

NO. 22

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

WEDNESDAY, FEBRUARY 14, 2018

Wednesday, February 14, 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 PRESIDENT.

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

Matthew 5:9a

“Blessed are the peacemakers.”

Let us pray. Gracious God, in this brief moment of silence we pause to listen for Your voice. In the midst of our hurried and hectic schedules it is difficult to find Your peace, yet we yearn for it. Your word beckons us to become peacemakers.

Help us, O God to begin by seeking the peace that can dwell within us -- the peace that comes from patience; the peace that comes from forgiveness; the peace that comes from reconciliation.

Through the power of Your spirit, open our eyes and hearts, that we might find internal peace and thereby become the peacemakers of our families; the peacemakers of our communities and the peacemakers of our beloved State. Through Your holy name we pray, Amen.

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

Point of Quorum

At 12:03 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:

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Cromer	Gregory	Grooms
Hembree	Hutto	Leatherman
Martin	Massey	Nicholson
Peeler	Rankin	Reese
Rice	Setzler	Talley

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Timmons Turner Verdin
Williams Young

A quorum being present, the Senate resumed.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 4800

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-71-10 et seq.

SUBJECT: Standards for Licensing Hospices

Received by Lieutenant Governor February 14, 2018

Referred to Medical Affairs Committee

Doctor of the Day

Senator McLEOD introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.

Leave of Absence

At 12:08 P.M., Senator CAMPBELL requested a leave of absence for Senator GOLDFINCH for the balance of the week.

Leave of Absence

At 12:19 P.M., Senator TURNER requested a leave of absence for Senator SHEALY for the day.

Leave of Absence

At 1:16 P.M., Senator MARTIN requested a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

S. 412 Sen. Turner
S. 764 Sen. Climer
S. 828 Sen. Setzler
S. 1002 Sen. Allen

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RECALLED AND ADOPTED

S. 1015 -- Senator Martin: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 21, 2018, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA IN HONOR OF THE ESSENTIAL SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.

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.

The Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1009 -- Senators Climer, Fanning, Young, Rice, Talley, Turner, Gregory, Bennett, Davis, Campbell and Corbin: A BILL TO AMEND SECTION 2-19-70 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST MEMBERS OF THE GENERAL ASSEMBLY BEING ELECTED TO JUDICIAL OFFICE WHILE SERVING AND CONTINUING THIS PROHIBITION FOR AN ADDITIONAL PERIOD OF ONE YEAR, TO EXTEND THE PROHIBITION TO AN IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY AND TO DEFINE NECESSARY TERMS.

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

S. 1010 -- Senator Grooms: A BILL TO AMEND SECTION 38-43-106(B) OF THE 1976 CODE, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR INSURANCE PRODUCERS, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE ONLY MAY APPROVE ETHICS COURSES ADMINISTERED BY THE NATIONAL ASSOCIATION OF INSURANCE AND FINANCIAL ADVISORS AND TO PROVIDE THAT THE DEPARTMENT MAY NOT PROMULGATE REGULATIONS TO THE CONTRARY.

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

S. 1011 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2938 SO AS TO ESTABLISH MISDEMEANOR DEATH BY VEHICLE AS AN OFFENSE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 56-1-720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, SO AS TO PROVIDE THAT THE OFFENSE OF MISDEMEANOR DEATH BY VEHICLE IS A SIX POINT VIOLATION.

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

S. 1012 -- Senators Gregory and Jackson: A CONCURRENT RESOLUTION TO LIFT THE MORATORIUM ON NEW MONUMENTS ON THE STATE HOUSE GROUNDS, PURSUANT TO SECTION 2-1-240 OF THE 1976 CODE, FOR THE SOLE PURPOSE OF ERECTING A MONUMENT TO ROBERT SMALLS.

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

S. 1013 -- Senator Johnson: A BILL TO AMEND SECTION 9-1-1790(A)(2) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE AMOUNT WHICH MAY BE EARNED UPON RETURN TO COVERED EMPLOYMENT BY A RETIRED MEMBER OF THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT RETIRED PUBLIC SCHOOL TEACHERS AND RETIRED PUBLIC SCHOOL BUS DRIVERS ARE NOT SUBJECT TO THE TEN THOUSAND DOLLAR EARNINGS LIMIT.

