uncommon, to build a new prosperity for generations to come -- which, in their turn, they can build upon -- and which will be recorded as the fulfillment of our highest hopes and duties. And let us always be proud of South Carolina.

WEDNESDAY, JANUARY 24, 2018

May God bless you and make his light shine upon you. And may God bless South Carolina, and may God bless the United States of America.

The purpose of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators SETZLER and SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sheriff Lewis McCarty of Lexington, S.C. Sheriff McCarty was with the Lexington County Sheriff's Department from 1973 - 1999 but his career in law enforcement spanned decades. He served as the 38th Sheriff of Lexington County from June 2014 through April 2015. Sheriff McCarty was a great public servant who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CLIMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Mike Doty of Rock Hill, S.C. Detective Doty was tragically killed in the line of duty. Mike was a passionate detective who worked tirelessly on the opioids epidemic. He started a program to provide deputies with drugs to revive people who had overdosed. Mike also mentored teens who wanted to become officers. Mike was a loving husband, devoted father and dedicated officer who will be dearly missed.

ADJOURNMENT

At 7:50 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

WEDNESDAY, JANUARY 24, 2018

SENATE JOURNAL INDEX

S. 587.....	6	S. 927.....	3
S. 759.....	6	S. 928.....	4
S. 793.....	6	S. 929.....	4
S. 902.....	8		
S. 904.....	8	H. 3653.....	8
S. 905.....	8	H. 4631.....	12
S. 925.....	3	H. 4668.....	5
S. 926.....	3	H. 4669.....	5