

NO. 45

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

TUESDAY, MARCH 27, 2018

Tuesday, March 27, 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:

Ephesians 4:29

“Let no corrupting talk come out of your mouths, but only such as is good for building up, as fits the occasion, that it may give grace to those who hear.”

Let us pray. Gracious God, we are grateful for the gift of Your holy word in Scripture for Your word is perfect and serves as a lamp to our feet and a counsel to our words.

However, as our Senators struggle with impending bills and a difficult budget, there will be emotional issues involved which can result in harsh words being spoken. May we all remember that Your word tells us that “a soft answer turns away wrath, but a harsh word stirs up anger”.

We pray, therefore, that Your presence will prevail and that all words spoken will give grace to those who hear. In Your holy name we pray, Amen.

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

CORRECTION TO THE JOURNAL

The following Resolutions were introduced on Thursday, March 22, 2018, and referred to the appropriate committees as follows:

H. 5156 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO REGULATIONS FOR THE LICENSING OF CHILD CARE CENTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4747, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Resolution was referred to the General Committee.

TUESDAY, MARCH 27, 2018

H. 5157 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY - STATE CROP PEST COMMISSION, RELATING TO BENGHAL DAYFLOWER QUARANTINE; AND EMERALD ASH BORER QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4807, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Resolution was referred to the Committee on Agriculture and Natural Resources.

H. 5159 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING HOSPICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4800, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Resolution was referred to the Committee on Medical Affairs.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2016, and to expire April 1, 2021

At-Large:

Edgar Lamb, 199 Plum Branch Road, Edgefield, SC 29824-3647
VICE Donna Moore Wesby

Referred to the Committee on Education.

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2014, and to expire April 1, 2019

At-Large:

Alton O. Smith, Jr., 164 Cardinal Court, Chesnee, SC 29323-9686
VICE Barbara Devinney

Referred to the Committee on Education.

TUESDAY, MARCH 27, 2018

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2016, and to expire April 1, 2020

Midlands

Arthur L. Guerry, 110 Nottingham Rd., Columbia, SC 29210-4113
VICE Mark A. Walker

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2015, and to expire February 13, 2020

At-Large:

Carey D. Adams, 84 Villa Road, Greenville, SC 29615-3052 *VICE*
Richard Stanley

Referred to the Committee on Transportation.

REGULATION RECEIVED

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

Document No. 4808

Agency: Clemson University - State Crop Pest Commission

Chapter: 27

Statutory Authority: 1976 Code Section 46-9-40

SUBJECT: Plant Nursery Regulations

Received by Lieutenant Governor March 27, 2018

Referred to Committee on Agriculture and Natural Resources

Leave of Absence

At 2:44 P.M., Senator MALLOY requested a leave of absence for Senator M.B. MATTHEWS for the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks to be Printed

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

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

[SJ]

TUESDAY, MARCH 27, 2018

CO-SPONSORS ADDED

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

S. 921 Sen. Young

S. 1014 Sen. Martin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1143 -- Senator Alexander: A SENATE RESOLUTION TO WELCOME INTERNATIONALLY RENOWNED EXPLORERS DR. GINO CASPARI AND TREVOR WALLACE TO SOUTH CAROLINA AND TO HONOR AND RECOGNIZE THEIR SIGNIFICANT CONTRIBUTIONS ACROSS THE GLOBE.

l:\s-res\tca\041wall.kmm.tca.docx

The Senate Resolution was adopted.

S. 1144 -- Senator Cromer: A BILL TO AMEND SECTION 7-7-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN NEWBERRY COUNTY, SO AS TO ELIMINATE THE MIDWAY PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

l:\council\bills\ggs\22112zw18.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1145 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 34 TO TITLE 27 SO AS TO PROVIDE FOR LIENS FOR NONPAYMENT OF FEES, FINES, ASSESSMENTS, OR OTHER CHARGES OWED TO A HOMEOWNERS ASSOCIATION AND, AFTER THE EFFECTIVE DATE OF THIS ACT, TO PROHIBIT A HOMEOWNERS ASSOCIATION FROM FORECLOSING ON A LIEN IF THE LIEN IS SOLELY FOR NONPAYMENT OF FEES, FINES, ASSESSMENTS, OR OTHER CHARGES.

l:\s-jud\bills\jackson\jud0083.pb.docx

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

TUESDAY, MARCH 27, 2018

S. 1146 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE SMYRNA BAPTIST CHURCH UPON THE OCCASION OF ITS 145TH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN SPRINGFIELD, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THE COMMUNITY.

