

NO. 63

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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WEDNESDAY, APRIL 25, 2018

**Wednesday, April 25, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 103: 2-4

“Bless the Lord, O my soul, and do not forget all his benefits—who forgives all your iniquity, who heals all your diseases, who redeems your life from the Pit, who crowns you with steadfast love and mercy,”

Let us pray. Gracious God we want to live life and live it well. But society sends us mixed signals as to what is a life well lived. The psalmist reminds us that You and You alone can redeem us from that which destroys us...that steadfast love and mercy are what gives meaning to our lives.

The poet, Ralph Waldo Emerson put it eloquently when he wrote: “The purpose of life is not to be happy. It is to be useful, to be honorable, to be compassionate, to have it make some difference that you have lived and lived well.” We pray this day that You, O God, will mold us and make us useful and compassionate in all walks of life. So that at the conclusion of this earthly life, You will say “well done good and faithful servant”. Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

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

Dean Ford, 205 North Maple Street, Simpsonville, SC 29681-2312

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

Michael D. Stokes, 301 Trailblazer Dr., Travelers Rest, SC 29690-2230

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

Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

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

Darrell S. Fisher, 112 Hedge Rose Court, Travelers Rest, SC 29690-7001

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

Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

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

James Hudson, 6 Highview Drive, Greenville, SC 29609-3261

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

Robert Simms, 100 South Main Street, Greer, SC 29650-2017

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

Jonathan Daniel Anders, 107 South Pliney Circle, Simpsonville, SC 29681-2330

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Kenneth Southerlin, 301 Trailblazer Drive, Travelers Rest, SC 29690

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

Ernest M. O'Brien, 102 Cherokee Dr., Greenville, SC 29615-1117

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

Mark Edmonds, 131 Montis Dr., Greenville, SC 29617-8101

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Vilvin Garrison, 551 Waterbrook Dr., Greenville, SC 29607-4878

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

James Hicks, 612 Timber Walk Drive, Simpsonville, SC 29681-4554

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Clare R. Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Laura Saunders, 3 Brookside Way, Greenville, SC 29605-1211

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

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

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

Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

**Doctor of the Day**

Senator YOUNG introduced Dr. Anthony Harris of Aiken, S.C., Doctor of the Day.

**Leave of Absence**

At 12:18 P.M., Senator YOUNG requested a leave of absence for Senators RANKIN and CLIMER until 1:15 P.M.

**Leave of Absence**

At 1:28 P.M., Senator CAMPBELL requested a leave of absence for Senator VERDIN for the day.

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**Leave of Absence**

At 1:37 P.M., Senator MARTIN requested a leave of absence beginning at 7:57 P.M. until Thursday, April 26, 2018 at 12:57 P.M.

**Leave of Absence**

At 2:57 P.M., Senator DAVIS requested a leave of absence on Thursday, April 26, 2018.

**RECESS**

At 12:23 P.M., on motion of Senator MARTIN, with unanimous consent, the Senate recessed from business not to exceed 5 minutes.

At 12:43 P.M., the Senate resumed.

**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 547 Sen. Campsen  
S. 909 Sens. Senn and Corbin  
S. 1192 Sen. Campsen

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 890 Sen. Cromer

**RECALLED**

H. 5261 -- Reprs. Martin, 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, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, 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,

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Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY 2018 "ELECTRICAL SAFETY MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS TO ESTABLISH AND PRACTICE ELECTRICAL SAFETY HABITS IN THE HOME, SCHOOL, AND WORKPLACE TO REDUCE THE NUMBER OF ELECTRICALLY RELATED FIRES, INJURIES, AND DEATHS.

Senator DAVIS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Invitations.

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

**RECALLED AND COMMITTED**

H. 4815 -- Reps. Arrington and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS, SO AS TO REVISE THE DEFINITION OF SPEECH-LANGUAGE PATHOLOGISTS; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-110, RELATING TO DISCIPLINARY MATTERS, SO AS TO PROVIDE THAT THE FAILURE TO ADHERE TO CERTAIN SUPERVISORY GUIDELINES AMONG THE FORMS OF CONDUCT ARE SUBJECT TO DISCIPLINE; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR

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THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO LIMIT THE EXEMPTION FOR SPEECH-PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY THE FEDERAL GOVERNMENT OR THE STATE TO THOSE SO EMPLOYED BEFORE JANUARY 1, 2019, AND TO REMOVE AN EXEMPTION FOR PERSONS LICENSED UNDER TITLE 40 OR ANOTHER PROVISION OF LAW WHOSE SCOPE OF PRACTICE OVERLAPS WITH THE PRACTICE OF SPEECH PATHOLOGY OR AUDIOLOGY; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

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

There was no objection and the Bill was recalled from the Committee on Medical Affairs.

