

NO. 11

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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THURSDAY, JANUARY 25, 2018

**Thursday, January 25, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Matthew 7:12 NIV

So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets.

Let us pray. Holy God, this passage from Your scripture is both compelling and powerful. It has stood the test of time for 2000 years. Each of us here is familiar with Your imperative to “do unto others as you would have them do unto you”.

How is it therefore that we desire to be treated? We all want to be valued; we all want to be heard and we all want to be encouraged. By Your grace O God, and through Your power, enable us then to value, hear and encourage others in this very same manner. We offer this prayer in Your holy name, Amen.

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

**Point of Quorum**

At 11:02 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Hutto	Johnson	Leatherman
Martin	Massey	Nicholson
Peeler	Rankin	Rice
Scott	Senn	Setzler

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Shealy	Talley	Timmons
Turner	Williams	Young

A quorum being present, the Senate resumed.

**Recorded Presence**

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

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to go into Executive Session.

**ACTING PRESIDENT PRESIDES**

At 1:29 P.M., Senator GOLDFINCH assumed the Chair.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following were received:

Document No. 4729

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-112-100

SUBJECT: Determination of Rates of Tuition and Fees

Received by Lieutenant Governor January 13, 2017

Referred to Committee on Education

Legislative Review Expiration January 10, 2018

Withdrawn and Resubmitted January 24, 2018

**Doctor of the Day**

Senators RANKIN and HEMBREE introduced Dr. Richard C. Osman, MD of Myrtle Beach, S.C., Doctor of the Day.

**Leave of Absence**

At 11:06 A.M., Senator LEATHERMAN requested a leave of absence for Senator CAMPBELL for the day.

**Leave of Absence**

At 1:37 P.M., Senator YOUNG requested a leave of absence for Senator GAMBRELL for the day.

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**Expression of Personal Interest**

Senator CASH rose for an Expression of Personal Interest.

**Remarks to be Printed**

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CASH, 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 Bills:

S. 805 Sen. McLeod  
S. 891 Sen. Hutto  
S. 927 Sen. Senn

**CO-SPONSOR REMOVED**

The following co-sponsors were removed from the respective Bill:

S. 766 Sens. Talley, Climer, Massey, Davis, Hembree, McElveen  
Rice, Fanning, McLeod, Cash, Turner, Bennett

**RECALLED AND ADOPTED**

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.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

On motion of Senator ALEXANDER, the Resolution was adopted and ordered sent to the House.

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**RECALLED AND COMMITTED**

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.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Agriculture and Natural Resources.

There was no objection and the Bill was recalled from the Committee on Agriculture and Natural Resources.

On the motion of Senator CROMER, with unanimous consent, the Bill was committed to the Committee on Finance.

**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator JOHN MATTHEWS, the Privilege of the Chamber, to that area behind the rail, was extended to Dr. Graham Adams and Dr. Viginia B. White for their twenty years of dedicated service with Low Country Healthy Start.

**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator McLEOD, the Privilege of the Chamber, to that area behind the rail, was extended to Mrs. Willie Dell Grimes on the occasion of obtaining her high school diploma.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 930 -- Senator Sabb: A SENATE RESOLUTION TO HONOR AND RECOGNIZE THE JERUSALEM MISSIONARY BAPTIST AND EDUCATIONAL ASSOCIATION FOR ITS DEDICATED SERVICE TO THE COMMUNITY OF GEORGETOWN UPON THE OCCASION OF THE NATIONAL BAPTIST CONVENTION'S PRAYER AND PRAISE WEEKEND.

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The Senate Resolution was adopted.

S. 931 -- Senators Timmons, Climer, Talley, Massey, Davis, Hembree, McElveen, Rice, Fanning, McLeod, Cash, Turner, Bennett,

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Rankin, Shealy, Goldfinch, Gambrell and Senn: 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 MATTERS WITHIN ITS JURISDICTION AND RECOMMENDATIONS FOR FURTHER LEGISLATION AS MAY APPEAR DESIRABLE; AND TO DEFINE NECESSARY TERMS.

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

S. 932 -- Senators Campbell, Hembree, Bennett and Williams: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976

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CODE, RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES; TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS; AND TO DEFINE NECESSARY TERMS.

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

S. 933 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705(D) OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO REDUCE THE CATCH LIMITED FOR RED DRUM.

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

S. 934 -- Senators Talley and Setzler: A BILL TO AMEND SECTION 59-123-60(A)(3) OF THE 1976 CODE, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, TO PROVIDE AN EXEMPTION FOR INFORMATION TECHNOLOGY PROCURED IN ASSOCIATION WITH THE MEDICAL UNIVERSITY HOSPITAL AUTHORITY.