I:\s-res\ngs\034smyr.kmm.ngs.docx

The Senate Resolution was adopted.

H. 3002 -- Reps. Atwater, Elliott, Felder, B. Newton, G. M. Smith, Taylor, Sandifer and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REGULATORY FREEDOM ACT" BY ADDING SECTION 1-23-138 SO AS TO ESTABLISH THAT A REGULATION PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURES ACT EXPIRES FIVE YEARS AFTER JULY 1, 2017 OR THE EFFECTIVE DATE OF THIS ACT, WHICHEVER IS LATER; AND TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF REGULATIONS, SO AS TO REMOVE LANGUAGE REQUIRING A STATE AGENCY TO PERIODICALLY REVIEW THE REGULATIONS IT PROMULGATES.

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

H. 3825 -- Reps. Huggins, Bedingfield, Fry, Henderson, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Elliott, Hamilton, G. R. Smith, Jordan, B. Newton, Martin, Erickson, Long, Bradley, Weeks, Taylor, Putnam and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-1655 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROVIDE PRESCRIPTION REPORT CARDS TO PRACTITIONERS UTILIZING THE PRESCRIPTION MONITORING PROGRAM THAT INCLUDE DATA RELEVANT TO A PRACTITIONER'S PRESCRIBING PRACTICES; AND TO AMEND SECTION 44-53-1650, AS AMENDED, RELATING TO THE CONFIDENTIALITY OF PRESCRIPTION MONITORING PROGRAM DATA, SO AS TO ALLOW THE RELEASE OF PRESCRIPTION REPORT CARDS TO PRACTITIONERS.

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

TUESDAY, MARCH 27, 2018

H. 4020 -- Reps. Johnson and Hardee: A BILL TO AMEND SECTION 28-2-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO A CONDEMNOR'S RIGHT TO ENTER ON REAL PROPERTY SUBJECT TO CONDEMNATION FOR CERTAIN PURPOSES, SO AS TO REQUIRE THE CONDEMNOR TO PROVIDE NOTICE TO THE LANDOWNER OF APPLICATION FOR AN EX PARTE ORDER TO GAIN ENTRY.

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

H. 4410 -- Reps. Henderson, Henegan and W. Newton: A BILL TO AMEND SECTION 44-34-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSING OF TATTOO FACILITIES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ASSESS MONETARY PENALTIES AGAINST PERSONS OPERATING UNLICENSED TATTOO FACILITIES.

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

H. 4426 -- Reps. Henderson, Henegan and W. Newton: A BILL TO AMEND SECTION 44-32-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSING OF BODY PIERCING FACILITIES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IMPOSE MONETARY PENALTIES.

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

H. 4438 -- Reps. Henderson and W. Newton: A BILL TO AMEND SECTION 40-25-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CONCERNING THE LICENSURE OF HEARING AID SPECIALISTS, SO AS TO ALLOW THE DEPARTMENT TO FACILITATE THIRD-PARTY ADMINISTRATION OF QUALIFYING EXAMINATIONS OF APPLICANTS FOR LICENSURE, AND TO IMPOSE MONETARY PENALTIES FOR VIOLATIONS OF THE CHAPTER; TO AMEND SECTION 40-25-50, RELATING TO THE DUTIES OF THE COMMISSION FOR HEARING AID SPECIALISTS, SO AS TO REMOVE THE PREPARATION OF QUALIFYING EXAMINATIONS BY THE COMMISSION; TO AMEND SECTION 40-25-110, RELATING TO APPLICATIONS FOR LICENSURE, SO AS TO ALLOW THE

TUESDAY, MARCH 27, 2018

DEPARTMENT TO CHARGE CERTAIN RELATED FEES, AND TO PROVIDE FOR THE USE AND ADMINISTRATION OF THESE FEES; AND TO AMEND SECTION 40-25-150, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS IMPOSE RELATED DUTIES ON THE DEPARTMENT INSTEAD OF THE COMMISSION.