On the motion of Senator ALEXANDER, with unanimous consent, the Bill was committed to the Committee on Labor, Commerce and Industry.

**RECOMMITTED**

S. 784 -- Senators Goldfinch and Rice: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FORTY-YEAR RETREAT POLICY FROM THE SHORELINE, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER DECEMBER 31, 2019.

On motion of Senator GOLDFINCH, the Bill was recommitted to Committee on Agriculture and Natural Resources.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1199 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SAMUEL GOODWIN, FOUNDER AND PASTOR OF STEDFAST CHRISTIAN CENTER IN COLUMBIA, AND TO CONGRATULATE HIM, A FORMER FOOTBALL AND BASKETBALL STANDOUT FOR SOUTH CAROLINA STATE COLLEGE, ON HIS INDUCTION INTO THE SOUTH CAROLINA ATHLETIC HALL OF FAME'S CLASS OF 2018.

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The Senate Resolution was adopted.

H. 5301 -- Reps. Elliott, Dillard, 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, Dellaney, Douglas, Duckworth, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MICHAEL WILLIAM MECKLENBURG FOR HIS OUTSTANDING AND LASTING CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA AND TO OFFER THE SINCEREST CONDOLENCES TO HIS LOVING FAMILY AND FRIENDS.

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

H. 5303 -- Reps. V. S. Moss and D. C. Moss: A CONCURRENT RESOLUTION TO HONOR ED BROWN AND HIS FAMILY FOR PROVIDING FIFTY YEARS OF ENTERTAINMENT WITH THE ED

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BROWN CHAMPIONSHIP RODEO AND TO WISH THEM MANY MORE YEARS OF SUCCESS AND PROSPERITY.

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

H. 5304 -- Reps. Clemmons, Fry, Crawford, Duckworth, Hewitt, Hardee, McGinnis and Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THREE-TIME USA OLYMPIC ATHLETE AMBER CAMPBELL OF MYRTLE BEACH ON THE OCCASION OF HER RETIREMENT FROM PROFESSIONAL ATHLETICS, TO CONGRATULATE HER ON A DISTINGUISHED CAREER IN TRACK AND FIELD, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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

H. 5305 -- Reps. Taylor, Blackwell, Clyburn, Hixon and Young: A CONCURRENT RESOLUTION TO HONOR AND CELEBRATE DR. JEFF PRIEST ON THE OCCASION OF HIS RETIREMENT FROM THE UNIVERSITY OF SOUTH CAROLINA AIKEN ON JUNE 30, 2018, AND TO WISH HIM MUCH SUCCESS AND CONTINUED HAPPINESS IN HIS FUTURE.

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

H. 5315 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer,

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Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DR. STEPHEN HEFNER UPON THE OCCASION OF HIS RETIREMENT AS SUPERINTENDENT OF LEXINGTON-RICHLAND SCHOOL DISTRICT FIVE, TO COMMEND HIM FOR HIS MANY YEARS OF OUTSTANDING AND DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 5316 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CLAIRE THOMPSON UPON THE OCCASION OF HER RETIREMENT AFTER OVER TWENTY YEARS OF OUTSTANDING SERVICE AS PRINCIPAL OF LAKE MURRAY ELEMENTARY SCHOOL AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

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**REPORTS OF STANDING COMMITTEES**

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

H. 3195 -- Reps. King, Ridgeway, Anderson, Brown, Pendarvis, Gilliard, Weeks and Henderson-Myers: A BILL TO AMEND SECTION 53-3-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF THE NINETEENTH DAY OF JUNE OF EACH YEAR AS "JUNETEENTH CELEBRATION OF FREEDOM DAY", SO AS TO PROVIDE THAT IT ALSO IS RECOGNIZED AS "SICKLE CELL DAY IN SOUTH CAROLINA" IN COMMEMORATION OF "WORLD SICKLE CELL DAY".

