

NO. 17

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

TUESDAY, FEBRUARY 6, 2018

Tuesday, February 6, 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:

In Daniel 12:3 we read, "Those who are wise will shine like the brightness of the heavens, and those who lead many to righteousness, like the stars forever and ever."

Let us pray. Gracious and loving God, here in this Chamber You have brought together 46 Senators whom You have called to shine like stars in the heavens. You have bestowed on them exceptional abilities and the determination to serve this great State. The challenges are great and the tasks at hand are demanding. We therefore pray fervently to You, O God, that You will imbue these Senators with wise discernment and the grit to see important issues resolved in a timely and honorable fashion. Grant that they may seek you daily in prayer for the strength, patience and encouragement they need to truly accomplish great things to Your glory and for the good of the people of South Carolina. For it is in Your Holy name that we pray, Amen.

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

Point of Quorum

At 2:03 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:

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Hembree
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey

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McElveen	Nicholson	Rankin
Rice	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Recorded Presence

Senators ALLEN, PEELER and TIMMONS recorded their presence subsequent to the Call of the Senate.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry D. McMaster:

Statewide Appointment

Initial Appointment, Director of Department of Juvenile Justice, with term coterminous with Governor

Freddie B. Pough, 177 Old Market Lane, Irmo, SC 29063-9208 *VICE*
Sylvia L. Murray

On motion of Senator MARTIN, with unanimous consent, referred to the Committee on Corrections and Penology.

Doctor of the Day

Senator DAVIS introduced Dr. H. Timberlake Pearce of Beaufort, S.C., Doctor of the Day.

Leave of Absence

At 2:26 P.M., Senator CAMPBELL requested a leave of absence for Senator VERDIN for the day.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to stand adjourned to meet tomorrow at 11:45 A.M. for the purpose of attending the Joint Assembly.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

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Remarks to be Printed

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

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest to update the Senate on the work of the Committee of Conference on S. 107.

CO-SPONSORS ADDED

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

S. 545 Sen. Senn
S. 547 Sen. Senn
S. 587 Sen. Young

RECALLED

S. 940 -- Senator Alexander: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2018 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 960 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE ALEXANDRA DENNY OF WESTMINSTER, SOUTH CAROLINA FOR HER DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO HER COMMUNITY.

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The Senate Resolution was adopted.

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S. 961 -- Senator Scott: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE HENRY T. HOPKINS FOR HIS DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

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

S. 962 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-75-225 SO AS TO PROVIDE CRITERIA FOR LICENSURE AS AN ADDICTION COUNSELOR; TO AMEND SECTION 40-75-5, RELATING TO CERTAIN PROVISIONS GENERALLY APPLICABLE TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-10, AS AMENDED, RELATING TO THE BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-20, RELATING TO DEFINITIONS, SO AS TO MAKE REVISIONS; TO AMEND SECTION 40-75-30, RELATING TO THE REQUIREMENT OF LICENSURE BY THE BOARD TO PRACTICE CERTAIN PROFESSIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-50, RELATING TO THE BOARD, SO AS TO REMOVE DUTIES CONCERNING THE ESTABLISHMENT AND FUNCTION OF STANDARDS COMMITTEES; TO AMEND SECTION 40-75-110, RELATING TO DISCIPLINARY PROCEEDINGS CONCERNING BOARD LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-190, RELATING TO CONFIDENTIALITY OF CLIENT COMMUNICATIONS BY LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS AND TO REVISE EXCEPTIONS; TO AMEND SECTION 40-75-220, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST LICENSURE, SO AS TO REVISE THOSE REQUIREMENTS AND PROVIDE ADDITIONAL REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE; TO AMEND SECTION 40-75-230, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR

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SUPERVISOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST SUPERVISOR LICENSURE, SO AS TO MAKE THOSE REQUIREMENTS APPLICABLE TO ADDICTION COUNSELOR SUPERVISOR LICENSURE; TO AMEND SECTION 40-75-240, RELATING TO INTERN LICENSES, SO AS TO REPLACE THE TERM "INTERN" WITH "ASSOCIATE" AND TO INCLUDE ADDICTION COUNSELOR INTERNS; TO AMEND SECTION 40-75-250, RELATING TO THE ISSUANCE OF DISPLAY OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE ADDICTION COUNSELOR LICENSES AND ADDICTION COUNSELOR ASSOCIATE LICENSES; TO AMEND SECTION 40-75-260, RELATING TO RECIPROCITY AGREEMENTS WITH OTHER STATES, SO AS TO INCLUDE ADDICTION COUNSELOR CREDENTIALS; TO AMEND SECTION 40-75-285, RELATING TO THE APPLICABILITY OF ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO INCLUDE ADDICTION COUNSELORS; AND TO AMEND SECTION 40-75-290, RELATING TO PERSONS NOT APPLICABLE TO ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO REMOVE PROVISIONS CONCERNING CERTAIN ADDICTION COUNSELORS; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS", AND TO REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS".

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

S. 963 -- Senator Alexander: A BILL TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

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

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S. 964 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SMOKE A TOBACCO PRODUCT IN A MOTOR VEHICLE IN WHICH A MINOR IS A PASSENGER AND TO PROVIDE A PENALTY.

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

S. 965 -- Senators Malloy and McElveen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA LEGAL SERVICES, INC., UPON THE ANNIVERSARY OF SERVING THE CITIZENS OF THE PALMETTO STATE FOR HALF A CENTURY, TO CELEBRATE ITS MANY VALUABLE CONTRIBUTIONS TO OUR STATE, AND TO CALL ON ALL OUR CITIZENS TO HONOR SOUTH CAROLINA LEGAL SERVICES, INC., FOR ITS UNSTINTING SERVICE TO OUR STATE.

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The Senate Resolution was adopted.

S. 966 -- Senators Setzler and J. Matthews: A SENATE RESOLUTION TO CONGRATULATE AND RECOGNIZE ALSHON JEFFERY FOR SHOWCASING A STUPENDOUS EXAMPLE OF ATHLETICISM IN SUPER BOWL LII AND FOR HELPING THE PHILADELPHIA EAGLES TO THEIR FIRST EVER NATIONAL FOOTBALL LEAGUE SUPER BOWL WIN AND TO WISH HIM THE GREATEST SUCCESS THROUGHOUT THE REMAINDER OF HIS PROFESSIONAL FOOTBALL CAREER.

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The Senate Resolution was adopted.

S. 967 -- Senator J. Matthews: A SENATE RESOLUTION TO CONGRATULATE EVELYN BENNETT GUILLE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 968 -- Senator Peeler: A JOINT RESOLUTION TO PROVIDE THAT FOR THE 2018 GUBERNATORIAL ELECTION AND

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ELECTION CYCLE, THE STATE ELECTION COMMISSION SHALL ESTABLISH THE PROCEDURES, TO INCLUDE NECESSARY DEADLINES, BY WHICH A PERSON NOMINATED FOR THE OFFICE OF GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT-TICKET RUNNING MATE PURSUANT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

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

H. 4210 -- Rep. Toole: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF THE 12TH STREET EXTENSION (SC-35) AND I-77 IN CAYCE "NOEL K. YOBS INTERSECTION" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

H. 4825 -- Reps. Clemmons, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CONGRESSMAN JUAN MANUEL DIAZ DURAN AND COMMEND HIM FOR HIS COMMITMENT TO SUPPORTING ISRAEL AND THE JEWISH PEOPLE THROUGH THE

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**FORMATION OF THE GUATEMALA-ISRAEL INTER
PARLIAMENTARY FRIENDSHIP GROUP.**

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

H. 4826 -- Rep. Clemmons: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CONGRESSMAN FIDEL REYES LEE AND COMMEND HIM FOR HIS COMMITMENT TO SUPPORTING ISRAEL AND THE JEWISH PEOPLE THROUGH THE FORMATION OF THE GUATEMALA-ISRAEL INTER PARLIAMENTARY FRIENDSHIP GROUP.