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

H. 4487 -- Reps. Henderson, Hewitt, Robinson-Simpson, Fry, West, Atwater, Erickson, Norrell, Weeks, Douglas, Ridgeway, Dillard, Huggins and W. Newton: A BILL TO AMEND SECTION 44-53-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHEDULING OF CONTROLLED SUBSTANCES, SO AS TO PROVIDE A PROCESS FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) TO SCHEDULE CERTAIN SUBSTANCES ON AN EMERGENCY BASIS; TO AMEND SECTION 44-53-280, RELATING TO REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ELIMINATE REGISTRATION RENEWAL GRACE PERIODS; TO AMEND SECTION 44-53-290, RELATING IN PART TO REGISTRATIONS ISSUED TO PRACTITIONERS TO DISPENSE NARCOTICS FOR MAINTENANCE OR DETOXIFICATION TREATMENTS AND TO NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO PRESCRIBE SCHEDULE V DRUGS, SO AS TO CHANGE CERTAIN REQUIREMENTS; TO AMEND SECTION 44-53-310, RELATING TO APPLICATIONS FOR REGISTRATIONS TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES, SO AS TO ALLOW DHEC TO DENY AN APPLICATION FOR REGISTRATION FOR ANY CRIMINAL CONVICTION; TO AMEND SECTION 44-53-480, RELATING TO THE DEPARTMENT OF NARCOTICS AND DANGEROUS DRUGS WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED), SO AS TO ELIMINATE ENFORCEMENT OF DRUG LAWS AS A FUNCTION OF DHEC; AND TO REPEAL SECTION 44-53-560 RELATING TO THE TRANSFER OF AGENTS FROM DHEC TO SLED.

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

H. 4601 -- Reps. Fry, Bedingfield, Alexander, Dillard, Douglas, Erickson, Henderson, Hewitt, Huggins, Ridgeway, Spires, West,

[SJ]

TUESDAY, MARCH 27, 2018

Norrell, Weeks, Rutherford and Atwater: 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 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

TUESDAY, MARCH 27, 2018

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".

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

H. 4603 -- Reps. Bedingfield, Alexander, Dillard, Douglas, Erickson, Fry, Henderson, Hewitt, Huggins, Spires, West, Norrell, Weeks, Rutherford and Atwater: A BILL TO AMEND SECTION 44-53-360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIBING LIMITATIONS, SO AS TO LIMIT INITIAL PRESCRIPTIONS OF AN OPIOID MEDICATION FOR ACUTE PAIN MANAGEMENT OR POSTOPERATIVE PAIN MANAGEMENT TO A FIVE-DAY SUPPLY, WITH EXCEPTIONS.

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

H. 4832 -- Reps. Funderburk and J. E. Smith: A BILL TO AMEND SECTION 63-11-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCAL FOSTER CARE REVIEW BOARDS, SO AS TO REQUIRE THAT THE MEMBERS OF AT LEAST ONE LOCAL REVIEW BOARD IN THE FIFTH JUDICIAL CIRCUIT BE APPOINTED BY THE KERSHAW COUNTY LEGISLATIVE DELEGATION.

Read the first time and referred to the General Committee.

H. 4929 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

TUESDAY, MARCH 27, 2018

THE PORTION OF EAST CHEVES STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH EAST PALMETTO STREET TO ITS INTERSECTION WITH SOUTH DARGAN STREET "JERRY M. KEITH BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 4933 -- Reps. Cole, Forrester, Allison, Tallon, Anthony, Long, Chumley, Henderson-Myers, Magnuson and V. S. Moss: A BILL TO AMEND SECTION 44-7-2060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF A REGIONAL HEALTH SERVICES DISTRICT'S BOARD OF DIRECTORS, SO AS TO PROVIDE THAT THE STATE INTEREST SHALL PREVAIL IF A CONFLICT EXISTS 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.

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

H. 4989 -- Reps. Willis, G. R. Smith, Hamilton, Pitts and Trantham: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MCCARTER ROAD IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 14 TO ITS INTERSECTION WITH INTERSTATE HIGHWAY 385 "EDWARD CHARLES 'EDDIE' CASE MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 4999 -- Rep. Parks: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 28 IN MCCORMICK COUNTY FROM THE SOUTH CAROLINA-GEORGIA STATE LINE TO ITS INTERSECTION WITH HIGHWAY S-87 (NEW HOPE ROAD) "VETERANS HIGHWAY" IN HONOR OF

[SJ]

TUESDAY, MARCH 27, 2018

OUR MEN AND WOMEN WHO HAVE SERVED OR WHO CURRENTLY ARE SERVING IN OUR MILITARY AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 5033 -- Reps. Hewitt and Anderson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH CAUSEWAY DRIVE (S-22-46) IN GEORGETOWN COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 TO ITS INTERSECTION WITH MYRTLE AVENUE THE "LINWOOD ALTMAN CAUSEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