Ordered for consideration tomorrow.

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

H. 3329 -- Reps. Fry, Clemmons, Crawford, Duckworth, Atwater, Cobb-Hunter, Elliott, B. Newton, Daning, Henegan, Toole, King and Yow: A BILL TO AMEND SECTION 16-3-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE ARTICLE ON TRAFFICKING IN PERSONS, SO AS TO DELETE THE DEFINITION OF "TRAFFICKING IN PERSONS"; AND TO AMEND SECTION 16-3-2020, AS AMENDED, RELATING TO THE OFFENSE OF TRAFFICKING IN PERSONS, PENALTIES, AND DEFENSES, SO AS TO RESTRUCTURE THE OFFENSE AND PROVIDE A PENALTY WHEN THE VICTIM IS A MINOR UNDER THE AGE OF EIGHTEEN AND TO FURTHER ENSURE THE PROTECTION OF MINOR VICTIMS.

Ordered for consideration tomorrow.

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

H. 3440 -- Reps. Henderson and W. Newton: A BILL TO AMEND SECTION 43-25-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION FOR THE BLIND, SO AS TO REQUIRE THREE MEMBERS OF THE COMMISSION TO MEET THE LEGAL DEFINITION OF BLINDNESS; TO AMEND SECTION 43-25-30, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43-25-60, RELATING TO TEACHERS OF STUDENTS WITH

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**CERTAIN VISUAL IMPAIRMENTS, SO AS TO PROVIDE USE OF COUNSELORS TO ASSIST THOSE TEACHERS.**

Ordered for consideration tomorrow.

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

H. 4077 -- Reps. G.R. Smith, Erickson, J.E. Smith, McKnight, McCoy, Norrell, Kirby, Bales, McEachern, Gilliard, Loftis, Burns, Allison, Douglas, McCravy, Hamilton, Fry, Henderson, Elliott, W. Newton, Martin, V.S. Moss, Robinson-Simpson, West, Collins, Bradley, Arrington, Bedingfield, Putnam, Johnson, Bowers, Anthony, Bannister, Bennett, Blackwell, Clary, Crawford, Daning, Delleney, Forrest, Forrester, Herbkersman, Hixon, Jordan, Lucas, Magnuson, Murphy, B. Newton, S. Rivers, Sandifer, Sottile, Stringer, Taylor, Tallon, Thayer, White, Whitmire, Willis, Hiott, Yow, Toole and Mace: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3780 SO AS TO PROVIDE DEFINITIONS, TO ALLOW FOR AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND AND FOR TUITION PAYMENTS MADE TO AN ELIGIBLE SCHOOL FOR AN EXCEPTIONAL NEEDS CHILD WITHIN THE TAXPAYER'S CUSTODY OR CARE, TO PROVIDE FOR ANNUAL LIMITS ON INCOME TAX CREDITS AVAILABLE, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO CREATE THE "EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND", TO PROVIDE FOR GOVERNANCE AND ADMINISTRATION OF THE FUND, TO PROVIDE FOR THE MANNER IN WHICH GRANTS ARE AWARDED, AND TO PROVIDE THAT THE EDUCATION OVERSIGHT COMMITTEE IS RESPONSIBLE FOR DETERMINING WHICH SCHOOLS ARE ELIGIBLE.

Ordered for consideration tomorrow.

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

H. 4458 -- Reps. Johnson, Hixon, Kirby, Yow, Duckworth, Burns, Blackwell, Dillard, Davis, Forrest, Fry, Hewitt, Crawford, McGinnis, Ott, Bamberg, Erickson, Cobb-Hunter, Willis, Mace, Hill, Gagnon, West, Hardee, Wheeler, McEachern, Magnuson, Martin and Bowers: A BILL TO AMEND SECTION 16-11-700, CODE OF LAWS OF

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SOUTH CAROLINA, 1976, RELATING TO THE DUMPING OF LITTER ON PRIVATE OR PUBLIC PROPERTY AND ITS PENALTIES, SO AS TO RESTRUCTURE THE OFFENSES TO ENSURE CIGARETTE BUTTS AND CIGARETTE COMPONENT LITTER AND DECEASED ANIMALS ARE INCLUDED IN THE PURVIEW OF THE STATUTE, AND TO RESTRUCTURE THE PENALTIES.

