

NO. 55

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

WEDNESDAY, APRIL 11, 2018

Wednesday, April 11, 2018
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 111:6-8

“He has shown his people the power of his works, in giving them the heritage of the nations. The works of his hands are faithful and just; all his precepts are trustworthy. They are established forever and ever, to be performed with faithfulness and uprightness.”

Let us pray. Gracious and eternal God, you have established us with a nation that was founded on Your trustworthy precepts in scripture. Now it is our responsibility to carry out these precepts with faithfulness and uprightness. This can only be done as we seek Your guidance and Your forgiveness and Your wisdom. Any other path will be the beginning of our separation from You and the slow inexorable journey into loneliness and despair.

Grant, O Lord, that each Senator here will continue this nation’s great heritage by prayerfully seeking in their deliberations that which will give hope and a brighter future to all South Carolinians. In Your Loving name we pray, Amen.

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

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	Cash	Climer
Cromer	Fanning	Goldfinch
Grooms	Hembree	Hutto
Kimpson	Leatherman	Massey
<i>Matthews, John</i>	McElveen	Peeler
Rice	Sabb	Senn
Shealy	Sheheen	Talley

WEDNESDAY, APRIL 11, 2018

Timmons

Turner

Williams

A quorum being present, the Senate resumed.

Recorded Presence

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Reappointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Melissa A. Tilden, 114 Sherwood Dr., Laurens, SC 29360

Referred to the Committee on Education.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2018, and to expire July 1, 2020

Four-Year Institutions:

Linda Dolny, 704 South Broad Street, Clinton, SC 29325-2814 *VICE*
Allison Dean Love

Referred to the Committee on Education.

Initial Appointment, South Carolina Real Estate Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

General Public:

Gary A. Pickren, 68 Redbay Road, Elgin, SC 29045-8685 *VICE*
Hamlin O'Kelley, III

Referred to the Committee on Labor, Commerce and Industry.

WEDNESDAY, APRIL 11, 2018

Local Appointments

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Douglas M. Vecchio, 761 Lancaster By-Pass East, Lancaster, SC 29720

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Van K. Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Fredrick Thomas, Post Office Box 3222, Lancaster, SC 29721

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Curtisha L. Mingo, 3008 Chinaberry Drive, Lancaster, SC 29720

Doctor of the Day

Senator MARTIN introduced Dr. Jennifer Root of West Columbia, S.C., Doctor of the Day.

Leave of Absence

At 2:20 P.M., Senator KIMPSON requested a leave of absence for Senator SETZLER for the day.

Leave of Absence

At 2:21 P.M., Senator GOLDFINCH requested a leave of absence for Senator VERDIN for the day.

OBJECTION

S. 516 -- Senators Gregory and Kimpson: A BILL TO AMEND SECTION 14-17-325 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATED TO CLERKS OF COURT, TO REQUIRE THAT EVERY CLERK OF COURT SHALL REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN

WEDNESDAY, APRIL 11, 2018

DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 22, BY ADDING SECTION 22-1-200 TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 BY ADDING SECTION 14-25-250 TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; TO AMEND CHAPTER 1, TITLE 23 BY ADDING SECTION 23-1-250 TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO REPORT TO SLED WITHIN TWENTY-FOUR HOURS, THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; TO AMEND TITLE 14 BY ADDING CHAPTER 32 TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE, TO ESTABLISH MEMBERSHIP, DUTIES AND

WEDNESDAY, APRIL 11, 2018

RESPONSIBILITIES OF THE COMMITTEE TO INCLUDE THE STUDY OF, AND TO MAKE RECOMMENDATIONS FOR, THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING; TO AMEND CHAPTER 23, TITLE 16, BY ADDING ARTICLE 9, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, OR UNTIL AT LEAST FIVE DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK AND THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM HAS NOT REPORTED THAT THE SALE WOULD VIOLATE STATE OR FEDERAL LAW, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE; AND TO PROVIDE A SUNSET FOR THE FIVE-DAY BACKGROUND CHECK PROVISIONS UPON THE FULL IMPLEMENTATION OF THE REPORTING REQUIREMENTS OF THIS ACT BUT NOT LATER THAN TWO YEARS FROM THE EFFECTIVE DATE OF THE ACT.

Senator KIMPSON asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

Senator BENNETT objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1161 -- Senators Peeler, Scott, Alexander and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 2, 2018, AS THE TIME TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14,

[SJ]

WEDNESDAY, APRIL 11, 2018

WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT, MEDICAL SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT, MEDICAL SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE THIRD CONGRESSIONAL DISTRICT, MEDICAL SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE FOURTH CONGRESSIONAL DISTRICT, LAY SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT, LAY SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE SIXTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; AND THE MEMBER FOR THE SEVENTH CONGRESSIONAL DISTRICT, LAY SEAT, FOR A TERM TO EXPIRE JUNE 30, 2022; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE THIRD JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE NINTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE ELEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE TWELFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2022; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE SOUTH CAROLINA STATE UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT, SEAT 1, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2020; THE MEMBER FOR THE THIRD CONGRESSIONAL DISTRICT, SEAT 3, FOR A TERM TO EXPIRE

[SJ]

WEDNESDAY, APRIL 11, 2018

JUNE 30, 2022; THE MEMBER FOR THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2020; THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT, SEAT 5, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FOR THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2020; THE MEMBER FOR THE SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, FOR A TERM TO EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2020; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2020; THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2020; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FROM THE FIRST CONGRESSIONAL DISTRICT, SEAT 1, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 3, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE THIRD CONGRESSIONAL DISTRICT, SEAT 5, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 7, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE FIFTH CONGRESSIONAL DISTRICT, SEAT 9, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 11, FOR A TERM TO EXPIRE JUNE 30, 2022; THE MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT, SEAT 13, FOR A TERM TO EXPIRE JUNE 30, 2022; THE TERM OF THE MEMBER FOR THE AT-LARGE, SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND THE TERM OF THE MEMBER FOR THE AT-LARGE, SEAT 17, WHOSE TERM WILL EXPIRE JUNE 30, 2022.

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

S. 1162 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE THE SCHOOL IMPROVEMENT COUNCILS OF

WEDNESDAY, APRIL 11, 2018

**SOUTH CAROLINA FOR FORTY YEARS OF CIVIC
ENGAGEMENT AT WORK IN PUBLIC EDUCATION.**

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The Senate Resolution was adopted.

S. 1163 -- Senator Jackson: A SENATE RESOLUTION TO
RECOGNIZE AND HONOR MEADOWFIELD ELEMENTARY
SCHOOL ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY
TO BE CELEBRATED ON APRIL 27, 2018, AND TO EXPRESS
GRATITUDE FOR THE SERVICES THE SCHOOL HAS PROVIDED
TO THE COLUMBIA COMMUNITY.

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The Senate Resolution was adopted.

H. 4799 -- Reps. Howard, Gilliard, Davis, Brawley and King: A BILL
TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976,
BY ADDING ARTICLE 3 TO CHAPTER 45, TITLE 40 ENTITLED
THE "PHYSICAL THERAPY LICENSURE COMPACT"; TO
PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS
MULTI-STATE COMPACT, TO PROVIDE FOR THE STRUCTURE,
FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING
BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS,
BENEFITS, AND RIGHTS OF COMPACT MEMBERS; AND TO
DESIGNATE THE EXISTING PROVISIONS OF ARTICLE 3,
CHAPTER 45, TITLE 40 AS "GENERAL PROVISIONS".

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

H. 5236 -- Reps. Howard, Alexander, Allison, 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, 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.

WEDNESDAY, APRIL 11, 2018

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 COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR EXTRAORDINARY EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE AND TO RECOGNIZE THE NINE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2018 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS.

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

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4950, THE GENERAL APPROPRIATIONS BILL.

H. 4950--GENERAL APPROPRIATIONS BILL

AMENDED, DEBATE INTERRUPTED

H. 4950 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

Amendment No. 31

Senators BENNETT, CLIMER, FANNING and DAVIS proposed the following amendment (ETK TAXPAYING ABILITY SB AND WC), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 281, proviso 1.41, lines 23-24, by striking the proviso in its entirety and by inserting:

/ 1.41. (SDE: Special Schools Flexibility) For the current fiscal year, the special schools and public school districts which would in the current fiscal year recognize a loss in State financial requirement of the foundation program by utilizing an Index of Taxpaying which imputes

WEDNESDAY, APRIL 11, 2018

the assessed value of owner occupied property compared to the State financial requirement of the same Index of Taxpaying Ability without an imputed value of owner-occupied homes are authorized to transfer funds among funding categories, including capital funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 14

Senators GROOMS, CAMPSER and M.B. MATTHEWS proposed the following amendment (4950R005.KMM.LKG.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 325, after line 32, by adding an appropriately numbered new proviso to read:

/1A. .(SDE-EIA: Adult Charter Pilot Program) From the funds appropriated to the South Carolina Public Charter School District, the district shall create parameters and guidelines for a one-year South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program for the 2018-2019 school year, including the funding methodology to the adult charter high school. An adult charter high school granted a pilot program by the South Carolina Public Charter School District shall follow all requirements of the South Carolina Charter Schools Act of 1996 (Section 59-40-10, et. seq.) except as expressly provided for in this proviso. In order to be accepted into the pilot program, a non-profit entity must have a successful model of providing educational services, including industry certifications and job placement services, to adults age twenty-one and older whose education and training opportunities have been limited by educational disadvantages, disabilities, or poverty. An applicant to this pilot program must be a non-profit entity, offer flexible scheduling, complete a majority of the instruction of the school's curriculum in-person, and offer dual credit or industry certification coursework that aligns with the State's workforce development needs. Applicants for the pilot program must commit no less than five hundred thousand dollars toward development of the adult charter high school. Any adult charter high school granted a pilot program by the South Carolina Public Charter School District shall be designated an Alternative Education Campus

WEDNESDAY, APRIL 11, 2018

(AEC). The governing board of an adult charter high school must be composed of at least seven members who are residents of the State of South Carolina. Membership of the board may be governed by the non-profit entity's bylaws and is not subject to the governing board election requirements as defined in Section 59-40-50(9). The adult charter high school shall be allowed to issue high school diplomas to students who have met state requirements for a high school diploma in South Carolina. The South Carolina Public Charter School District shall enter into a contract with the non-profit entity that is granted a pilot program, and the contract shall specify all roles, powers, responsibilities, and performance expectations for each party to the contract pursuant to this proviso and the South Carolina Charter Schools Act of 1996./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS spoke on the amendment.

On motion of Senator GROOMS, with unanimous consent, Amendment 14 was withdrawn.