H. 5038 -- Reps. Atwater, Bradley, Howard, Thayer, Gagnon, Huggins, Hewitt, McGinnis, Hayes, Willis, Spires, Ballentine, G. M. Smith, Sandifer, Norrell, Henderson, Toole, Erickson, Cobb-Hunter, Ott, Ridgeway, McEachern, Douglas, Rutherford, Bernstein, W. Newton, Clary, Anthony, Wheeler, Anderson, Kirby, Alexander, Tallon and Elliott: A BILL TO AMEND SECTION 38-71-2130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF A PHARMACY BENEFIT MANAGER, SO AS TO ESTABLISH PROHIBITED ACTS FOR A PHARMACY BENEFIT MANAGER.

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

H. 5042 -- Reps. Felder and Allison: A BILL TO AMEND SECTION 59-20-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE PROGRAM FOR IDENTIFYING PUBLIC SCHOOL DISTRICT FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT CAN COMPROMISE THE FISCAL INTEGRITY OF THE DISTRICTS AND FOR ADVISING THE DISTRICTS ON APPROPRIATE CORRECTIVE ACTIONS, SO AS TO REVISE RELATED PROCEDURES.

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

TUESDAY, MARCH 27, 2018

H. 5064 -- Reps. Funderburk, W. Newton and Norrell: A BILL TO AMEND SECTION 1-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION ON HUMAN AFFAIRS, SO AS TO DELETE A DUPLICITOUS REPORTING REQUIREMENT; TO AMEND SECTION 1-13-70, RELATING TO THE POWERS OF THE COMMISSION, SO AS TO CLARIFY THAT THE COMMISSION MAY REQUIRE REPORTS FROM ALL EMPLOYERS; TO AMEND SECTION 1-13-90, RELATING TO THE DUTIES OF THE COMMISSION, SO AS TO EXTEND THE TIME BY WHICH A COMPLAINANT MAY BRING AN ACTION IN CIRCUIT COURT; AND TO AMEND SECTION 31-21-120, RELATING TO COMPLAINTS INVOLVING DISCRIMINATORY HOUSING PRACTICES, SO AS TO DELETE A REQUIREMENT THAT THE COMPLAINT AND ANSWER BE VERIFIED.

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

H. 5153 -- Rep. Delleney: A BILL TO AMEND SECTION 42-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN WORKERS' COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE, SO AS TO PROVIDE THESE HEARINGS MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, AND TO PROVIDE THESE DISTRICTS MUST BE DETERMINED BY THE COMMISSION.

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

H. 5154 -- Reps. Fry and Hewitt: A JOINT RESOLUTION CALLING FOR A REFERENDUM TO BE CONDUCTED BY THE HORRY COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AT THE NEXT ELECTION FOR REPRESENTATIVES AMONG THE QUALIFIED ELECTORS OF A TERRITORY PROPOSED TO BE TAKEN FROM GEORGETOWN COUNTY AND GIVEN TO HORRY COUNTY PURSUANT TO SECTION 7, ARTICLE VII, CONSTITUTION OF SOUTH CAROLINA, 1895, PROVIDING IF APPROVED BY TWO-THIRDS OF THE VOTES CAST, THE GENERAL ASSEMBLY AT ITS NEXT SESSION SHALL PROVIDE BY LAW FOR THE ALTERATION OF THE HORRY-GEORGETOWN COUNTY LINE, AND PROVIDING THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW,

TUESDAY, MARCH 27, 2018

DURING THE PENDENCY OF THE OUTCOME OF THE REFERENDUM REQUIRED BY THIS JOINT RESOLUTION, IT IS THE GENERAL ASSEMBLY'S INTENT NOT TO AFFECT, ALTER, RELEASE, OR EXTINGUISH ANY EXISTING ACTIONS, RIGHTS, DUTIES, PRACTICES, PENALTIES, FORFEITURES, OR LIABILITIES RESULTING FROM HORRY AND GEORGETOWN COUNTIES' MISINTERPRETATION OF THE ACTUAL HORRY-GEORGETOWN COUNTY LINE AS APPROVED BY THE GENERAL ASSEMBLY AND DELINEATED IN CHAPTER 3, TITLE 4 OF THE 1976 CODE, AND PROVIDING FURTHER THAT HAD THE GENERAL ASSEMBLY INTENDED TO AFFECT, DISTURB, OR DISRUPT THE STATUS QUO REGARDING ANY OF THE FOREGOING DURING THE PENDENCY OF THE OUTCOME OF THE REFERENDUM REQUIRED BY THIS JOINT RESOLUTION, IT SO EXPRESSLY WOULD HAVE PROVIDED.