Ordered for consideration tomorrow.

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

H. 4479 -- Reps. Tallon, Hixon and W. Newton: A BILL TO AMEND SECTION 23-23-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO APPOINT ATTORNEYS EMPLOYED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO SIT AS HEARING OFFICERS FOR CONTESTED CASE HEARINGS; AND BY ADDING SECTION 23-23-150, SO AS TO PROVIDE THAT NO PERSON WHO HAS A PENDING ALLEGATION OF MISCONDUCT MAY BE EMPLOYED AS A LAW ENFORCEMENT OFFICER OR AS A TELECOMMUNICATIONS OPERATOR, MAY HAVE THE AUTHORITY OF A LAW ENFORCEMENT OFFICER, PERFORM ANY DUTIES OF A LAW ENFORCEMENT OFFICER, OR EXERCISE THE POWER OF ARREST UNTIL THE LAW ENFORCEMENT TRAINING COUNCIL OR AN APPELLATE COURT HAS ISSUED A DECISION AUTHORIZING THE PERSON TO BE EMPLOYED IN THOSE AREAS, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY SHALL BE NOTIFIED BY CERTIFIED MAIL OF THE ALLEGATION OF MISCONDUCT AND HIS RIGHT TO A CONTESTED CASE HEARING, TO PROVIDE THAT A PERSON AGAINST WHOM AN ALLEGATION OF MISCONDUCT HAS BEEN RECEIVED BY THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY MUST REQUEST A CONTESTED CASE HEARING WITHIN SIXTY DAYS AFTER RECEIPT OF THE ALLEGATION OF MISCONDUCT AND RIGHT TO A CONTESTED

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CASE HEARING, AND TO PROVIDE FOR THE PROCEDURES OF A CONTESTED CASE HEARING.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4628 -- Reps. Martin, B. Newton, Daning, Lucas, D.C. Moss, Willis, Caskey, Bennett, Arrington, Spires, Young, Bryant, Dellaney, Magnuson, Norrell, Pope, Sandifer, Simrill, Davis, Toole, Henderson, Elliott and Duckworth: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-20-210 SO AS TO DEFINE NECESSARY TERMS, TO PROHIBIT A TELEMARKETER OR TELEPHONE SOLICITOR FROM MAKING A CONSUMER TELEPHONE CALL WITH A SPOOFED TELEPHONE NUMBER THAT DISPLAYS A SOUTH CAROLINA AREA CODE ON THE RECIPIENT'S CALLER IDENTIFICATION SYSTEM UNLESS THE TELEMARKETER OR TELEPHONE SOLICITOR MAINTAINS A PHYSICAL PRESENCE IN THE STATE, TO PROVIDE REMEDIES FOR VIOLATIONS, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4657 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATIVE PENALTIES FOR THE VIOLATION OF THE INSURANCE LAWS OF SOUTH CAROLINA, SO AS TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE THESE PENALTIES FOR VIOLATIONS OF FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT; TO AMEND SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS AND INVESTIGATIONS, SO AS TO REQUIRE THAT INFORMATION RELATED TO AN EXAMINATION OR INVESTIGATION TO BE TREATED AS PRIVILEGED AND CONFIDENTIAL; TO AMEND SECTION 38-13-70, RELATING TO INVESTIGATIONS CONDUCTED BY THE DEPARTMENT OF INSURANCE, SO AS TO AUTHORIZE THE DEPARTMENT TO RESPOND TO MOTIONS AND COMPLAINTS AGAINST HEALTH