ACTING PRESIDENT PRESIDES

Senator GOLDFINCH assumed the Chair.

Amendment No. 44

Senators GROOMS, CAMPSER, M.B. MATTHEWS and CAMPBELL proposed the following amendment (4950R020.SP.LKG.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 325, after line 32, by adding an appropriately numbered new proviso to read:

/1A. .(SDE-EIA: Adult Charter Pilot Program) From the funds appropriated to the South Carolina Public Charter School District, the district shall create parameters and guidelines for a one-year South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program for the 2018-2019 school year, including the funding methodology to the adult charter high school. An adult charter high school granted a pilot program by the South Carolina Public Charter School District shall follow all requirements of the South Carolina Charter Schools Act of 1996 (Section 59-40-10, et. seq.) except as expressly provided for in this proviso. In order to be accepted into the

WEDNESDAY, APRIL 11, 2018

pilot program, a non-profit entity must have a successful model of providing educational services, including industry certifications and job placement services, to adults age twenty-one and older whose education and training opportunities have been limited by educational disadvantages, disabilities, or poverty. An applicant to this pilot program must be a non-profit entity, offer flexible scheduling, complete a majority of the instruction of the school's curriculum in-person, and offer dual credit or industry certification coursework that aligns with the State's workforce development needs. Applicants for the pilot program must commit no less than five hundred thousand dollars toward development of the adult charter high school. An applicant to this pilot program must be sponsored by a two year technical college and maintain a cooperative agreement with its sponsor. Any adult charter high school granted a pilot program by the South Carolina Public Charter School District shall be designated an Alternative Education Campus (AEC). The governing board of an adult charter high school must be composed of at least seven members who are residents of the State of South Carolina. Membership of the board may be governed by the non-profit entity's bylaws and is not subject to the governing board election requirements as defined in Section 59-40-50(9). The adult charter high school shall be allowed to issue high school diplomas to students who have met state requirements for a high school diploma in South Carolina. The South Carolina Public Charter School District shall enter into a contract with the non-profit entity that is granted a pilot program, and the contract shall specify all roles, powers, responsibilities, and performance expectations for each party to the contract pursuant to this proviso and the South Carolina Charter Schools Act of 1996. The South Carolina Public Charter School District is prohibited from providing per pupil funding./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS spoke on the amendment.

Point of Order

Senator J. MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator GROOMS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

WEDNESDAY, APRIL 11, 2018

On motion of Senator GROOMS, the amendment was carried over.

PRESIDENT PRESIDES

At 10:38 A.M., the PRESIDENT assumed the Chair.

Point of Order

Senator CORBIN raised a Point of Order under Rule 24A that Proviso 72.1 of Part 1B was out of order inasmuch as it was not germane to the Bill.

72.1. (PSC: Power Purchase Agreements) With funds appropriated and authorized in the current fiscal year, the Public Service Commission shall (1) determine what contract length for power purchase agreements between electrical utilities and qualifying facilities (as defined in the Public Utility Regulatory Policies Act (Pub.L. 95-617, 92 Stat. 3117) (PURPA) is necessary to give such facilities a reasonable opportunity to attract capital; (2) adopt model power purchase agreements for such transactions that contain commercially reasonable terms and conditions, including a prohibition on uncompensated curtailment of qualifying facilities except as authorized by PURPA; (3) require electrical utilities to compensate a qualifying facility for all capacity costs avoided by the utility as a result of the construction and operation of the facility; and (4) prohibit an electrical utility from charging or reducing the price paid to a qualifying facility based on costs incurred by the electrical utility to respond to the intermittent nature of electrical generation by the facility.

Senator DAVIS spoke on the Point of Order.

Senator CORBIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Point of Order

Senator BENNETT raised a Point of Order under Rule 24A that Proviso 1.96 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.96. (SDE: School District Residence Boundaries) For Fiscal Year 2018-19, and with funds appropriated to local school districts, upon the reestablishment of a portion or entirety of a county boundary that impacts the school district boundary, persons residing on the impacted property may continue to enroll their children who previously attended a school in the district until such time as the child graduates from high school, as long as the child continuously resides at the same property until graduation. For the purposes of this section, "children" includes those children who are residing with their legal guardians whose property is impacted by a county boundary reestablishment in conflict with the immediate prior school district boundary. This proviso only applies to those persons residing on the impacted property and their children who reside with them. Once those persons move from the property or no longer have children living in the residence who are attending or will attend schools in the South Carolina K-12 public education system, this proviso no longer applies to that property. A district may draw down State and Federal funding for students enrolled under this section. A local board

WEDNESDAY, APRIL 11, 2018

of trustees of the district where a student is being allowed to attend pursuant to this proviso shall determine the charge a student must pay for any bonded indebtedness that student would normally pay if they resided in the district. This proviso does not require the former resident of a county to continue enrollment of their children in school in the county in which their property was located before the reestablishment.

The PRESIDENT sustained the Point of Order.

Proviso 1.96 was ruled out of order.

Point of Order

Senator SHEHEEN raised a Point of Order under Rule 24A that Proviso 34.59 of Part 1B was out of order inasmuch as it was not germane to the Bill.

34.59. (DHEC: Ocean and Coastal Regulation) The department may not expend any funds or assets, including employees, to regulate and shall cease regulating ocean and coastal resources in Dorchester County except for inside the critical area boundary located in the seaward portion of Dorchester County bounded beginning at the intersection of the county line and S.C. 165, then northward along S.C. 165 until its intersection with S.C. 642, then southeastward along S.C. 642 until its intersection with the county line.

The PRESIDENT sustained the Point of Order.

Proviso 34.59 was ruled out of order.

Amendment No. 47

Senator SETZLER proposed the following amendment (ETK 23.4 NS), which was adopted (#26):

Amend the bill, as and if amended, Part 1B, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA., page 349, proviso 23.4, lines 9 - 12, by striking the proviso in its entirety, and inserting

/ 23.4. (MUSC: Burn Unit Feasibility Study) Of the funds appropriated, the MUSC Hospital Authority is directed to conduct an independent feasibility study of the total costs of the implementation and annual operation of a fully operational adult and/or pediatric burn unit. The authority shall submit the study to the Chairmen of the House Ways & Means Committee, the House Medical, Military, Public and Municipal Affairs Committee, the Senate Finance Committee, and Senate Medical Affairs Committee by January 15, 2019. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN spoke on the amendment.

The amendment was adopted.

WEDNESDAY, APRIL 11, 2018

Objection

Senator LEATHERMAN asked unanimous consent to make a motion to cut off receipt of new amendments at 2:00 P.M.

Senator MALLOY objected.

Motion Adopted

On motion of Senator LEATHERMAN, the Senate agreed to recede at 11:50 A.M. for the purpose of attending the Joint Assembly and upon conclusion of the Joint Assembly that the Senate stand in recess for 45 minutes.

Amendment No. 52

Senator SHEALY proposed the following amendment (DAD CWINFOSYS KFS), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 384, after line 22, by adding an appropriately numbered new proviso to read:

/ () (DSS: Comprehensive Child Welfare Information System) A portion of the recurring funds appropriated to the department shall be used to issue a request for proposal, no later than September 30, 2018, for a vendor to implement a comprehensive case management data and analysis system. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEALY spoke on the amendment.

The amendment was adopted.

Amendment No. 48A

Senator SETZLER proposed the following amendment (4950R032.SP.NGS.DOCX), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 54, RURAL INFRASTRUCTURE AUTHORITY, page 395, line 28, by adding an appropriately numbered new proviso to read:

/ 54. . (RIA: Water Infrastructure Projects)If a political subdivision, as defined in Section 11-35-310(23), receives funds from the Rural Infrastructure Authority for a water infrastructure project, any political subdivision's procurement involving an expenditure of those funds shall comply with the provisions contained in Sections 11-35-2610,

WEDNESDAY, APRIL 11, 2018

11-35-2730, and 11-35-2750 and regulation 19-445.2140 in the same manner as a governmental body, as defined in Section 11-35-310(18). /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO spoke on the amendment.

The amendment was adopted.

Amendment No. 46

Senator MASSEY proposed the following amendment (4950R030.SP.ASM.DOCX), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 72, PUBLIC SERVICE COMMISSION, page 419, line 27, by adding an appropriately numbered new proviso to read:

/ 72. . (PSC: Tax Savings Report) The Public Service Commission shall order investor-owned utilities to provide to the Office of Regulatory Staff and the Public Service Commission their estimated tax savings benefits resulting from the federal Tax Cuts and Jobs Act as expeditiously as possible. The Public Service Commission shall issue an order within fifteen business days after the receipt of this information to provide that investor-owned utility customers receive these estimated tax benefits. All investor-owned utilities must submit to the Office of Regulatory Staff and the Public Service Commission the actual tax savings benefits received so that they may have the opportunity to true up the actual benefits received. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

Recorded Vote

Senators SHEHEEN and KIMPSON desired to be recorded as abstaining in the adoption of the amendment.

RECESS

At 11:50 A.M., on motion of Senator LEATHERMAN, the Senate recessed from business for the purpose of attending the Joint Assembly.

WEDNESDAY, APRIL 11, 2018

JOINT ASSEMBLY

Elections

At 12:00 Noon, the Senate appeared in the Hall of the House.

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

S. 1055 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, APRIL 11, 2018, AS THE TIME TO ELECT AN AT-LARGE MEMBER TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL FOR A TERM TO EXPIRE JUNE 30, 2021, AND TWO AT-LARGE MEMBERS WHOSE TERMS WILL EXPIRE JUNE 30, 2022; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF VISITORS FOR THE CITADEL FOR TERMS TO EXPIRE JUNE 30, 2024; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR FRANCIS MARION UNIVERSITY FROM THE FIRST CONGRESSIONAL DISTRICT, SEAT 1, FOR A TERM TO EXPIRE JUNE 30, 2022, A MEMBER FROM THE FIFTH CONGRESSIONAL DISTRICT, SEAT 5, FOR A TERM TO EXPIRE JUNE 30, 2022, A MEMBER FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2022, AND AT-LARGE MEMBERS TO SEATS 8, 10, 12, 13, AND 14, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2022; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR WINTHROP UNIVERSITY FROM THE FIRST CONGRESSIONAL DISTRICT, SEAT 1, FOR A TERM TO EXPIRE JUNE 30, 2024, A MEMBER FROM THE FIFTH CONGRESSIONAL DISTRICT, SEAT 5, FOR A TERM TO EXPIRE JUNE 30, 2024, AND A MEMBER FROM THE SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, FOR A TERM TO EXPIRE JUNE 30, 2022; AND TO ELECT THREE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY, AT LARGE, FOR TERMS TO EXPIRE JUNE 30, 2022.