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

Message from the House

Columbia, S.C., March 22, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3513 -- Reps. Anthony and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-45 SO AS TO PROVIDE RETIRED EDUCATOR TEACHING CERTIFICATES FOR PEOPLE WHO MEET CERTAIN CRITERIA, TO PROVIDE INITIAL RETIRED EDUCATOR CERTIFICATES ARE VALID FOR THIRTY YEARS AND MAY BE RENEWED, AND TO PROVIDE RELATED REQUIREMENTS AND CONDITIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 22, 2018

Mr. President and Senators:

[SJ]

TUESDAY, MARCH 27, 2018

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3442 -- Reps. Delleney, Felder, Pope, Martin, Norrell, B. Newton, Simrill, Norman, Thayer, Putnam, Clary, Hamilton, Yow, W. Newton, Kirby, Erickson, Knight, Hixon, Elliott, Henderson, Bedingfield, V.S. Moss, Wheeler, Ballentine, King, Henegan and West: A BILL TO AMEND SECTION 63-9-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDIVIDUALS WHO MAY ADOPT A CHILD, SO AS TO ADD CIRCUMSTANCES UNDER WHICH A NONRESIDENT MAY ADOPT AND TO PROVIDE FOR THE RIGHT TO FILE A PETITION FOR ADOPTION; AND TO AMEND SECTION 63-9-750, RELATING TO ADOPTION HEARINGS, SO AS TO MAKE TECHNICAL CORRECTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 22, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3701 -- Reps. Putnam, Whipper, Brown, Knight, Henegan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-735 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO INFORM A RELATIVE WITH WHOM A CHILD MAY BE PLACED OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING LICENSED AS A FOSTER PARENT, AND TO REQUIRE THE COURT TO MAKE CERTAIN FINDINGS BEFORE SIGNING AN ORDER APPROVING PLACEMENT OF A CHILD WITH A RELATIVE WHO IS NOT A LICENSED FOSTER PARENT; TO AMEND SECTION 63-7-650, RELATING IN PART TO THE DEPARTMENT MAKING AN INTERIM PLACEMENT OF A CHILD WITH A RELATIVE INSTEAD OF TAKING CUSTODY OF A CHILD, SO AS TO REQUIRE THE DEPARTMENT TO EXPLAIN TO THE RELATIVE ABOUT THE OPPORTUNITY TO BECOME

[SJ]

TUESDAY, MARCH 27, 2018

LICENSED AS A KINSHIP FOSTER PARENT IF THE CHILD IS UNABLE TO RETURN HOME; TO AMEND SECTION 63-7-2320, RELATING TO THE KINSHIP FOSTER PROGRAM, SO AS TO ALLOW THE DEPARTMENT TO WAIVE CERTAIN NONSAFETY LICENSURE REQUIREMENTS WHEN LICENSING A RELATIVE AS A FOSTER PARENT AND TO INDICATE THE PREFERENCE FOR PLACING A CHILD WITH A RELATIVE; TO AMEND SECTION 63-7-2330, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE AS PART OF A REMOVAL ACTION, SO AS TO REQUIRE THE DEPARTMENT TO INFORM THE RELATIVE OF THE OPPORTUNITY TO BE LICENSED AS A FOSTER PARENT, INCLUDING THE LICENSURE PROCESS AND BENEFITS OF BEING SO LICENSED; TO AMEND SECTION 63-7-2350, AS AMENDED, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO CLARIFY THE PROCESS THE DEPARTMENT MUST FOLLOW TO DETERMINE WHETHER A PERSON HAS COMMITTED A CRIME THAT MAKES THE PERSON INELIGIBLE TO BE A FOSTER PARENT; AND TO AMEND SECTION 43-1-210, AS AMENDED, RELATING TO DEPARTMENT REPORTING REQUIREMENTS, SO AS TO REQUIRE REPORTING OF KINSHIP CARE DATA.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1134 -- Senator Nicholson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR STEVE D. REEVES, JR., GENERAL MANAGER OF THE GREENWOOD COMMISSIONERS OF PUBLIC WORKS, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SEVEN YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

[SJ]

TUESDAY, MARCH 27, 2018

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

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

S. 1126 -- Senator Sheheen: A BILL TO AMEND THE FIRST PARAGRAPH OF SECTION 1 OF ACT 930 OF 1970, AS LAST AMENDED BY ACT 606 OF 1992, RELATING TO THE ELECTION OF MEMBERS OF THE KERSHAW COUNTY SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE ELECTIONS SHALL BE HELD AT THE TIME OF THE GENERAL ELECTION IN APPROPRIATE YEARS.