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MAINTENANCE ORGANIZATIONS AND PERSONS LICENSED TO TRANSACT THE BUSINESS OF INSURANCE IN THIS STATE AND TO ESTABLISH A DEADLINE FOR RESPONSES TO THE DEPARTMENT'S INQUIRIES; TO AMEND SECTION 38-21-290, AS AMENDED, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO PROVIDE DOCUMENTS, MATERIALS, OR OTHER INFORMATION SUBMITTED IN SUPPORT OF AN APPLICATION MUST BE TREATED AS CONFIDENTIAL; TO AMEND SECTION 38-33-170, RELATING TO THE EXAMINATIONS OF THE AFFAIRS OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO REQUIRE AN EXAMINATION NO LESS THAN EVERY FIVE YEARS; TO AMEND SECTION 38-33-230, RELATING TO LEVY OF ADMINISTRATIVE PENALTY IN LIEU OF OTHER PENALTIES, SO AS TO ALLOW THE LEVY OF AN ADMINISTRATIVE PENALTY FOR VIOLATIONS OF STATE AND FEDERAL INSURANCE LAWS SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-61-20, RELATING TO THE APPROVAL OF INSURANCE POLICIES, CONTRACTS, OR POLICIES BY THE DEPARTMENT OF INSURANCE, SO AS TO REQUIRE THAT ALL FORMS FILED WITH THE DEPARTMENT SATISFY ALL APPLICABLE STATE AND FEDERAL LAWS AND TO AUTHORIZE THE DIRECTOR TO IMPOSE A PENALTY IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 38-71-90, RELATING TO THE PENALTIES FOR ISSUING OR DELIVERING A POLICY THAT VIOLATES CHAPTER 71, SO AS TO EXTEND THE PENALTIES TO ANY INSURER OR HEALTH MAINTENANCE ORGANIZATION WHO VIOLATES APPLICABLE STATE OR FEDERAL LAWS GOVERNING THE TRANSACTION OF THE BUSINESS OF INSURANCE SUBJECT TO ENFORCEMENT BY THE DEPARTMENT OF INSURANCE.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4675 -- Reps. Sandifer and Spires: A BILL TO AMEND ARTICLE 1, CHAPTER 90, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO REMOVE REFERENCES TO CAPTIVE REINSURANCE COMPANIES, TO REQUIRE A CAPTIVE INSURANCE COMPANY TO POSSESS AND MAINTAIN FREE

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AND UNIMPAIRED PAID-IN CAPITAL, SURPLUS, OR A COMBINATION THEREOF AND ESTABLISH REQUIREMENTS, TO DELETE CERTAIN SURPLUS REFERENCES AND INCORPORATION REQUIREMENTS, TO PROVIDE THE PROVISIONS OF CHAPTER 90 APPLY TO CAPTIVE INSURANCE COMPANIES FORMED AS A MUTUAL INSURER, TO ESTABLISH REPORTING REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES AND REMOVE CERTAIN PROVISIONS, TO ALLOW A CAPTIVE INSURANCE COMPANY TO DISCOUNT ITS LOSS AND LOSS ADJUSTMENT WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH OVERSIGHT REQUIREMENTS FOR RISK RETENTION GROUPS AND CAPTIVE INSURANCE COMPANIES, TO ALLOW FOR CERTAIN CAPTIVE INSURANCE COMPANIES TO MAKE LOANS TO ITS PARENT COMPANY AND AFFILIATES WITH APPROVAL BY THE DIRECTOR, TO ESTABLISH STANDARDS FOR AGGREGATE TAXES FOR PROTECTED CELLS, TO ALLOW THE DIRECTOR TO REDUCE CAPITAL REQUIREMENTS FOR AN INACTIVE CAPTIVE INSURANCE COMPANY, TO REMOVE CERTAIN ASSET REQUIREMENTS, AND TO ALTER PARTICIPANT REQUIREMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; AND TO REPEAL ARTICLE 5, CHAPTER 90, TITLE 38 RELATING TO THE COASTAL CAPTIVE INSURANCE COMPANY ACT.

Ordered for consideration tomorrow.

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

H. 4913 -- Reps. M. Rivers, Herbkersman, W. Newton, J.E. Smith, Cobb-Hunter, Gilliard, Bamberg, Thigpen, Kirby, Hosey, Williams, Henegan, Alexander, Weeks, Jefferson, Robinson-Simpson, Caskey, Brown, Dillard, Hart, Howard, Murphy, Pendarvis, Erickson, McEachern, Bowers, Bradley and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-220 SO AS TO DESIGNATE THE SECOND SATURDAY OF NOVEMBER OF EACH YEAR AS "PENN CENTER HERITAGE DAY" IN SOUTH CAROLINA.