WEDNESDAY, APRIL 11, 2018

**Election to the Board of Trustees for
the Wil Lou Gray Opportunity School, At-Large**

The PRESIDENT announced that nominations were in order to elect successors to an at-large position on the Board of Trustees for the Wil Lou Gray Opportunity School.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Michael Moss had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Michael Moss was elected to an at-large position on the Board of Trustees for the Wil Lou Gray Opportunity School for the terms to expire June 30, 2021.

**Election to the Board of Trustees for
the Wil Lou Gray Opportunity School, At-Large**

The PRESIDENT announced that nominations were in order to elect successors to two at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Thomas B. Hamilton and Marilyn E. Taylor had been screened and found qualified to serve and placed their names in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Thomas B. Hamilton and the Honorable Marilyn E. Taylor were elected to two at-large positions on the Board of Trustees for the Wil Lou Gray Opportunity School for the terms to expire June 30, 2022.

**Election to the Board of Trustees for
Winthrop University, 1st Congressional District, Seat #1**

The PRESIDENT announced that nominations were in order to elect successors to a position on the Board of Trustees for Winthrop University, 1st Congressional District, Seat #1.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Timothy B. Sease had

WEDNESDAY, APRIL 11, 2018

been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Timothy B. Sease were elected to a position on the Board of Trustees for Winthrop University, 1st Congressional District, Seat #1 for the term to expire June 30, 2024.

**Election to the Board of Trustees for
Winthrop University, 5th Congressional District, Seat #5**

The PRESIDENT announced that nominations were in order to elect successors to a position on the Board of Trustees for Winthrop University, 5th Congressional District, Seat #5.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Ms. Kathy H. Bigham had been screened and found qualified to serve and placed her name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Kathy H. Bigham was elected to a position on the Board of Trustees for Winthrop University, 5th Congressional District, Seat #5 for the term to expire June 30, 2024.

**Election to the Board of Trustees for
Winthrop University, 7th Congressional District, Seat #7**

The PRESIDENT announced that nominations were in order to elect successors to a position on the Board of Trustees for Winthrop University, 7th Congressional District, Seat #7.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robby Davis Sisco had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Robby Davis Sisco was elected to a position on the Board of Trustees for

WEDNESDAY, APRIL 11, 2018

Winthrop University, 7th Congressional District, Seat #7 for the term to expire June 30, 2024.

Election to the Board of Trustees for

Francis Marion University, 1st Congressional District, Seat #1

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 1st Congressional District, Seat #1.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mark S. Moore had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Mark S. Moore was elected to a position on the Board of Trustees for Francis Marion University, 1st Congressional District, Seat #1 for the term to expire June 30, 2022.

Election to the Board of Trustees for

Francis Marion University, 5th Congressional District, Seat #5

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 5th Congressional District, Seat #5.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that H. Paul Dove, Jr. had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Paul Dove, Jr. was elected to a position on the Board of Trustees for Francis Marion University, 5th Congressional District, Seat #5 for the term to expire June 30, 2022.

WEDNESDAY, APRIL 11, 2018

Election to the Board of Trustees for

Francis Marion University, 6th Congressional District, Seat #6

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Francis Marion University, 6th Congressional District, Seat #6.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Floyd L. Keels had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Floyd L. Keels was elected to a position on the Board of Trustees for Francis Marion University, 6th Congressional District, Seat #6 for the term to expire June 30, 2022.

Election to the Board of Trustees for

Francis Marion University, At-Large Position, Seat #8

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #8.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robert E. Lee had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert E. Lee was elected to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #8 for the term to expire June 30, 2022.

Election to the Board of Trustees for

Francis Marion University, At-Large Position, Seat #10

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #10.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Kenneth W. Jackson

WEDNESDAY, APRIL 11, 2018

had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kenneth W. Jackson was elected to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #10 for the term to expire June 30, 2022.

**Election to the Board of Trustees for
Francis Marion University, At-Large Position, Seat #12**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, Seat #12.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that W. Edward Gunn had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable W. Edward Gunn was elected to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #12 for the term to expire June 30, 2022.

**Election to the Board of Trustees for
Francis Marion University, At-Large Position, Seat #13**

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, Seat #13.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that R. Tracy Freeman had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Tracy Freeman was elected to an at-large position on the Board of Trustees for

WEDNESDAY, APRIL 11, 2018

Francis Marion University, at-large, Seat #13 for the term to expire June 30, 2022.

Election to the Board of Trustees for

Francis Marion University, At-Large Position, Seat #14

The PRESIDENT announced that nominations were in order to elect a successor to an at-large position on the Board of Trustees for Francis Marion University, Seat #14.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that L. Franklin Elmore had been screened and found qualified to serve and placed his name in nomination.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable L. Franklin Elmore was elected to an at-large position on the Board of Trustees for Francis Marion University, at-large, Seat #14 for the term to expire June 30, 2022.

Election to Two At-Large Positions on the Board of Trustees for The Citadel

The PRESIDENT announced that nominations were in order to elect a successor to two at-large positions on the Board of Trustees for The Citadel.

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Allison Dean Love and Peter M. McCoy, Sr. had been screened and found qualified to serve.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Allison Dean Love and the Honorable Peter M. McCoy, Sr. had been elected to two at-large positions on the Board of Trustees for The Citadel for the term to expire June 30, 2024.

Election to Three At-Large Positions on the Board of Trustees for Clemson University

The PRESIDENT announced that nominations were in order to elect a successor to three at-large positions on the Board of Trustees for Clemson University.

WEDNESDAY, APRIL 11, 2018

Senator PEELER, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that W. Phillip Bradley, Patricia H. McAbee, John N. McCarter, Jr., John W. Pettigrew, Jr., and Joseph D. Swann had been screened and found qualified to serve.

On motion of Senator PEELER, with unanimous consent, the names of W. Phillip Bradley and John W. Pettigrew, Jr. were withdrawn from consideration.

Senator PEELER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Patricia H. McAbee, the Honorable John N. McCarter, Jr. and the Honorable Joseph D. Swann had been elected to three at-large positions on the Board of Trustees for Clemson University for the term to expire June 30, 2022.

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

At 12:15 P.M., by prior motion of Senator LEATHERMAN, the Senate recessed until 1:00 P.M.

At 1:35 P.M., the Senate resumed.

Amendment No. 11

Senator YOUNG proposed the following amendment (ETK DOT ENCROACH PERM V2), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 428, after line 32, by adding an appropriately numbered new proviso to read:

/ (DOT: Encroachment Permits) Subject to the terms of this proviso, the Department of Transportation shall not use any authorized funds to provide encroachment permits to a utility when relocation of lines in the state right of way by that utility is delaying a transportation project. The Department of Transportation shall give written notice to a utility when it is delaying a project due to relocation of that utility's lines, and the utility shall have sixty days after written notice to bring the utility relocation back within the project schedule. If, after the sixty day period, the project is still delayed as a result of the utility relocation, the Department of Transportation has the option to refuse other encroachment permits to the utility for work within state right of way

WEDNESDAY, APRIL 11, 2018

that is unrelated to the relocation of the lines delaying the project, except for relocations necessitated by a transportation project or emergency repairs./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG spoke on the amendment.

Senator YOUNG asked unanimous consent to withdraw the amendment.

The amendment was withdrawn.

Amendment No. 40B

Senator TIMMONS proposed the following amendment (4950R033.DR.WRT.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 443, after line 18, by adding an appropriately numbered new proviso to read:

/93. (DOA: Case Management System) (A) From the funds appropriated to agencies listed below in a pro rata share to be determined by the Department of Administration, in a total amount not to exceed \$500,000, the Department of Administration shall enter into a contract with a nationally recognized third party information technology vendor to study the requirements of the State's solicitors, public defenders, the Office of Court Administration, clerks of court, the Department of Corrections, the Department of Probation, Parole and Pardon Services, the State Law Enforcement Division, and all other law enforcement agencies in regard to the consolidation of their separate case management information technology systems into a standardized, fully integrated, paperless incident and case management system that facilitates the collection, storage, maintenance, and availability of case-related data.

(B) The Department of Administration shall manage and oversee the study. The Prosecution Coordination Commission, the Indigent Defense Fund, the Administrative Office of the Courts, and the State Law Enforcement Division must participate in the study and shall each appoint one person to represent the interests of its appointing authority. Upon completion, but no later than June 30, 2019, the results of the study shall be compiled in a report to the Governor and General Assembly and must be made available on the Department of Administration's website./

WEDNESDAY, APRIL 11, 2018

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TIMMONS spoke on the amendment.

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

Amendment No. 22

Senator CASH proposed the following amendment (DAD 108.4 RJC), which was tabled:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 460, proviso 108.4, lines 6 - 16, by striking the proviso in its entirety, and inserting:

/ 108.4. (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function where the life of the mother is at risk and the termination of the pregnancy is incidental to the lifesaving intervention, and the State Health Plan may not offer coverage for abortion services, ~~including ancillary services provided contemporaneously with abortion services or services incidental to abortion except as permitted by this provision.~~ The physician shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child. The Public Employee Benefit Authority must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

WEDNESDAY, APRIL 11, 2018

Point of Order

Senator M.B. MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

Senator M.B. MATTHEWS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator M.B. MATTHEWS moved to lay the amendment on the table.

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

Ayes 17; Nays 25

AYES

Allen	Fanning	Hutto
Johnson	Kimpson	Malloy
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Sheheen	

Total--17

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Gregory
Grooms	Hembree	Jackson
Leatherman	Martin	Peeler
Rice	Shealy	Talley
Timmons	Turner	Williams
Young		

Total--25

Having failed to receive the necessary votes, the motion to table failed.

Senator JOHNSON spoke on the amendment.

Senator HUTTO spoke on the amendment.

WEDNESDAY, APRIL 11, 2018

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 23; Nays 19

AYES

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

Total--23

NAYS

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Martin	Rice	Talley
Timmons	Turner	Verdin
Young		

Total--19

The amendment was laid on the table.

Amendment No. 53

Senator DAVIS proposed the following amendment (DG TD EXNEEDS), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 463, by striking proviso 109.10 in its entirety.

Amend the bill further, PART 1B, Section 109, DEPARTMENT OF REVENUE, page 469, after line 8, by adding an appropriately numbered proviso to read:

/ (DOR: Exceptional Needs Credit) (A) As used in this proviso:

WEDNESDAY, APRIL 11, 2018

(1) 'Eligible school' means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the State's diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools, the American Montessori Society, the International Montessori Council, or the National Association of Private Schools or alternatively accredited by AdvancED or the National Council for Private School Accreditation.