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

S. 1014 -- Senators Reese, Peeler and Talley: A BILL TO AMEND SECTION 44-7-2060 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF A REGIONAL HEALTH SERVICES DISTRICT'S BOARD OF DIRECTORS, TO PROVIDE THAT THE STATE INTEREST SHALL PREVAIL IF A CONFLICT EXISTS

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BETWEEN THE ANTITRUST LAWS OF THE STATE OR THE UNITED STATES AND THE EXERCISE OF POWER BY A REGIONAL HEALTH SERVICES DISTRICT WITH RESPECT TO THE OWNERSHIP, OPERATION, MANAGEMENT, OR LEASE OF A HOSPITAL, HEALTH CARE FACILITY, OR OTHER EXERCISE OF POWER.

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

S. 1015 -- Senator Martin: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 21, 2018 AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA IN HONOR OF THE ESSENTIAL SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS.

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The Senate Resolution was adopted.

H. 4858 -- Reprs. Kirby, Yow, Clyburn, Gilliard, Cobb-Hunter, Williams, McKnight, Robinson-Simpson, Brawley, Alexander, Norrell, Ott, Atwater, Jefferson, Bernstein, Wheeler, McGinnis, Douglas, Hosey, Henderson-Myers, Trantham, Arrington, Stavrinakis, Davis, Magnuson, B. Newton, Bamberg, McCravy, J. E. Smith, Bales, Bennett, Brown, Cogswell, Crosby, Dillard, Elliott, Felder, Forrest, Johnson, Loftis, Lowe, V. S. Moss, Pendarvis, Pitts, M. Rivers, G. R. Smith, Taylor, Thigpen, Young, Henegan, Anderson, McEachern and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-240 SO AS TO DESIGNATE THE TWENTY-FIRST DAY OF OCTOBER OF EACH YEAR AS "DR. RONALD MCNAIR DAY" IN SOUTH CAROLINA.

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

REPORTS OF STANDING COMMITTEES

Senator YOUNG from the General Committee submitted a favorable with amendment report on:

S. 796 -- Senator Sheheen: A JOINT RESOLUTION TO PROVIDE FOR THE OBSERVANCE OF THE SESTERCENTENNIAL OF THE AMERICAN REVOLUTION IN SOUTH CAROLINA AND TO ESTABLISH THE AMERICAN REVOLUTION SESTERCENTENNIAL COMMISSION OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

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Senator YOUNG from the General Committee submitted a favorable with amendment report on:

S. 805 -- Senators Shealy, Sheheen, Young, McLeod, McElveen and Climer: A BILL TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 22, TO CREATE THE DEPARTMENT OF CHILDREN'S ADVOCACY, TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE DEPARTMENT SHALL BE COMPRISED OF DEPUTY CHILD ADVOCATES, INVESTIGATORS, AND OTHER STAFF TO BE EMPLOYED AS NECESSARY BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE STATE CHILD ADVOCATE IS RESPONSIBLE FOR ENSURING THAT CHILDREN RECEIVE ADEQUATE PROTECTION AND CARE FROM SERVICES OR PROGRAMS OFFERED BY THE DEPARTMENT OF SOCIAL SERVICES, THE DEPARTMENT OF MENTAL HEALTH, THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF JUVENILE JUSTICE, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, THE JOHN DE LA HOWE SCHOOL, THE WIL LOU GRAY OPPORTUNITY SCHOOL, AND THE SCHOOL FOR THE DEAF AND BLIND, TO PROVIDE THAT RECORDS ACQUIRED BY THE DEPARTMENT ARE CONFIDENTIAL, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT, TO PROVIDE THAT THE STATE CHILD ADVOCATE MAY PERFORM AN INDEPENDENT INVESTIGATION OF A CRITICAL INCIDENT OR REVIEW A COMPLETED CRITICAL INCIDENT INVESTIGATION PERFORMED BY A STATE AGENCY, TO PROVIDE FOR THE PARAMETERS OF AN INVESTIGATION, TO PROVIDE THAT THE DEPARTMENT OF CHILDREN'S ADVOCACY SHALL ESTABLISH A SINGLE, STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE TO RECEIVE ALL REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT, AND TO PROVIDE FOR FURTHER PURPOSES AND PUBLICATION OF THE HOTLINE; TO AMEND SECTION 1-3-240(C)(1) OF THE 1976 CODE, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO ADD THE STATE CHILD ADVOCATE AS A PERSON APPOINTED THAT MAY BE REMOVED BY THE GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS

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OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; TO AMEND SECTION 63-7-360 OF THE 1976 CODE, RELATING TO MANDATORY REPORTING TO THE CORONER, TO PROVIDE THAT THE MEDICAL EXAMINER OR CORONER SHALL ACCEPT REPORTS FROM PERSONS REQUIRED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT AND REPORT HIS FINDINGS TO THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-7-370 OF THE 1976 CODE, RELATING TO DOMESTIC VIOLENCE REPORTING, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER UPON RECEIPT OF A REPORT OF DOMESTIC VIOLENCE SHALL REPORT THE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES AND TO THE DEPARTMENT OF CHILDREN'S ADVOCACY'S SINGLE, STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE IF THE PEOPLE INVOLVED IN THE REPORTED DOMESTIC VIOLENCE ARE RESPONSIBLE FOR THE WELFARE OF A CHILD; TO AMEND SECTION 63-11-500(A) AND SECTION 63-11-540 OF THE 1976 CODE, BOTH RELATING TO THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM, TO PROVIDE THAT THE PROGRAM MUST BE ADMINISTERED BY THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-700(A) AND SECTION 63-11-730(A) OF THE 1976 CODE, BOTH RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, TO PROVIDE THAT THE DIVISION FOR REVIEW IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY OF THE FOSTER CARE OF CHILDREN; TO AMEND SECTIONS 63-11-1310, 63-11-1340, 63-11-1360, AND 63-11-1510 OF THE 1976 CODE, ALL RELATING TO THE CONTINUUM OF CARE FOR EMOTIONALLY DISTURBED CHILDREN, TO PROVIDE THAT THE CONTINUUM OF CARE IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-1930(A) OF THE 1976 CODE, RELATING TO THE STATE CHILD FATALITY ADVISORY COMMITTEE, TO ADD THE STATE CHILD ADVOCATE AS A COMMITTEE MEMBER; TO AMEND SECTION 59-36-20 OF THE 1976 CODE, RELATING TO THE COMPREHENSIVE SYSTEM OF SPECIAL EDUCATION AND SERVICES, TO DELETE ANY REFERENCE TO THE CHILDREN'S CASE RESOLUTION SYSTEM; TO REPEAL ARTICLE 11, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM;

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TO DELETE SECTION 1-11-10(A)(8) OF THE 1976 CODE, RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 889 -- Senator Campbell: A BILL TO AMEND SECTION 4-10-330(A)(1) OF THE 1976 CODE, RELATING TO THE CONTENTS OF BALLOT QUESTIONS UNDER THE CAPITAL PROJECT SALES TAX ACT, TO PROVIDE THAT AN ORDINANCE MUST SPECIFY WHETHER THE PURPOSE OF THE TAX PROCEEDS WOULD INCLUDE ECONOMIC DEVELOPMENT PROJECTS, INCLUDING, BUT NOT LIMITED TO, INFRASTRUCTURE, LAND PURCHASES, AND SITE DEVELOPMENT PROJECTS, AND TO MAKE TECHNICAL CHANGES.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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Senator YOUNG from the General Committee submitted a favorable report on:

S. 1002 -- Senators Cromer, Scott, Climer, Goldfinch, Bennett, Timmons and Allen: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA STATE FLAG STUDY COMMITTEE CHARGED WITH PROPOSING AN OFFICIAL, UNIFORM DESIGN FOR THE STATE FLAG.

Ordered for consideration tomorrow.

Senator YOUNG from the General Committee submitted a favorable report on:

H. 4005 -- Reps. J.E. Smith and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-215 SO AS TO DECLARE THE THIRD WEEK IN OCTOBER OF EACH YEAR AS "SOUTH CAROLINA NATIVE PLANT WEEK" AND ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE ESSENTIAL VALUE AND IMPORTANCE OF THE NATIVE PLANTS OF SOUTH CAROLINA TO OUR STATE'S HISTORY, ECONOMIC LANDSCAPE, AND ENVIRONMENT.

Ordered for consideration tomorrow.

Senator YOUNG from the General Committee submitted a favorable report on:

H. 4544 -- Rep. Allison: A CONCURRENT RESOLUTION TO DECLARE JUNE 2018 AS "SOUTH CAROLINA WHOLE CHILD MONTH" IN RECOGNITION OF THE IMPORTANT ROLE THAT THE WHOLE CHILD INITIATIVE OF THE SOUTH CAROLINA ASSOCIATION OF CURRICULUM AND SCHOOL DEVELOPMENT (ASCD) HAS IN ADVANCING THE WELL-BEING OF SOUTH CAROLINA PUBLIC SCHOOL STUDENTS.