Ordered for consideration tomorrow.

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Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4962 -- Reps. Sandifer and Spires: A BILL TO AMEND SECTION 38-7-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETALIATORY TAXES BY OTHER STATES AGAINST INSURANCE COMPANIES CHARTERED IN THIS STATE, SO AS TO PROVIDE TITLE INSURERS ONLY MAY INCLUDE THEIR PORTION OF THE PREMIUM IN THE RETALIATORY TAX COMPUTATIONS AND ARE PROHIBITED FROM INCLUDING THESE AMOUNTS IN THE SOUTH CAROLINA COLUMN OF RETALIATORY TAX WORKSHEETS.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina Department of Transportation, with the term to commence February 15, 2018, and to expire February 15, 2022

At-Large:

Kristen E. Blanchard, 704 Mayfield Ct., Fort Mill, SC 29720-4722  
*VICE* New Seat

Received as information.

Initial Appointment, South Carolina Department of Transportation, with the term to commence March 21, 2018, and to expire February 15, 2022

At-Large:

James T. McLawhorn, Jr., 204 Elmont Drive, Columbia, SC 29203  
*VICE* Grover Clifton Parker

Received as information.

**Message from the House**

Columbia, S.C., April 25, 2018

Mr. President and Senators:

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

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**WEDNESDAY, APRIL 25, 2018**

H. 4683 -- Reps. Hewitt, Fry, Erickson, Clemmons, Duckworth, Yow, Martin, Hardee, Johnson, McGinnis, Crawford, Anderson, Herbkersman, Sottile, Hixon, Taylor, Arrington, D.C. Moss, Atwater, S. Rivers, Mace, Lucas, Bradley, Elliott, Atkinson, Bannister, Loftis, Williams, Jefferson and Hamilton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "BEACHFRONT MANAGEMENT REFORM ACT"; TO AMEND SECTION 44-1-60, RELATING TO APPEALS FROM DECISIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL GIVING RISE TO CONTESTED CASES, SO AS TO EXCLUDE DECISIONS TO ESTABLISH BASELINES OR SETBACK LINES FROM THE APPEAL PROCEDURES; TO AMEND SECTION 48-39-10, RELATING TO COASTAL TIDELANDS AND WETLANDS DEFINITIONS, SO AS TO REDEFINE THE TERM "PRIMARY OCEANFRONT SAND DUNE" FOR PURPOSES OF ESTABLISHING A BASELINE AND TO DEFINE THE TERM "STORM SURGE"; AND TO AMEND SECTION 48-39-280, RELATING TO THE STATE'S FORTY-YEAR RETREAT POLICY, SO AS TO REQUIRE THE USE OF HISTORICAL AND SCIENTIFIC DATA THAT ACCOUNTS FOR EFFECTS OF NATURAL PROCESSES WHEN DETERMINING EROSION RATES, TO ESTABLISH THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ESTABLISH BASELINES AND SETBACK LINES FOR CERTAIN AREAS AND UNDER CERTAIN GUIDELINES, TO PROHIBIT THE USE OF DATA FROM AN AREA IMPACTED BY A STORM SYSTEM OR EVENT NAMED BY THE NATIONAL WEATHER SERVICE FOR TWO YEARS AFTER THE STORM, TO REQUIRE THE DEPARTMENT TO GRANT A REVIEW OF A BASELINE OR SETBACK LINE FOR A LANDOWNER, A MUNICIPALITY, COUNTY, OR ORGANIZATION ACTING ON BEHALF OF A LANDOWNER THAT SUBMITS SUBSTANTIATING EVIDENCE SHOWING AN ADVERSE AFFECT ON HIS PROPERTY AND TO ESTABLISH GUIDELINES FOR REVIEW.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments.

H. 4807 -- Reps. Hixon, Hiott, Kirby and Yow: A BILL TO AMEND SECTION 7 OF ACT 41 OF 2015, RELATING TO THE ACT'S TIME EFFECTIVE CLAUSE, SO AS TO EXTEND THE PERIOD IN WHICH WILD TURKEY SEASONS AND BAG LIMITS FOR CERTAIN COUNTIES ARE SUSPENDED.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

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

**Total--38**

**NAYS**

**Total--0**

There being no further amendments, the Bill as amended, ordered returned to the House.