(2) 'Exceptional needs child' means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

WEDNESDAY, APRIL 11, 2018

(3) 'Disadvantaged child' means a child who is eligible for the federal free or reduced lunch program and whose family meets the qualifications for federal Medicaid benefits.

(4) 'Independent school' means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(5) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the tax code;

(b) allocates at least ninety-five percent of the fiscal year's contributions to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this proviso, and incurs administrative expenses in the fiscal year of not more than five percent of its contributions for the fiscal year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs or disadvantaged students;

(d) does not provide grants only for the benefit of one school, and if the department determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this proviso may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser, or member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this proviso from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain; and

(h) does not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

WEDNESDAY, APRIL 11, 2018

(6) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(7) 'Person' means an individual, partnership, corporation, or other similar entity.

(8) 'Qualifying student' means a student who is an exceptional needs child or a disadvantaged child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later-year level for the school year which begins in the fiscal year.

(9) 'Resident public school district' means the public school district in which a student resides.

(10) 'Transportation' means transportation to and from school only.

(11) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(12) 'Department' means the Department of Revenue.

(13) 'School year' has the same meaning as the current fiscal year.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12, for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization in the current fiscal year up to the limits of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12, for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization in the current fiscal year up to the limits of this proviso if:

(a) the contribution is used to provide grants for tuition to disadvantaged children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

WEDNESDAY, APRIL 11, 2018

(C) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding eleven thousand dollars or the total cost of tuition, whichever is less, for qualifying students at an eligible school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs or disadvantaged child. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and delivered to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(D)(1)(a) The tax credits authorized by subsection (B)(1) may not exceed cumulatively a total of fifteen million dollars in the fiscal year for contributions made on behalf of exceptional needs students. If the department determines that the total of these credits claimed by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(b) The tax credits authorized pursuant to subsection (B)(2) may not exceed cumulatively a total of five million dollars in the fiscal year for contributions on behalf of disadvantaged children. If the department determines that the total of these credits claimed by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(c) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. The credit must be claimed on the return for the tax year that ends in the current fiscal year. If the taxpayer makes a contribution in the fiscal year but after the end of the tax year, the taxpayer may file an amended return to claim the credit.

(2) A taxpayer may not claim more than one hundred percent of his total tax liability for the year in contribution toward the tax credits authorized by subsection (B)(1) and (2). This credit is not refundable.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this proviso,

WEDNESDAY, APRIL 11, 2018

then the taxpayer shall add back the amount of the deduction for purposes of South Carolina income or bank taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credits authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if the credit limit is met at any time during the year.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this proviso.

(G)(1) A public nonprofit organization to oversee the scholarship funding organizations must be organized by the department as a public charity as defined by the Internal Revenue Code under section 509(a)(1) through (4).

(2) The public nonprofit organization must be governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, one of which is based upon the recommendation of the South Carolina Association of Christian Schools and one which is based upon the recommendation of the Diocese of Charleston, two appointed by the Chairman of the Senate Finance Committee based upon the recommendations of the South Carolina Independent Schools Association, and one appointed by the Governor based upon the recommendation of the Palmetto Association of Independent Schools. The directors of the public nonprofit organization, along with the director of the department, shall designate an executive director of the public nonprofit.

(3) In concert with the public nonprofit directors, the department shall administer the public nonprofit organization, which will provide oversight of the scholarship funding organizations and address any citizen concerns about the programs' administration at eligible schools or with the scholarship funding organizations.

(4) By June 30, 2019, the department shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools by each scholarship funding organization in the current fiscal year;

WEDNESDAY, APRIL 11, 2018

(b) the identity of the school and the amount of the grant for each grant issued to an eligible school in the current fiscal year by each scholarship funding organization;

(c) an itemization and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school by any scholarship funding organization;

(d) a copy of a compilation, review, or audit of each scholarship funding organization conducted by a certified public accounting firm as provided to the department by each scholarship funding organization in their application to participate in the program; and

(e) the criteria and eligibility requirements for scholarship awards of each scholarship funding organization as provided to the department by each scholarship funding organization in their application to participate in the program.

(5) The directors may request an audit by the department if they believe a scholarship funding organization is in violation of the provisions of this proviso.

(H)(1) By August 1, 2018, each nonprofit scholarship funding organization shall apply to the department to be considered an eligible organization for which its contributors are allowed the tax credit allowed by this proviso. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization must not be allowed for purposes of the credit allowed by this proviso. A nonprofit scholarship funding organization's application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding fiscal year;

(b) for each grant issued to an eligible school in the preceding fiscal year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

WEDNESDAY, APRIL 11, 2018

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(5) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(2) By receiving the application materials and approving the organization as an eligible organization pursuant to item (1), the department is not determining that the organization meets all of the requirements of a qualified nonprofit scholarship funding organization and the organization remains subject to examination as provided for pursuant to subsection (1).

(3) The department has authority to disclose the names of qualifying nonprofit scholarship funding organizations to the Education Oversight Committee. The department also may disclose to the Education Oversight Committee the names of organizations that applied but were not qualified by the department and those organizations whose eligibility has been revoked in accordance with subsection (1)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September 1, 2018, the department shall publish on its website a list of all qualifying nonprofit scholarship funding organizations, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (1)(e) must be published with the list.

(1)(1) Nothing in this proviso restricts the department's authority to supervise and audit any of the parties. The department has authority to oversee, examine, and audit the nonprofit scholarship funding organizations, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this proviso.

(2)(a) If at any time during the fiscal year, the department has evidence, through audit or otherwise, that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso, the department immediately may revoke the organization's participation in the program and shall notify the organization and the Education Oversight Committee in writing of the revocation.

(b) Notice of revocation may be provided to the organization by personal delivery to the organization, by first class mail to the last known

WEDNESDAY, APRIL 11, 2018

address of the organization, or by other means reasonably designed to provide notice to the organization.

(c) Any donations made following the date the notice of revocation is received by the organization or in the case of delivery by mail ten days after the notice of revocation was mailed, do not qualify for the credit and the donated funds must be returned to the donor by the organization. This proviso may not limit the department's authority to deny any tax credit or other benefit provided by this proviso if the circumstances warrant.

(d)(i) Within thirty days after the day on which the organization is notified of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within thirty days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is 'reasonable' if the department has some credible evidence to believe that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso. The decision made by the administrative law judge is final and conclusive and may not be reviewed by any court. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation is permanent.

(ii) If the administrative law judge determines that the revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties may raise new issues and arguments in addition to those issues and arguments previously presented at the revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation must be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department, in its sole discretion,

WEDNESDAY, APRIL 11, 2018

may reinstate the organization and notify the Education Oversight Committee.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the department has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(J) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially if the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. The funds that are transferred by one nonprofit scholarship funding organization to another only may be considered by one organization when calculating its administrative expenses.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that no further amendments would be placed on the desk after 3:00 P.M., with the exception of any necessary technical correcting and balancing amendments to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H.4950.

Amendment No. 45

Senators MARGIE B. MATTHEWS and HUTTO proposed the following amendment (SA\4950C014.BBM.SA18.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Local Accommodations and Hospitality Tax) In the current fiscal year, in any county in which at least seven hundred fifty thousand dollars in the state accommodations taxes was collected in the previous fiscal year, revenues derived from local accommodations tax and local hospitality tax may be expended for associated tourism operations and maintenance including, police, fire protection, emergency medical

WEDNESDAY, APRIL 11, 2018

services, and emergency-preparedness operations directly attendant to such operations. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M.B. MATTHEWS spoke on the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 42B

Senators GROOMS, RANKIN, and HUTTO proposed the following amendment (4950R031.SP.LKG.DOCX), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, line 20, by adding an appropriately numbered new proviso to read:

/ 117. . . (GP: Public Service Authority Strategic Committee)(A)

From the funds that the Public Service Authority contributes to the General Fund as recognized in the Statement of Revenues, there shall be formed a thirteen-person Public Service Authority Strategic Committee to evaluate the Public Service Authority's financial and operating performance, management structure, and corporate culture; to develop an itemized valuation of the authority's assets; and to develop and execute a strategic plan for the future of the Public Service Authority. The Public Service Authority Strategic Committee may engage consultants as necessary for these purposes.

(B) The Public Service Authority Strategic Committee shall be composed of the following members:

(1) Chairman of the Senate Finance Committee or his designee;

(2) Chairman of the Senate Judiciary Committee or his designee;

(3) Chairman of the Senate Transportation Committee or his designee;

(4) Chairman of the Senate Fish, Game and Forestry Committee or his designee;

(5) one member appointed by the President Pro Tempore from the Public Service Authority's industrial customers;

WEDNESDAY, APRIL 11, 2018

(6) one member appointed by the President Pro Tempore who is a member of the Senate from a direct-serve Public Service Authority territory;

(7) Chairman of the House Ways and Means Committee or his designee;

(8) Chairman of the House Judiciary Committee or his designee;

(9) one member appointed by the Speaker of the House of Representatives upon the recommendation of Central Electric Power Cooperative, Inc.;

(10) three members appointed by the Speaker of the House of Representatives, of which at least one must represent Public Service Authority territory; and

(11) Chairman of the Board of Directors of the Public Service Authority or his designee.

(C) The Public Service Authority Strategic Committee shall make recommendations to the General Assembly by the end of the fiscal year./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS spoke on the amendment.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

Amendment No. 51A

Senator DAVIS proposed the following amendment (4950R043.SP.TD.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, line 20, by adding an appropriately numbered new proviso to read:

/117. . (GP: Public Service Authority Evaluation and Recommendation Committee) (A)(1) From funds appropriated by the General Assembly for this purpose, there is created the Public Service Authority Evaluation and Recommendation Committee to be composed of nine members:

(a) the Speaker of the House of Representatives or his designee;

(b) the Majority Leader of the House of Representatives or his designee;

(c) the Minority Leader of the House of Representatives or his designee;

(d) the President Pro Tempore of the Senate or his designee;

WEDNESDAY, APRIL 11, 2018

(e) the Majority Leader of the Senate or his designee;

(f) the Minority Leader of the Senate or his designee;

(g) the Governor or his designee; and

(h) two members appointed by the Governor from the State at large. No person shall be appointed by the Governor to the committee if such person is employed by, receives compensation from, or accepts retirement or other benefits from a publicly owned utility, an investor-owned utility, an electric cooperative, or any association or organization that represents a publicly owned utility, an investor-owned utility, or an electric cooperative or otherwise participates in the energy industry or marketplace.

(2) Vacancies shall be filled in the manner of original appointment.