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 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.

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,

[SJ]

TUESDAY, MARCH 27, 2018

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 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

TUESDAY, MARCH 27, 2018

“PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS”.

S. 302 -- Senators Sheheen and Bennett: A BILL TO AMEND SECTION 59-29-80(A) OF THE 1976 CODE, RELATING TO PHYSICAL EDUCATION INSTRUCTION IN PUBLIC SCHOOLS, TO PROVIDE THAT MARCHING BAND INSTRUCTION BASED ON THE SOUTH CAROLINA ACADEMIC STANDARDS FOR THE VISUAL AND PERFORMING ARTS MUST BE CONSIDERED THE EQUIVALENT OF PHYSICAL EDUCATION INSTRUCTION.

The Senate proceeded to a consideration of the Bill.

The question being third reading of 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
Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

TUESDAY, MARCH 27, 2018

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

CARRIED OVER

S. 1041 -- Senators Davis, Campsen and Young: A BILL TO AMEND PART 1, CHAPTER 6, TITLE 37 OF THE 1976 CODE, BY ADDING SECTION 37-6-119, TO DEFINE AND PROHIBIT UNFAIR PRACTICES TARGETING VULNERABLE ADULTS BY OBTAINING MONEY, PROPERTY, OR PERSONALLY IDENTIFYING INFORMATION THROUGH DECEPTION, INTIMIDATION, UNDUE INFLUENCE, OR FALSE MISLEADING, OR DECEPTIVE ACTS OR PRACTICES; TO PROVIDE A RIGHT OF ACTION, RECOVERY AMOUNTS, AND PENALTIES; AND TO PROVIDE THAT THE REMEDIAL PROVISIONS OF THIS CHAPTER ARE CUMULATIVE.

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

OBJECTION

S. 854 -- Senators Sheheen, Scott and Nicholson: A BILL TO AMEND SECTIONS 9-1-1540, 9-9-65, AND 9-11-80, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISABILITY RETIREMENT FOR MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO PROVIDE THAT A MEMBER IS CONSIDERED TO BE IN SERVICE ON THE DATE THE APPLICATION FOR DISABILITY RETIREMENT IS FILED IF THE LAST DAY THE MEMBER WAS EMPLOYED IN THE SYSTEM OCCURRED NOT MORE THAN ONE YEAR BEFORE THE DATE OF FILING.

Senator SHEHEEN objected to the consideration of the Bill.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned to meet at 2:00 tomorrow.

TUESDAY, MARCH 27, 2018

MOTION ADOPTED

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Oswald Lawton Gardner of Greenwood, S.C. Lawton retired after 32 years of service as Assistant Chief of the City of Greenwood Fire Department. He was the last living member of the S.C. Fire Chief's Association. Lawton was a dedicated member of the Ninety Six First Baptist Church where he served as a deacon. He enjoyed the outdoors, farming and spending time with his family and friends. Lawton was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:45 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 2:00 P.M.

* * *

TUESDAY, MARCH 27, 2018

SENATE JOURNAL INDEX

S. 302.....	18	H. 4426	6
S. 854.....	19	H. 4438	6
S. 962.....	16	H. 4487	7
S. 1014.....	16	H. 4601	7
S. 1041.....	19	H. 4603	9
S. 1126.....	16	H. 4832	9
S. 1134.....	15	H. 4929	9
S. 1143.....	4	H. 4933	10
S. 1144.....	4	H. 4989	10
S. 1145.....	4	H. 4999	10
S. 1146.....	5	H. 5033	11
		H. 5038	11
H. 3002	5	H. 5042	11
H. 3442	14	H. 5064	12
H. 3513	13	H. 5153	12
H. 3701	14	H. 5154	12
H. 3825	5	H. 5156	1
H. 4020	6	H. 5157	2
H. 4410	6	H. 5159	2