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**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator McLEOD, the Privilege of the Chamber, to that area behind the rail, was extended to Dr. Roslyn Clark Artis in recognition of her serving as the first female president of Benedict College.

**Motion Adopted**

On motion of Senator MARTIN, with unanimous consent, Senators GOLDFINCH, TALLEY and JOHNSON were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator ALLEN, the Privilege of the Chamber, to that area behind the rail, was extended to the Southside High School basketball team to congratulate them on winning the 2018 AAA State Championship title.

**Privilege of the Chamber**

On motion of Senator DAVIS, on behalf of Senator HEMBREE, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Julia Casper in recognition of her being the first woman from North Myrtle Beach to be named state president of the General Federation of Women's Clubs of S.C.

**Expression of Personal Interest**

Senator FANNING rose for an Expression of Personal Interest.

**COMMITTEE AMENDMENT ADOPTED  
REMOVED FROM CONSENT CALENDAR**

H. 4486 -- Reprs. Henderson, Elliott, W. Newton, Govan, Erickson and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT ACT" BY ADDING ARTICLE 7 TO CHAPTER 61, TITLE 44 SO AS TO AUTHORIZE THE STATE OF SOUTH CAROLINA TO JOIN THE RECOGNITION OF EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT IN ORDER TO FACILITATE THE DAY-TO-DAY MOVEMENT OF EMERGENCY MEDICAL SERVICES (EMS) PERSONNEL ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF THEIR ASSIGNED EMS DUTIES

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AND TO AFFORD IMMEDIATE LEGAL RECOGNITION TO EMS PERSONNEL IN A MEMBER STATE; TO ESTABLISH CERTAIN EMS LICENSURE REQUIREMENTS UNDER THE COMPACT; TO PROVIDE FOR THE PRIVILEGE OF EMS PERSONNEL TO PRACTICE IN ANOTHER MEMBER STATE AND IN REMOTE STATES, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN LIMITATIONS ON THE APPLICATION OF THE COMPACT DURING A STATE OF EMERGENCY; TO PROVIDE CERTAIN LIMITATIONS ON THE PRIVILEGE TO PRACTICE UNDER THE COMPACT WHEN AN INDIVIDUAL'S LICENSE IS SUSPENDED OR OTHERWISE RESTRICTED AND TO ENABLE A MEMBER STATE TO TAKE ADVERSE ACTIONS AGAINST AN INDIVIDUAL'S LICENSE IN CERTAIN CIRCUMSTANCES; TO GRANT CERTAIN POWERS TO THE STATE'S EMS AUTHORITY; TO ESTABLISH THE INTERSTATE COMMISSION FOR EMS PERSONNEL PRACTICE AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND AUTHORITY; TO PROVIDE FOR ENFORCEMENT OF THE COMPACT BY MEMBER STATES AND FOR DISPUTE RESOLUTION; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-61-20, RELATING TO TERMS DEFINED IN THE "EMERGENCY MEDICAL SERVICES ACT OF SOUTH CAROLINA", SO AS TO CHANGE THE DEFINITION OF "INVESTIGATIVE REVIEW COMMITTEE".

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (4486), which was adopted:

Amend the bill, as and if amended, beginning on page 16 by striking lines 40-43, and on page 17 by striking lines 1-2 and inserting:

/ Section 44-61-830. (A)(1) The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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On motion of Senator CORBIN, the Bill was moved to the Statewide Second Reading Calendar.

**REMOVED FROM CONSENT CALENDAR**

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

On motion of Senator HEMBREE, the Bill was moved to the Statewide Second Reading Calendar.