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

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

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

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H. 4845 -- Reps. Allison, Alexander, Anderson, 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, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2018 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

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

REPORTS OF STANDING COMMITTEES

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable with amendment report on:

S. 871 -- Senator Timmons: A BILL TO AMEND SECTION 24-3-580 OF THE 1976 CODE, RELATING TO THE DISCLOSURE OF THE IDENTITY OF A MEMBER OF AN EXECUTION TEAM AND PENALTIES RELATED TO THE UNLAWFUL DISCLOSURE OF THIS INFORMATION, TO PROVIDE THAT CERTAIN INFORMATION REGARDING THE IDENTITY OF A PERSON OR ENTITY THAT PARTICIPATES IN THE PLANNING OR ADMINISTRATION OF THE EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL AND CLASSIFIED AS A STATE SECRET, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE PURCHASE OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT

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FROM THE SOUTH CAROLINA PROCUREMENT CODE, TO PROVIDE THAT OUT-OF-STATE ACQUISITIONS OF A DRUG USED IN THE ADMINISTRATION OF A DEATH SENTENCE ARE EXEMPT FROM PROVISIONS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND THE BOARD OF PHARMACY, TO PROVIDE THAT A PHARMACY OR PHARMACIST INVOLVED IN SUPPLYING, MANUFACTURING, OR COMPOUNDING ANY DRUG USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM REGULATION BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable with amendment report on:

S. 872 -- Senator Timmons: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE THAT THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, AND TO PROVIDE THAT IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 955 -- Senators Alexander, Hutto, Setzler, Rankin, Massey and Leatherman: A JOINT RESOLUTION TO DIRECT THE PUBLIC UTILITIES REVIEW COMMITTEE TO RESUME SCREENING

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CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEATS 2, 4, AND 6, AND TO ADVERTISE FOR THESE POSITIONS FOR AN ADDITIONAL TIME PERIOD BEGINNING NO LATER THAN FEBRUARY 16, 2018 THROUGH MARCH 2, 2018, AND TO ACCEPT APPLICATIONS FROM FEBRUARY 22, 2018 THROUGH NOON ON MARCH 5, 2018.

Ordered for consideration tomorrow.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

6th Congressional District:

Lonnie Randolph, Post Office Box 50351, Columbia, SC 29250 *VICE*
Karen Walto

Received as information.

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

Statewide Appointment

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2017, and to expire June 9, 2020

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29615
VICE David B. Buckshorn

Received as information.

Message from the House

Columbia, S.C., February 6, 2018

Mr. President and Senators:

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The House respectfully informs your Honorable Body that Reps. J.E. Smith and Peter McCoy have resigned from the Committee of Conference on the part of the House on:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS

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HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B) 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4) 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3) 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2) 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2) 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2) 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A) 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D) 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A) 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A) 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7) 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS,

[SJ]

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AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., February 6, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Simrill and Rutherford to the Committee of Conference on the part of the House on:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS,

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CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B) 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4) 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3) 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2) 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2) 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2) 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A) 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D) 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A) 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A) 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30

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14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 875 -- Senator Reese: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 14, 2018, AND THE SECOND TUESDAY IN MARCH OF EACH YEAR THEREAFTER AS "SOUTH CAROLINA BANJO DAY" IN HONOR OF TODD "BANJOMAN" TAYLOR'S MUSICAL CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

**AMENDED, 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. 841 -- Agriculture and Natural Resources Committee: A BILL 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 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

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THAT PROVIDES 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

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

The Senate proceeded to the consideration of the Bill.

Senator MARTIN proposed the following amendment (841R006.DR.SRM), which was adopted:

Amend the bill, as and if amended, page 11, by striking line 23 and inserting:

/ (i) a county or municipal animal control facility that has adopted the standards established in this article; /

Amend the bill further, as and if amended, page 12, by striking lines 4 through 30 and inserting:

/ Section 47-3-1030. (A) An animal control officer may inspect all animal sheltering facilities within the county in which he has jurisdiction and shall investigate all complaints about the care and welfare of animals in such facilities. Inspections shall be unannounced and shall occur within the normal business hours of the animal sheltering facility. Inspections shall be performed at least annually, and up to two routine inspections may be conducted per year. Additional inspections may be performed based on probable cause to believe an animal sheltering facility might be or is in violation of these and other applicable standards, pursuant to Section 17-13-140.

(B) An animal control officer shall document the inspection, investigation, or both and present copies of the report to the facility.

(C) The document referred to in subsection (B) shall be developed by the State Board of Veterinary Medical Examiners and shall be made available, in an electronic format, to animal control officers for use during an inspection or investigation. The document shall contain a pass/fail analysis covering the standards provided pursuant to this article./

Amend the bill further, as and if amended, page 14, by striking lines 33 through 43 and inserting:

/ Section 47-3-1050. (A) Animal control officers shall have the authority to issue orders to address violations of this section, including, but not limited to, ordering the suspension of intake of animals until violations are corrected and ordering the permanent closure of a facility.