Ordered for consideration tomorrow.

Appointment Reported

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

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Statewide Appointment

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2017, and to expire July 1, 2020

SC Association of Public School Administrators:

Vernon Keith Callicutt, Ph.D., 367 Dwellings Drive, Johnsonville, SC 29555-6622 *VICE* Betty T. Bagley

Received as information.

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

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

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

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

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.

Senator CAMPSEN explained the Bill.

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

S. 913 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-740(B) OF THE 1976 CODE, RELATING TO YOUTH HUNTING DAYS, TO PROVIDE THAT A LICENSE OR TAG REQUIRED PURSUANT TO CHAPTER 9, TITLE 50 IS WAIVED FOR A YOUTH HUNTER ON A YOUTH HUNTING DAY.

The Senate proceeded to a consideration of the Bill.

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Motion Under Rule 26B Waived

Senator CAMPSEN asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Senator CAMPSEN proposed the following amendment (913R003.DR.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-9-740(B) of the 1976 Code is amended to read:

“(B) A person who is less than eighteen years of age may be a youth hunter. Youth hunters who have not completed a hunter education program as provided in Section 50-9-310 and who hunt on a youth hunting day must be accompanied by an adult who is at least twenty-one years of age. A licensed adult at least twenty-one years of age must accompany a youth hunter in the field and may The adult must not harvest or attempt to harvest game during this special hunting event. A license requirement specified in this chapter is waived on a youth hunting day under this section for a youth hunter. A license or tag requirement pursuant to this chapter is waived for a youth hunter on a youth hunting day. A daily harvest limit remains the same as allowed during regular seasons for each species of game.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

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

Ayes 34; Nays 0

AYES

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

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Johnson	Kimpson	Malloy
Martin	<i>Matthews, John</i>	Nicholson
Peeler	Rankin	Rice
Sabb	Scott	Senn
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--34

NAYS

Total--0

The Bill was read third time, passed and ordered sent to the House of Representatives with amendments.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, DEBATE INTERRUPTED

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

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

Amendment No. 1

Senator MASSEY proposed the following amendment (JUD0954.003), which was withdrawn:

Amend the joint resolution, as and if amended, by striking SECTION 1, lines 23-29 on page 1 and inserting:

/ SECTION 1. The Public Service Commission shall not issue a final order for a docket in which requests were made pursuant to the Base Load Review Act until ninety days after the South Carolina General Assembly adjourns Sine Die for the 2018 legislative session. No final

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determination of these requests, whether by a final order issued by the Public Service Commission or by operation of law, shall occur during this time period. The Public Service Commission's failure to issue a final order as required by this Joint Resolution shall not constitute approval by the Public Service Commission and a utility must not put into effect the change in rates it requested in its schedule. /

Renumber sections to conform.
Amend title to conform.

Senator CAMPSEN spoke on the amendment.

Motion Adopted

At 1:16 P.M., on motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to go into Executive Session.

At 1:57 P.M., the Senate resumed.

Senator DAVIS spoke on the amendment.

RECESS

At 2:19 P.M., on motion of Senator SETZLER, with unanimous consent and Senator DAVIS retaining the floor, the Senate recessed from business.

At 3:34 P.M., the Senate resumed.

ACTING PRESIDENT PRESIDES

Senator CROMER assumed the Chair.

Senator MASSEY spoke on the amendment.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 1 was withdrawn.

Amendment No. 2

Senators MASSEY and SETZLER proposed the following amendment (JUD0954.006), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. The Public Service Commission shall not hold a hearing on the merits for a docket in which requests were made pursuant to the Base Load Review Act before November 1, 2018; however, the Public Service Commission may hold an administrative or procedural hearing for such a docket prior to a hearing on the merits. The Public

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Service Commission must issue a final order for a docket in which requests were made pursuant to the Base Load Review Act no later than December 21, 2018.

SECTION 2. No final determination of these requests, whether by a final order issued by the Public Service Commission or by operation of law, shall occur earlier than the time period prescribed in SECTION 1. The Public Service Commission's failure to issue a final order prior to the time period established in this Joint Resolution shall not constitute approval by the Public Service Commission and a utility must not put into effect the change in rates it requested in its schedule.

SECTION 3. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

PRESIDENT PRESIDES

At 3:40 P.M., the PRESIDENT assumed the Chair.

The question then was the adoption of the amendment.

The amendment was adopted.

Debate was interrupted by adjournment.

Motion Adopted

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

ADJOURNMENT

At 3:42 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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