(B) The members of the committee shall elect a chairman and other officers as they consider necessary. The committee shall meet upon the call of the chairman or a majority of its members. Members shall receive per diem, mileage, and subsistence as provided by law for members of legislative or other state committees as appropriate to be paid from the approved accounts of the office or house of their appointing authority. Meeting space and staff support shall be provided by the General Assembly as needed and required. The committee shall make recommendations to the General Assembly as soon as practicable, at which time the committee is dissolved, unless otherwise continued as provided by law.

(C) The committee shall evaluate objectives including but not limited to the following:

(1) determine the manner in which the General Assembly may best protect ratepayers and taxpayers in regard to Santee Cooper;

(2) analyze whether selling Santee Cooper is in the best interests of South Carolina taxpayers, the ratepayers of Santee Cooper, and the ratepayers of the Electric Cooperatives of South Carolina;

(3) determine whether the assets of Santee Cooper should be considered for sale as a whole or in parts and which assets of Santee Cooper, if any, should be retained by the State;

(4) obtain a valuation of Santee Cooper and its assets;

(5) develop a transparent and public process to conduct hearings, receive bids from potential purchasers, and evaluate a potential sale of Santee Cooper;

(6) determine the future role of Santee Cooper, whether sold or retained by the State; and

WEDNESDAY, APRIL 11, 2018

(7) determine the manner in which the natural resources owned by Santee Cooper are protected or managed for public and wildlife enjoyment;

(D) To assist with meeting those objectives, it is recommended that the committee consider actions including but not limited to the following:

(1) determine the criteria necessary to assess the viability and feasibility of the potential sale of Santee Cooper;

(2) identify all assets of Santee Cooper and then determine which assets, if any, of Santee Cooper should be considered for sale;

(3) evaluate whether Santee Cooper's water system, the Santee Cooper lakes, or both should be part of any sale;

(4) obtain a valuation of Santee Cooper's assets, both collectively and separately, with a specific valuation for the transmission, distribution, and generation assets of Santee Cooper;

(5) establish the criteria, parameters, and process to receive bid proposals from potential purchasers of Santee Cooper's assets;

(6) evaluate whether the South Carolina Consolidated Procurement Code or other state law impacts the sale parameters and, if so, determine the best course of action to address the same in its requests for proposals;

(7) as allowed by the South Carolina Consolidated Procurement Code or other state law, conduct public hearings to receive a bid from each potential prospective bidder and set a time for the same;

(8) analyze the impact of the potential sale of Santee Cooper on current employees and retirees and whether bidders must maintain current workforce levels and pension commitments for a set period post sale;

(9) develop or cause to be developed the request for proposals to be used by potential bidders;

(10) establish the time frame for receipts for proposals from potential bidders and evaluation of proposals by the committee and make a recommendation to the General Assembly on whether a sale is in the best interests of ratepayers and taxpayers;

(11) require that all bid proposals shall be made as the best and final offer from each bidder;

(12) identify legislation needed to complete any potential sale;

(13) determine whether the committee should hire an investment bank or other third-party expert to assist with the evaluation of offers received;

(14) determine the impact of Santee Cooper's debt, including all bonded indebtedness, in the sale of Santee Cooper's assets, including a

WEDNESDAY, APRIL 11, 2018

requirement that all bids must satisfy the indebtedness of Santee Cooper existing at the close of sale;

(15) identify potential risks to South Carolina taxpayers and ratepayers that could result from the sale of Santee Cooper, either in whole or in part, including, but not limited to, the loss of tax exempt status of a buyer, impact on economic development, and whether sale at this time would not preclude South Carolina from recovering the full value of Santee Cooper;

(16) determine which course of action, whether the sale or retention of Santee Cooper or another option, provides maximum rate relief to Santee Cooper ratepayers, customers of the Electric Cooperatives of South Carolina, and industrial customers of Santee Cooper;

(17) determine the total assets of Santee Cooper and identify those not necessary for generation, transmission, or distribution needs in order for these assets to be sold without violating Section 58-31-360;

(18) evaluate Santee Cooper's plan and strategy for future generation facilities in order to meet future electric demand, Santee Cooper's timeline for the same, and costs for such projects to the ratepayers;

(19) ascertain future economic development projects for Santee Cooper and the projected revenue estimated from the same and whether an investor-owned utility can provide the same economic development impact as Santee Cooper;

(20) calculate the revenue to Santee Cooper from industrial and other nonresidential ratepayers, excluding revenue derived from the Electric Cooperatives of South Carolina;

(21) evaluate whether diversification of Santee Cooper's generation portfolio, including purchases of generation from outside Santee Cooper, provides a more cost effective manner to service customer needs;

(22) obtain information on the current amounts of cash on hand and in reserve of Santee Cooper;

(23) obtain a current estimate of Santee Cooper's pension liabilities;

(24) evaluate projected revenue growth and its impact on the ability of Santee Cooper to meet debt obligations;

(25) quantify the current amounts of long-term and short-term debt of Santee Cooper;

(26) identify the structure of each of Santee Cooper's bond offerings;

WEDNESDAY, APRIL 11, 2018

(27) review proposed rate schedules in both the long and short terms to determine the full impact of V.C. Summer on ratepayers;

(28) determine whether Santee Cooper's debt-to-equity ratio comports with market ratios of other electric utilities;

(29) determine whether Santee Cooper has obtained efficiency or performance studies related to expenses for workforce management and how Santee Cooper's ratios relate to industry standards;

(30) evaluate the electric cooperatives' structure, including the role of the Central Electric Power Cooperative;

(31) evaluate options to provide maximum rate relief to electric cooperative customers either through the sale or retention of Santee Cooper;

(32) analyze the central contract between Santee Cooper and the electric cooperatives to determine the impact of that agreement on any sale or management agreement involving Santee Cooper;

(33) solicit input from the electric cooperatives and other industrial customers on the potential sale or long-term viability of Santee Cooper;

(34) direct Santee Cooper to inventory all assets at the V.C. Summer site and to obtain a salvage or sale valuation for those assets, with any monies received from such salvage or sale to be used as directed in the Rate Relief and Stabilization Fund;

(35) determine whether Santee Cooper should be subject to oversight by the Public Service Commission or Joint Bond Review Committee;

(36) provide alternative governance structures for Santee Cooper, other than a board of directors, based on other state-owned utilities; and

(37) study any other factors that the committee finds relevant to the objectives contained herein. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator HUTTO assumed the Chair.

Senator GROOMS spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

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

WEDNESDAY, APRIL 11, 2018

Ayes 21; Nays 22

AYES

Allen	Campbell	Campsen
Gambrell	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Malloy
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
Nicholson	Rankin	Reese
Sabb	Scott	Williams

Total--21

NAYS

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gregory
Leatherman	Martin	Massey
McLeod	Peeler	Rice
Senn	Shealy	Talley
Timmons	Turner	Verdin
Young		

Total--22

Having failed to receive the necessary votes, the Senate refused to table the amendment.

PRESIDENT PRESIDES

At 4:22 P.M., the PRESIDENT assumed the Chair.

Senator RANKIN spoke on the amendment.

Objection

Senator DAVIS asked unanimous consent to amend the amendment by changing the composition of the committee in Amendment No. 51A to that of the committee in Amendment No. 42B.

Senator MASSEY objected.

WEDNESDAY, APRIL 11, 2018

RECESS

At 5:05 P.M., on motion of Senator RANKIN, with unanimous consent and Senator RANKIN retaining the floor, the Senate stood in recess from business not to exceed five minutes.

The Senate resumed at 5:18 P.M.

Motion to Ratify Adopted

At 5:18 P.M., Senator LEATHERMAN asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Senator RANKIN resumed speaking.

Motion Adopted

Senator RANKIN asked unanimous consent to withdraw Amendment No. 51A and substitute it with Amendment No. 51B.

There was no objection.

Amendment No. 51B

Senators DAVIS, GROOMS and MALLOY proposed the following amendment (4950R045.SP.TD.DOCX), which was adopted (#31):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, line 20, by adding an appropriately numbered new proviso to read:

/117. . (GP: Public Service Authority Evaluation and Recommendation Committee) (A)(1) From funds appropriated by the General Assembly for this purpose, there is created the Public Service Authority Evaluation and Recommendation Committee to be composed of nine members:

(a) the Speaker of the House of Representatives or his designee;

(b) the Majority Leader of the House of Representatives or his designee;

(c) the Minority Leader of the House of Representatives or his designee;

(d) the President Pro Tempore of the Senate or his designee;

(e) the Majority Leader of the Senate or his designee;

(f) the Minority Leader of the Senate or his designee;

(g) one member appointed by the Governor from the State at large. No person shall be appointed by the Governor to the committee if

WEDNESDAY, APRIL 11, 2018

such person is employed by, receives compensation from, or accepts retirement or other benefits from a publicly owned utility, an investor-owned utility, an electric cooperative, or any association or organization that represents a publicly owned utility, an investor-owned utility, or an electric cooperative or otherwise participates in the energy industry or marketplace.

(h) one member appointed by the President Pro Tempore who is a member of the Senate from a direct-serve Public Service Authority territory;

(i) one member appointed by the Speaker of the House of Representatives who is a member of the House from a direct-serve Public Service Authority territory;

(2) Vacancies shall be filled in the manner of original appointment.

(B) The members of the committee shall elect a chairman and other officers as they consider necessary. The committee shall meet upon the call of the chairman or a majority of its members. Members shall receive per diem, mileage, and subsistence as provided by law for members of legislative or other state committees as appropriate to be paid from the approved accounts of the office or house of their appointing authority. Meeting space and staff support shall be provided by the General Assembly as needed and required. The committee shall make recommendations to the General Assembly as soon as practicable, at which time the committee is dissolved, unless otherwise continued as provided by law.

(C) The committee shall evaluate objectives including but not limited to the following:

(1) determine the manner in which the General Assembly may best protect ratepayers and taxpayers in regard to Santee Cooper;

(2) analyze whether selling Santee Cooper is in the best interests of South Carolina taxpayers, the ratepayers of Santee Cooper, and the ratepayers of the Electric Cooperatives of South Carolina;

(3) determine whether the assets of Santee Cooper should be considered for sale as a whole or in parts and which assets of Santee Cooper, if any, should be retained by the State;

(4) obtain a valuation of Santee Cooper and its assets;

(5) develop a transparent and public process to conduct hearings, receive bids from potential purchasers, and evaluate a potential sale of Santee Cooper;

(6) determine the future role of Santee Cooper, whether sold or retained by the State; and

WEDNESDAY, APRIL 11, 2018

(7) determine the manner in which the natural resources owned by Santee Cooper are protected or managed for public enjoyment and wildlife habitat.