(B) If the animal control officer finds that the animal sheltering facility is not in compliance with the standards established in Section 47-3-1040, then the animal control officer shall issue orders as follows: /

Renumber sections to conform.

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Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Talley
Timmons	Turner	Williams
Young		

Total--43

NAYS

Total--0

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

**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. 793 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PROPERTY

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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 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.

READ THE SECOND TIME

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.

The Senate proceeded to a consideration of the Bill.

Senator CAMPBELL explained the Bill.

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

Ayes 43; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

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Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Timmons	Turner	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

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.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\759C001.BBM.DG18), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 25 through 37 and inserting:

/ “() (a) to the extent not already exempt pursuant to Section 12-37-250 and this section, the dwelling house in which he resides and a lot not to exceed one acre of land owned in fee or for life, or jointly with a spouse, by a person with a brain or spinal cord injury, is exempt from all property taxation provided the person furnishes satisfactory proof of his disability to the Department of Revenue. The exemption is allowed

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to the surviving spouse of the person so long as the spouse does not remarry, resides in the dwelling, and obtains the fee or a life estate in the dwelling. To qualify for the exemption, the dwelling house must be the domicile of the person who qualifies for the exemption and the person must possess a doctor's statement declaring that the person is one hundred percent disabled as a result of the brain or spinal cord injury; /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

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

ADOPTED

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

The Resolution was adopted, ordered returned to the House.

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

MOTION TO RECALL FAILED

S. 217 -- Senators Bryant, Rice, Cromer, Martin, Corbin, Verdin, Turner, Young, Timmons, Davis, Talley, Shealy, Grooms, Peeler, Goldfinch, Climer, Gambrell, Williams, Gregory, Cash and Hembree: A BILL TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF THE GOVERNMENT GENERALLY, BY ADDING ARTICLE 5, TO ENACT THE PERSONHOOD ACT OF SOUTH CAROLINA, TO ESTABLISH THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY ARTICLE I, SECTION 3 OF THE

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CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.

Senator MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary and place it on the calendar.

Senator M.B. MATTHEWS moved that the Senate stand adjourned.

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

Ayes 19; Nays 21

AYES

Allen	Fanning	Hutto
Jackson	Johnson	Kimpson
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Senn	Setzler
Williams		

Total--19

NAYS

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Martin	Massey	Peeler
Rice	Shealy	Talley
Timmons	Turner	Young

Total--21

Having failed to receive the necessary votes, the Senate refused to stand adjourned.

The question then was the motion to recall S. 217.

Senator RANKIN spoke in opposition to the motion.

Senator MARTIN spoke in favor of the motion.

Senator M.B. MATHHEWS spoke against the motion.

Senator HUTTO moved that the Senate stand adjourned.

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

Ayes 21; Nays 22

AYES

Allen	Campsen	Fanning
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Rankin
Reese	Sabb	Scott
Setzler	Sheheen	Williams

Total--21

NAYS

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Timmons	Turner
Young		

Total--22

Having failed to received the necessary votes, the Senate refused to stand adjourned.

The question then was the motion to recall S. 217.

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

Ayes 10; Nays 34

AYES

Alexander	Cash	Corbin
Cromer	Davis	Gambrell
Martin	Peeler	Rice
Timmons		

Total--10

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NAYS

Allen	Bennett	Campbell
Campsen	Climer	Fanning
Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--34

Having failed to received the necessary votes, the Senate refused to recall S. 217.

Statement by Senator GROOMS

Let me be clear -- I support S. 217 and want it to become law. My vote today was against a procedural motion only. The motion, while noble in its intent, was misguided. Unfortunately, because of the nature of the Senate, had today's sudden attempt to bypass the committee process over the objection of the committee chairman would have ensured one thing only -- the certain failure of S. 217. Full, open, and transparent vetting of the people's business is essential to good government, and is a bedrock principle upon which our state and our very nation were founded. I remain in favor of the Bill, and in our common goal of protecting the life of the most innocent among us.

MOTION ADOPTED

At 3:39 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

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ADJOURNMENT

At 3:40 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

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