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

S. 935 -- Senator Talley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3775 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF "SOLAR ENERGY PROPERTY".

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

S. 936 -- Senator Johnson: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, BY ADDING

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SECTION 50-11-325, TO DEFINE THE TERM "HUNTING DEER WITH A DOG"; TO PROVIDE THAT A PERSON HUNTING DEER WITH A DOG MUST CAUSE THE DOG TO BE IDENTIFIED WITH A COLLAR; TO PROVIDE THE PROCEDURE WHEREBY A LOST DOG IS RETURNED TO ITS OWNER; TO PROVIDE THAT THE OWNER OF A DOG THAT TRESPASSES ON ANOTHER PERSON'S PROPERTY IS LIABLE FOR CIVIL DAMAGES; TO PROVIDE THAT IT IS UNLAWFUL TO STEAL, HARM, OR KILL A DOG IN PURSUIT OF A DEER THAT HAS IDENTIFIABLE OWNER INFORMATION OR TO REMOVE OR DESTROY ANY MEANS OF IDENTIFYING OR TRACKING THE DOG; TO PROVIDE THAT HUNTING DEER WITH A DOG IS UNLAWFUL ON A TRACT OF LAND THAT CONTAINS LESS THAN ONE THOUSAND ACRES UNLESS THE TRACT OF LAND IS ENCLOSED BY A FENCE; AND TO PROVIDE VARIOUS PENALTIES.

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

S. 937 -- Senators Hutto and M. B. Matthews: A BILL TO AMEND SECTION 59-53-600(A) AND (B) OF THE 1976 CODE, RELATING TO THE TEMPORARY DEVOLUTION OF POWERS, DUTIES, AND OBLIGATIONS VESTED IN THE DENMARK TECHNICAL COLLEGE AREA COMMISSION TO THE STATE BOARD FOR TECHNICAL COMPREHENSIVE EDUCATION, TO EXTEND THE DEVOLUTION TO JANUARY 1, 2019 FROM NOVEMBER 1, 2018 AND TO PROVIDE THAT SECTION 59-53-600 IS REPEALED ON JANUARY 1, 2019.

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

S. 938 -- Senators Climer, Gregory, Peeler and Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CAROWINDS BOULEVARD FROM THE NORTH CAROLINA-SOUTH CAROLINA BORDER TO THE JUNCTION OF CAROWINDS BOULEVARD AND INTERSTATE 77 IN YORK COUNTY, SOUTH CAROLINA "DETECTIVE MIKE DOTY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE LOCATION CONTAINING THIS DESIGNATION.



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

H. 3068 -- Reps. J. E. Smith and Clyburn: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT ATHLETES, SO AS TO ENACT THE "UNIFORM ATHLETE AGENTS ACT OF 2017", TO ADOPT THE INTERSTATE COMPACT FOR REGISTRATION OF STUDENT ATHLETE AGENTS AND MAKE NECESSARY CONFORMING CHANGES, TO REVISE VARIOUS PROVISIONS IN CONSIDERATION OF THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES BY ATHLETE AGENTS, TO REVISE REQUIREMENTS REGARDING THE ESTABLISHMENT OF RELATIONSHIPS BETWEEN STUDENT ATHLETES AND ATHLETE AGENTS, AND TO REVISE VARIOUS AVAILABLE REMEDIES, AMONG OTHER THINGS.

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

H. 4378 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Jefferson, King, Daning, Govan, Weeks and Pendarvis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 3, TITLE 58 SO AS TO CREATE THE UTILITY OVERSIGHT COMMITTEE AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND ADMINISTRATION OF THE COMMITTEE; TO REPEAL ARTICLE 5, CHAPTER 3, TITLE 58 RELATING TO THE STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE; AND TO AMEND SECTIONS 8-13-935, 58-3-5, 58-9-280, 58-9-285, 58-9-2689, 58-27-2630, 58-31-20, AND 58-39-140, ALL RELATING TO UTILITIES AND THE REGULATION AND OVERSIGHT OF UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

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

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H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J. E. Smith, Sandifer, Stavrakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V. S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

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

H. 4716 -- Rep. Bales: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DENISE H. ROHAN, TO SOUTH CAROLINA AND INVITE HER TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE

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SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30  
P.M. ON TUESDAY, MARCH 6, 2018.

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

**Motion Adopted**

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

**ADJOURNMENT**

At 2:03 P.M., on motion of Senator LEATHERMAN, the Senate  
adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule  
1 for the purpose of taking up local matters and uncontested matters  
which have previously received unanimous consent to be taken up.

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