(D) To assist with meeting those objectives, it is recommended that the committee consider actions including but not limited to the following:

(1) determine the criteria necessary to assess the viability and feasibility of the potential sale of Santee Cooper;

(2) identify all assets of Santee Cooper and then determine which assets, if any, of Santee Cooper should be considered for sale;

(3) evaluate whether Santee Cooper's water system, the Santee Cooper lakes, or both should be part of any sale;

(4) obtain a valuation of Santee Cooper's assets, both collectively and separately, with a specific valuation for the transmission, distribution, and generation assets of Santee Cooper;

(5) establish the criteria, parameters, and process to receive bid proposals from potential purchasers of Santee Cooper's assets;

(6) evaluate whether the South Carolina Consolidated Procurement Code or other state law impacts the sale parameters and, if so, determine the best course of action to address the same in its requests for proposals;

(7) as allowed by the South Carolina Consolidated Procurement Code or other state law, conduct public hearings to receive a bid from each potential prospective bidder and set a time for the same;

(8) analyze the impact of the potential sale of Santee Cooper on current employees and retirees and whether bidders must maintain current workforce levels and pension commitments for a set period post sale;

(9) develop or cause to be developed the request for proposals to be used by potential bidders;

(10) establish the time frame for receipts for proposals from potential bidders and evaluation of proposals by the committee and make a recommendation to the General Assembly on whether a sale is in the best interests of ratepayers and taxpayers;

(11) require that all bid proposals shall be made as the best and final offer from each bidder;

(12) identify legislation needed to complete any potential sale;

(13) determine whether the committee should hire an investment bank or other third-party expert to assist with the evaluation of offers received;

(14) determine the impact of Santee Cooper's debt, including all bonded indebtedness, in the sale of Santee Cooper's assets, including a

WEDNESDAY, APRIL 11, 2018

requirement that all bids must satisfy the indebtedness of Santee Cooper existing at the close of sale;

(15) identify potential risks to South Carolina taxpayers and ratepayers that could result from the sale of Santee Cooper, either in whole or in part, including, but not limited to, the loss of tax exempt status of a buyer, impact on economic development, and whether sale at this time would not preclude South Carolina from recovering the full value of Santee Cooper;

(16) determine which course of action, whether the sale or retention of Santee Cooper or another option, provides maximum rate relief to Santee Cooper ratepayers, customers of the Electric Cooperatives of South Carolina, and industrial customers of Santee Cooper;

(17) determine the total assets of Santee Cooper and identify those not necessary for generation, transmission, or distribution needs in order for these assets to be sold without violating Section 58-31-360;

(18) evaluate Santee Cooper's plan and strategy for future generation facilities in order to meet future electric demand, Santee Cooper's timeline for the same, and costs for such projects to the ratepayers;

(19) ascertain future economic development projects for Santee Cooper and the projected revenue estimated from the same and whether an investor-owned utility can provide the same economic development impact as Santee Cooper;

(20) calculate the revenue to Santee Cooper from industrial and other nonresidential ratepayers, excluding revenue derived from the Electric Cooperatives of South Carolina;

(21) evaluate whether diversification of Santee Cooper's generation portfolio, including purchases of generation from outside Santee Cooper, provides a more cost effective manner to service customer needs;

(22) obtain information on the current amounts of cash on hand and in reserve of Santee Cooper;

(23) obtain a current estimate of Santee Cooper's pension liabilities;

(24) evaluate projected revenue growth and its impact on the ability of Santee Cooper to meet debt obligations;

(25) quantify the current amounts of long-term and short-term debt of Santee Cooper;

(26) identify the structure of each of Santee Cooper's bond offerings;

WEDNESDAY, APRIL 11, 2018

(27) review proposed rate schedules in both the long and short terms to determine the full impact of V.C. Summer on ratepayers;

(28) determine whether Santee Cooper's debt-to-equity ratio comports with market ratios of other electric utilities;

(29) determine whether Santee Cooper has obtained efficiency or performance studies related to expenses for workforce management and how Santee Cooper's ratios relate to industry standards;

(30) evaluate the electric cooperatives' structure, including the role of the Central Electric Power Cooperative;

(31) evaluate options to provide maximum rate relief to electric cooperative customers either through the sale or retention of Santee Cooper;

(32) analyze the central contract between Santee Cooper and the electric cooperatives to determine the impact of that agreement on any sale or management agreement involving Santee Cooper;

(33) solicit input from the electric cooperatives and other industrial customers on the potential sale or long-term viability of Santee Cooper;

(34) direct Santee Cooper to inventory all assets at the V.C. Summer site and to obtain a salvage or sale valuation for those assets, with any monies received from such salvage or sale to be used as directed in the Rate Relief and Stabilization Fund;

(35) determine whether Santee Cooper should be subject to oversight by the Public Service Commission or Joint Bond Review Committee;

(36) provide alternative governance structures for Santee Cooper, other than a board of directors, based on other state-owned utilities; and

(37) study any other factors that the committee finds relevant to the objectives contained herein. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

Amendment No. P1-57

Senator HUTTO proposed the following amendment (\4950C018.BBM.SA18.DOCX), which was adopted (#32):

Amend amendment number 57, bearing document number (N:\S-FINANC\AMEND\DG GM SUPPSAL.DOCX), as and if amended, by striking the amendment in its entirety and inserting:

[SJ]

WEDNESDAY, APRIL 11, 2018

// Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Constitutional Officer Supplement) In addition to the amounts appropriated in Part I.A. pursuant to Section 1-1-1210 for the salary of the Superintendent of Education, Commissioner of Agriculture, Attorney General, Governor, Lieutenant Governor, Secretary of State, Comptroller General, State Treasurer, and Adjutant General, beginning on January 9, 2019, and for the remainder of the fiscal year, each officer shall receive an annualized salary supplement which must be paid from the funds appropriated to each respective agency. The annualized supplement is equal to: Superintendent of Education \$68,333, Commissioner of Agriculture \$10,787, Attorney General \$24,276, Governor \$41,863, Lieutenant Governor \$3,283, Secretary of State \$13,473, Comptroller General \$27,477, State Treasurer \$27,477, and Adjutant General \$25,732. / //

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO spoke on the amendment.

The amendment was adopted.

Amendment No. 57

Senators MALLOY, CAMPSER, and KIMPSON proposed the following amendment (DG GM PERF SALSUP), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Constitutional Officer Supplement) In addition to the amounts appropriated in Part I.A. pursuant to Section 1-1-1210 for the salary of the Superintendent of Education, Commissioner of Agriculture, Attorney General, Governor, Lieutenant Governor, Secretary of State, Comptroller General, State Treasurer, and Adjutant General, beginning on January 9, 2019, and for the remainder of the fiscal year, each officer shall receive an annualized salary supplement which must be paid from the funds appropriated to each respective agency. The annualized supplement is equal to: Superintendent of Education \$68,333, Commissioner of Agriculture \$13,473, Attorney General \$24,276, Governor \$41,863, Lieutenant Governor \$3,283, Secretary of State

WEDNESDAY, APRIL 11, 2018

\$13,473, Comptroller General \$27,477, State Treasurer \$31,716, and Adjutant General \$25,732. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY spoke on the amendment.

Senator CLIMER moved to lay the amendment on the table.

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

Ayes 11; Nays 30

AYES

Cash	Climer	Corbin
Davis	Gambrell	Rice
Senn	Talley	Timmons
Turner	Young	

Total--11

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cromer
Fanning	Goldfinch	Gregory
Grooms	Hembree	Hutto
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Sabb	Scott	Shealy
Sheheen	Verdin	Williams

Total--30

Having failed to receive the necessary votes, the Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

WEDNESDAY, APRIL 11, 2018

Amendment No. 60

Senator CLIMER proposed the following amendment (\ 4950C007.BBM.SA18.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Certified Sign Language Interpreters) In the current fiscal year, any agency of this state or political subdivision thereof, including school districts, that is appropriated or is distributed funds pursuant to this act, may only expend funds on hiring a sign language interpreter if the interpreter is certified by the Registry of Interpreters for the Deaf, Inc. An interpreter for a public school district or special school of this state only must have achieved an EIPA of 3.5 or higher. For purposes of this proviso, EIPA means a proficiency assessment K-12 educational interpreting based on a five-point Likert scale, including several distinct language variations as offered by the Boys Town National Research Hospital./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, with unanimous consent, Amendment 60 was withdrawn.

Amendment No. 58

Senator MARTIN proposed the following amendment (ETK 117 CRIM HIST INV SM), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Criminal History Investigations) (A) State agencies, state institutions and political subdivisions of the state are authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all employees and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions and political

WEDNESDAY, APRIL 11, 2018

subdivisions of the state which have access to federal tax information in order to comply with Publication 1075.

(B) An employee or contractor of a state agency, state institution and political subdivision of the state with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the state agency, state institution or political subdivision of the state for the purpose of verifying criminal history information for non-criminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

(C) Except as otherwise provided in this section, a state agency, state institution or political subdivision of the state shall pay any costs incurred to conduct background checks and investigations requested by the state agency. The state agency, state institution or political subdivision of the state may require a person or entity contracting with the agency to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the agency, state institution or political subdivision of the state.

(D) Each state agency, state institution or political subdivision of the state required to conduct background checks and investigations pursuant to this provision shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this provision./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 68

Senator CLIMER proposed the following amendment (SA\4950C017.BBM.SA18.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 20, by adding an appropriately numbered new proviso to read:

[SJ]

WEDNESDAY, APRIL 11, 2018

/ (GP: Expenditure Request) If the annual general appropriations act for the current fiscal year appropriates or authorizes funds to or for an agency without providing a specific purpose, and subsequently a member of the General Assembly, staff of the General Assembly, or anyone on behalf of the aforementioned, requests the funds to be used for a specific project, then the agency shall send a report, including the name and contact information of the person who requested the project and the name and contact information of the member on behalf of whom the request was made, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives within thirty days of the request being made./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

Ayes 22; Nays 20

AYES

Alexander	Allen	Campbell
Fanning	Gambrell	Goldfinch
Gregory	Hutto	Johnson
Kimpson	Leatherman	Malloy
Matthews, John	Matthews, Margie	McElveen
McLeod	Nicholson	Rankin
Sabb	Scott	Sheheen
Williams		

Total--22

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Grooms	Hembree
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Timmons	Turner
Verdin	Young	

WEDNESDAY, APRIL 11, 2018

Total--20

The amendment was laid on the table.

Amendment No. 70

Senators TIMMONS, RICE, HEMBREE, CORBIN, TURNER, CASH and MARTIN proposed the following amendment (\ 4950C009.BBM.SA18.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and political subdivisions thereof, shall provide documentation that SLED considers necessary for the publication of the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to be compliant with sections 17-13-170(E) and 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December thirty-first of the current fiscal year.

The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality that is not certified as "compliant" in the ICR; however, this requirement may not be imposed until the first publication of the ICR. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TIMMONS spoke on the amendment.

The amendment was carried over.

Amendment No. 76B

Senator TIMMONS proposed the following amendment (4950R046.SP.WRT.DOCX), which was adopted (#35):

WEDNESDAY, APRIL 11, 2018

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/117. . (GP: Criminal Justice Case Management Integration Study Committee) There is established for the current fiscal year the South Carolina Criminal Justice Case Management Integration Study Committee. The study committee shall be composed of ten members, two of whom shall be members of the Senate, one appointed by the President Pro Tempore of the Senate and one appointed by the Chairman of the Senate Judiciary Committee; two of whom shall be members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Chairman of the House Ways and Means Committee; six of whom shall be appointed by the Governor, one representing solicitors, one representing public defenders, one representing clerks of court, one representing the Department of Corrections, one representing the Department of Probation, Parole and Pardon Services, and one representing the State Law Enforcement Division.

The study committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chair and such other officers as the study committee may consider necessary. Thereafter, the study committee must meet at the call of the chair or by a majority of the members. A quorum consists of seven members.

The study committee shall have the following powers and duties:

(1) to study the requirements of the State's solicitors, public defenders, clerks of court, the Department of Corrections, the Department of Probation, Parole and Pardon Services, the State Law Enforcement Division, and all other law enforcement agencies in regard to the consolidation of their separate case management information technology systems into a standardized, fully integrated, paperless incident and case management system that facilitates the collection, storage, maintenance, and availability of case-related data;

(2) to calculate the costs associated with implementation of a standardized, fully integrated, paperless incident and case management system; and

(3) to submit to the General Assembly and the Governor no later than February 15, 2019, the results of the study.

The study committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of

WEDNESDAY, APRIL 11, 2018

the State on warrants duly signed by the chair of the study committee and payable by the authorities from which a member is appointed.

The study committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

The study committee must use clerical and professional employees of the General Assembly for its staff, who must be made available to the study committee.

The study committee may employ or retain other professional staff or consultants, upon the determination of the necessity for other staff by the study committee./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TIMMONS spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

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

Ayes 17; Nays 24

AYES

Allen	Campbell	Hutto
Johnson	Kimpson	Leatherman
Malloy	Matthews, John	Matthews, Margie
McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Sheheen	Williams	

Total--17

NAYS

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

WEDNESDAY, APRIL 11, 2018

Turner

Verdin

Young

Total--24

Having failed to receive the necessary votes, the Senate refused to table the amendment.

Senator MALLOY spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 78

Senators GREGORY and KIMPSON proposed the following amendment (\4950C020.BBM.SA18.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Clerks of Court) (A) Every clerk of court shall report the disposition of each case in the Court of General Sessions to the State Law Enforcement Division within ten days of disposition, weekends and holidays excluded.

(B) The clerk of court shall report to the State Law Enforcement Division, within 48 hours, the issuance of any:

(1) restraining orders,

(2) orders of protection;

(3) orders preventing a person from possessing a firearm;

(4) convictions related to or orders issued to prevent acts of domestic violence against another person;

(5) orders issued related to the stalking, intimidation, or harassment of another person, or

(6) orders for bond with any limitations listed in this proviso.

(C) The reports required by this proviso must be in a format approved by representatives of the State Law Enforcement Division and the office of court administration. With the approval of the State Law Enforcement Division and the office of court administration, this reporting requirement may be satisfied by use of General Sessions docket information transmitted to the office of the court administration.

WEDNESDAY, APRIL 11, 2018

(D) Magistrates shall report the disposition of each criminal case to the State Law Enforcement Division within ten days, weekends and holidays excluded.

(E) Magistrates shall report to the State Law Enforcement Division, within 48 hours, the issuance of any:

(1) restraining orders,

(2) orders of protection,

(3) orders preventing a person from possessing a firearm,

(4) convictions related to or orders issued to prevent acts of domestic violence against another person,

(5) orders issued or convictions related to, or to prevent, the stalking, intimidation, or harassment of another person, or

(6) orders for bond with any limitations listed in this proviso.

(F) The report must be made in a format approved by representatives of the State Law Enforcement Division and the office of court administration. With the approval of the State Law Enforcement Division and the office of court administration, this reporting requirement may be satisfied by use of docket information transmitted to the office of the court administration.

(G) Each municipal judge shall report the disposition of each criminal case to the State Law Enforcement Division within ten days, weekends and holidays excluded.

(H) A municipal judge shall report to the State Law Enforcement Division, within 48 hours, the issuance of any:

(1) restraining orders,

(2) orders of protection,

(3) orders preventing a person from possessing a firearm,

(4) convictions related to or orders issued to prevent acts of domestic violence against another person,

(5) convictions related to or orders issued to prevent, the stalking, intimidation, or harassment of another person, or

(6) orders for bond with any limitations listed in this proviso.

(I) The report must be made in a format approved by representatives of the State Law Enforcement Division and the office of court administration. With the approval of the State Law Enforcement Division and the office of court administration, this reporting requirement may be satisfied by use of docket information transmitted to the office of the court administration.

(J) Each law enforcement agency must report to the State Law Enforcement Division within twenty-four hours:

(1) the filing of an incident report for each criminal case,

WEDNESDAY, APRIL 11, 2018

(2) the filing of an order of protection, restraining order, or any order or report relating to an incident of domestic violence,

(3) any incident in which a person may be prohibited from obtaining or possessing a firearm by state or federal law.

(K) The report must be made in a format approved by representatives of the State Law Enforcement Division.”

(L) There is hereby established a committee to be known as the Judicial Criminal Information Technology Committee, which must exercise the powers and fulfill the duties described in this proviso.

(M) The committee shall be composed of the following:

(1) a member of the Senate, appointed by the Chair of the Senate Judiciary Committee;

(2) a member of the House of Representatives, appointed by the Chair of the House Judiciary Committee;

(3) the Chief Justice of the Supreme Court, who shall serve ex officio;

(4) one member who is a judge of the state, appointed by the Chief Justice of the Supreme Court;

(5) one member who is a clerk of court appointed by the Chief Justice of the Supreme Court;

(6) one member who is a circuit solicitor, appointed by the Attorney General.

(7) one member who is a circuit public defender, appointed by the Chief Justice of the Supreme Court; and

(8) one member who is a sheriff or municipal chief of police, appointed by the Governor;

(N) The members who are appointed shall serve for the fiscal year.

(O) The committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chair and such other officers as the oversight committee may consider necessary. Thereafter, the oversight committee must meet at least annually and at the call of the chair or by a majority of the members. A quorum consists of five members.

(P) to review the current state of law enforcement information technology and reporting, including, but not limited to, the timeframe and accuracy of the filing of reports, fingerprints and related offender information, and evidence discovery to prosecutors, courts, and to the State Law Enforcement Division criminal information database.

(Q) to review the current state of judicial information technology including, but not limited to, the technology and funding needs of state and local court systems, the technology and funding needs of state and

WEDNESDAY, APRIL 11, 2018

local law enforcement agencies, and the current efficiency, timeliness, and accuracy of filings;

(R) to recommend the implementation of an accurate and secure centralized court reporting system for all courts in the State and to explore funding options, and recommend legislation, rules, or regulations to enhance the overall efficiency of the judicial system and criminal reporting by law enforcement. An initial report shall be given to the Chairmen of the House and Senate Judiciary Committees no later than December 15th of 2017 detailing the current status of agency needs, funding requirements, and recommendations and findings of the committee.

(S) to recommend to the Supreme Court, changes to the court rules to effectuate the adoption of a centralized court reporting system and the implementation with, and the full compliance of, reporting deadlines.”

(T) The committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of the State on warrants duly signed by the chair of the oversight committee and payable by the authorities from which a member is appointed.

(U) The committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

(V) The committee may employ or retain other professional staff, upon the determination of the necessity for other staff by the committee.

(W) The committee may employ consultants to assist in the evaluations and, when necessary, the implementation of the recommendations report.”

(X) As used in this provision:

(1) ‘Firearm’ means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) ‘Licensed dealer’ means the holder of any federal firearms license under 18 U.S.C. Section 923(a).

(3) ‘Transfer’ means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) ‘Transferee’ means a person who receives or intends to receive a firearm in a sale or transfer.

WEDNESDAY, APRIL 11, 2018

(Y) For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, a licensed gun dealer may not deliver a firearm to any transferee unless the NICS provides the licensed dealer with a unique identification number or five days have elapsed from the date the licensed dealer contacted the NICS and the NICS has not notified the licensed dealer that a sale or transfer to such person would violate state or federal law.

(Z) A person who violates the provisions of this proviso is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than one thousand dollars, or both. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GREGORY spoke on the amendment.

Point of Order

Senator CORBIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMPSON spoke on the Point of Order.

Senator LEATHERMAN spoke on the Point of Order.

Senator CORBIN spoke on the Point of Order.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 77

Senator McELVEEN proposed the following amendment (DG TMAC MERGE), which was adopted (#36):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/ (GP: Contract Violations) In the current fiscal year, if the Director of the Department of Health and Human Services determines that a hospital system which has entered into a merger, consolidation, acquisition, partnership, or new association with another hospital system and which previously contracted to give seats on its board of directors and/or a pro rata share thereof as representation on a

WEDNESDAY, APRIL 11, 2018

successor board of directors, to a previously acquired hospital, and the hospital system violates that provision of the relevant contract or support agreement prescribing such representation, then no state agency may distribute any state funds appropriated or authorized in this act to the violating hospital system until the Director of the Department of Health and Human Services determines that the hospital system is no longer in violation of the contract or support agreement. However, this proviso does not apply to and does not prohibit distributions for the Medicaid state plan of services disproportionate share or the associated state match share. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

Amendment No. 84A

Senators DAVIS and HUTTO proposed the following amendment (4950R044.SP.TD.DOCX), which was adopted (#37):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 523, after line 19, by adding an appropriately numbered new proviso to read:

/117. (GP: Medical Marijuana Research) With funds provided in this fiscal year, the University of South Carolina College of Pharmacy and the Medical University of South Carolina are authorized, to the extent permitted by and in accordance with federal laws and regulations, to undertake the following actions: acquire pharmaceutical grade marijuana, marijuana extracts, semi-pure isolates, and purified compounds, including, but not limited to, THC, CBD, CBO, cannabitol, and cannabigerol for use in research and clinical trials to develop potential therapeutic agents for epilepsy, Dravet's Syndrome, chronic pain, cancer, reduction of nausea, and vomiting induced by chemotherapy, glaucoma, obesity, multiple sclerosis, drug abuse, inflammation, and autoimmune disorders, including encephalomyelitis.

The University of South Carolina and the Medical University of the South Carolina are further authorized to form collaborations, agreements, and partnerships with other public and private entities in order to conduct this research and clinical trials, to the extent permitted by and in accordance with federal laws and regulations, as well as to pursue both public and private funding. Further, the University of South

WEDNESDAY, APRIL 11, 2018

Carolina and the Medical University of South Carolina are directed to provide to the members of the South Carolina General Assembly, on or before the first day of the 2019 legislative session, with a written summary of the actions they have undertaken pursuant to this proviso and the material findings, if any, resulting from such activities. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

Amendment No. 37

Senators BENNETT and TURNER proposed the following amendment (4950C011.BBM.SA18.DOCX), which was adopted (#38):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 525, by striking proviso 118.9 and inserting:

/ 118.9. (SR: Tax Relief Reserve Fund) (A) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2017~~ 2018, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

(B) In the event that, by July 1, 2018, no law has been enacted to specifically conform State tax law with respect to changes made to the Internal Revenue Code of 1986 due to the congressional enactment of the Tax Cuts and Jobs Act, P.L. 115-97, then in the current fiscal year, the Executive Director of the Revenue and Fiscal Affairs Office each month shall certify the amount by which actual general fund revenues have exceeded the amount forecast according to the revenue estimate that had been most recently certified as of April 10, 2018. This certification must be limited to the amount of excess revenue, if any, that is directly attributable to not conforming to the Tax Cuts and Jobs Act by July 1, 2018, if applicable. Each monthly certification must be promptly provided to the Governor, the Comptroller General, the State Treasurer, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the House Ways and Means

WEDNESDAY, APRIL 11, 2018

Committee, and the Chairman of the Senate Finance Committee. Upon receipt of each certification and subject to the availability of funds, the State Treasurer shall immediately transfer, but not disperse, the certified amount from the general fund to the Tax Relief Reserve Fund. In any month in which actual general fund revenues are less than the amount forecasted by the estimate that had been most recently certified as of April 10, 2018, no transfer pursuant to this proviso may be made.

Renumber sections to conform.

Amend sections, totals and title to conform.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator BENNETT on April 10, 2018, that Amendment No. 37 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

The amendment was adopted.

Amendment No. 54

Senators PEELER and CLIMER proposed the following amendment (ETK \$ 49.1 WC AND HP), which was adopted (#39):

Amend the bill, as and if amended, Part IA, Section 49, DEPT. OF PARKS, RECREATION & TOURISM, page 143, line 7 opposite REGIONAL PROMOTIONS, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	2,475,000	2,475,000
and		
INSERTING:	2,525,000	2,525,000/

Amend the bill further, as and if amended, Part IA, Section 49, DEPT. OF PARKS, RECREATION & TOURISM, page 143, lines 11-12 opposite SPORTS MARKETING GRANT PROGRAM, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	4,050,000	4,050,000
and		
INSERTING:	4,000,000	4,000,000/

Amend the bill further, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 389, proviso 49.1, line 16, by striking the line and inserting:

WEDNESDAY, APRIL 11, 2018

/the City of Georgetown, and \$30,000 distributed to the Williamsburg Chamber of Commerce for tourism related activities. In addition, \$50,000 distributed to the Lake Wylie Chamber of Commerce. The/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER spoke on the amendment.

The amendment was adopted.

Amendment No. 50

Senator JOHN MATTHEWS proposed the following amendment (ETK EXAMINER II), which was adopted (#40):

Amend the bill, as and if amended, Part IA, Section 79, STATE BOARD OF FINANCIAL INSTITUTIONS, page 195, lines 20 - 21 Opposite New Position Examiner II by inserting

	COLUMN 7	COLUMN 8
/	90,000	
(2.00)	/	

Amend the bill further, as and if amended, Part IA, Section 79, STATE BOARD OF FINANCIAL INSTITUTIONS, page 195, line 28 Opposite Employer Contributions, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	1,084,418	
and		
INSERTING:	1,114,418	/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator J. MATTHEWS spoke on the amendment.

The amendment was adopted.

Amendment No. 12

Senators CLIMER, BENNETT and GREGORY proposed the following amendment (ETK 1.48 WC), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 282, proviso 1.48, lines 19-24, by striking the proviso in its entirety:

/ 1.48. (SDE: Impute Index Value) ~~For the current fiscal year and for the purposes of calculating the index of taxpaying ability the~~

WEDNESDAY, APRIL 11, 2018

~~Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the EFA and other applicable provisions of law. /~~

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator SHEHEEN moved to lay the amendment on the table.

The amendment was laid on the table.

Recorded Vote

Senator MASSEY desired to be recorded as voting against the motion to table the amendment.

Amendment No. 69

Senator CLIMER proposed the following amendment (\4950C019.BBM.SA18.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 296, after line 28, by adding an appropriately numbered new proviso to read:

/ (SDE: School Bus Replacement) In the current fiscal year, when expending any funds appropriated for school bus lease or purchase, the Department of Education shall prioritize the replacement of Type D 1995-1996 buses in the fleet and those that may present the greatest potential safety hazard. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN spoke on the amendment.

The amendment was withdrawn.

WEDNESDAY, APRIL 11, 2018

Amendment No. 66

Senator SHEHEEN proposed the following amendment (ETK 1A.48 SURPLUS VS), which was adopted (#41):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 311, proviso 1A.48, after line 34, by inserting a new line to read:

/ Any additional funds carried forward and not otherwise appropriated or authorized may be used for transportation and bus purchases./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN spoke on the amendment.

The amendment was adopted.

Amendment No. 24

Senators MASSEY and BENNETT proposed the following amendment (4950R016.SP.ASM.DOCX),, which was tabled:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, by striking line 9 and inserting /

(5) Department of Education--School Bus Lease/Purchase \$7,773,838:/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 332, proviso 3.6, by striking line 12.

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 337, proviso 3.6, by striking lines 10-36 and page 338, by striking lines 1-32.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

Senator SABB spoke on the amendment.

Senator PEELER moved to lay the amendment on the table.

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

Ayes 31; Nays 13

WEDNESDAY, APRIL 11, 2018

AYES

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Matthews, John	Matthews, Margie	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Shealy	Sheheen
Talley	Turner	Williams
Young		

Total--31

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Davis
Hembree	Martin	Massey
Rice	Senn	Timmons
Verdin		

Total--13

The amendment was laid on the table.

Amendment No. 85

Senator GROOMS and CAMPSSEN proposed the following amendment (4950R041.SP.LKG.DOCX), which was adopted (#42):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 325, after line 32, by adding an appropriately numbered new proviso to read:

/1A. .(SDE-EIA: Adult Charter Pilot Program) From the funds appropriated to the South Carolina Public Charter School District, the district shall create parameters and guidelines for a one-year South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program for the 2018-2019 school year, including the funding methodology to the adult charter high school. An adult charter high school granted a pilot program by the South Carolina Public Charter School District shall follow all requirements of the South Carolina Charter Schools Act of 1996 (Section 59-40-10, et. seq.) except

WEDNESDAY, APRIL 11, 2018

as expressly provided for in this proviso. In order to be accepted into the pilot program, a non-profit entity must have a successful model of providing educational services, including industry certifications and job placement services, to adults age twenty-one and older whose education and training opportunities have been limited by educational disadvantages, disabilities, or poverty. An applicant to this pilot program must be a non-profit entity, offer flexible scheduling, complete a majority of the instruction of the school's curriculum in-person, and offer dual credit or industry certification coursework that aligns with the State's workforce development needs. Applicants for the pilot program must commit no less than five hundred thousand dollars toward development of the adult charter high school. An applicant to this pilot program must maintain a cooperative agreement with a two-year technical college. Any adult charter high school granted a pilot program by the South Carolina Public Charter School District shall be designated an Alternative Education Campus (AEC). The governing board of an adult charter high school must be composed of at least seven members who are residents of the State of South Carolina. Membership of the board may be governed by the non-profit entity's bylaws and is not subject to the governing board election requirements as defined in Section 59-40-50(9). The adult charter high school shall be allowed to issue high school diplomas to students who have met state requirements for a high school diploma in South Carolina. The South Carolina Public Charter School District may enter into a contract with one non-profit entity that is granted a pilot program, and the contract shall specify all roles, powers, responsibilities, and performance expectations for each party to the contract pursuant to this proviso and the South Carolina Charter Schools Act of 1996. The South Carolina Public Charter School District is prohibited from providing per pupil funding./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS spoke on the amendment.

The amendment was adopted.

Debate was interrupted by adjournment.

HOUSE CONCURRENCE

S. 1103 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION

WEDNESDAY, APRIL 11, 2018

NAME THE SECTION OF PENDERBORO ROAD (SC 34-39) FROM THE INTERSECTION OF 501 BYPASS TO THE INTERSECTION OF WELLWOOD ROAD IN MARION, SOUTH CAROLINA, "REVEREND DR. A.C. ROBINSON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS SECTION OF ROAD CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 10:00 A.M. tomorrow.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Douglas M. Vecchio, 761 Lancaster By-Pass East, Lancaster, SC 29720

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Curtisha L. Mingo, 3008 Chinaberry Drive, Lancaster, SC 29720

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Van K. Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Fredrick Thomas, Post Office Box 3222, Lancaster, SC 29721

WEDNESDAY, APRIL 11, 2018

Motion Adopted

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

MOTION ADOPTED

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Julia Floyd Smith Rives of North Myrtle Beach, S.C. Ms. Rives was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 8:59 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

WEDNESDAY, APRIL 11, 2018

SENATE JOURNAL INDEX

Amendment No. 12.....	66	Amendment No. 70.....	55
Amendment No. 14.....	10	Amendment No. 76B.....	55
Amendment No. 37.....	64	Amendment No. 77.....	62
Amendment No. 40B.....	25	Amendment No. 78.....	58
Amendment No. 42B.....	38	Amendment No. 84A.....	63
Amendment No. 45.....	37	Amendment No. 85.....	69
Amendment No. 46.....	16		
Amendment No. 47.....	14	S. 516.....	3
Amendment No. 48A.....	15	S. 1055.....	17
Amendment No. 50.....	66	S. 1103.....	70
Amendment No. 51A.....	39	S. 1161.....	5
Amendment No. 51B.....	45	S. 1162.....	7
Amendment No. 52.....	15	S. 1163.....	8
Amendment No. 53.....	28	H. 4799.....	8
Amendment No. 54.....	65	H. 4950.....	9, 37
Amendment No. 60.....	52	H. 4950,	9
Amendment No. 66.....	68	H. 5236.....	8
Amendment No. 68.....	53		