**REMOVED FROM CONSENT CALENDAR**

H. 4529 -- Rep. G.M. Smith: A BILL TO AMEND SECTION 40-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO PROVIDE CERTAIN BOARD OF NURSING LICENSEES

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MAY PERFORM DELEGATED MEDICAL ACTS BY MEANS OF TELEMEDICINE AND TO DEFINE "TELEMEDICINE"; TO AMEND SECTION 40-33-34, RELATING TO THE PERFORMANCE OF DELEGATED MEDICAL ACTS BY CERTAIN BOARD OF NURSING LICENSEES, SO AS TO PROVIDE REQUIREMENTS CONCERNING THE PRACTICE OF TELEMEDICINE BY ADVANCED PRACTICE REGISTERED NURSES; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS IN THE PRACTICE ACT FOR PHYSICIANS AND CERTAIN OTHER MEDICAL PROFESSIONALS, SO AS TO PROVIDE CERTAIN DELEGATED MEDICAL ACTS MAY BE PERFORMED BY MEANS OF TELEMEDICINE; TO AMEND SECTION 40-47-935, RELATING TO ACTS PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE TELEMEDICINE; AND TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO THE SCOPE OF PRACTICE GUIDELINES FOR PHYSICIAN ASSISTANTS, SO AS TO INCLUDE TELEMEDICINE.

On motion of Senator HEMBREE, the Bill was moved to the Statewide Second Reading Calendar.

**SECOND READING BILL**

H. 4592 -- Reps. Allison and Forrester: A BILL TO AMEND ACT 248 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE STARTEX AREA FIRE DISTRICT IN SPARTANBURG COUNTY, SO AS TO INCREASE THE BORROWING LIMITS OF THE DISTRICT FROM FIVE HUNDRED THOUSAND TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

On motion of Senator TALLEY.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 3826 -- Reps. Huggins, Bedingfield, Fry, Henderson, Johnson, Hewitt, Crawford, Duckworth, Allison, Forrester, Tallon, Hamilton, Felder, Elliott, B. Newton, Martin, Erickson, Dillard, G.R. Smith, Robinson-Simpson, Long, Taylor, Hixon, Arrington, Bennett, W. Newton, Putnam and Cogswell: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP A COUNTERFEIT-RESISTANT PRESCRIPTION BLANK, WHICH

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**MUST BE USED BY PRACTITIONERS FOR THE PURPOSE OF  
PRESCRIBING CONTROLLED SUBSTANCES.**

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\3826C001.CC.VR18), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking lines 6-12 and inserting:

/ (5) If a written prescription is not submitted on a tamper-resistant prescription form meeting the requirements of this section, a pharmacy may fill the prescription in full as written on an emergency basis as long as the pharmacy receives a verbal, facsimile, electronic, or compliant written prescription from the prescriber within seventy-two hours after the date on which the prescription was filled.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

[SJ]



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Young

**Total--43**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

H. 4117 -- Reps. Henderson, Bedingfield and Fry: A BILL TO AMEND SECTION 44-53-1650, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS TO CONFIDENTIALITY OF DATA IN THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD AN EXCEPTION FOR THE PROVISION OF DATA TO DRUG COURTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\4117C001.CC.VR18), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-1650(D)(9) and inserting:

/ (9) the presiding judge of a drug court, probate court, or circuit court, pertaining to a specific case involving a designated person.??/

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4600 -- Reps. Huggins, Bedingfield, Alexander, Dillard, Douglas, Erickson, Fry, Henderson, Hewitt, Ridgeway, Spires, West, Norrell, Weeks, Rutherford and Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-70 SO AS TO AUTHORIZE CERTAIN COMMUNITY ORGANIZATIONS TO DISTRIBUTE OPIOID ANTIDOTES TO A PERSON AT RISK OF EXPERIENCING AN OPIOID-RELATED OVERDOSE OR TO A CAREGIVER OF SUCH A PERSON; AND TO AMEND SECTION 44-130-20, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA OVERDOSE PREVENTION ACT, SO AS TO ADD A DEFINITION FOR "COMMUNITY DISTRIBUTOR".

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The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4644 -- Reps. Dillard, Anthony, Atkinson, Kirby, Henderson-Myers, Martin, Burns, Williams, Yow, W. Newton, Hewitt, Blackwell, Forrest and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-96-85 SO AS TO ESTABLISH THE SOLID WASTE

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EMERGENCY FUND, TO PROVIDE FOR THE FUNDING OF THE FUND, TO PROVIDE EXCEPTIONS, TO AUTHORIZE THE RECOVERY OF COSTS BY THE ATTORNEY GENERAL OR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO AUTHORIZE A REPRESENTATIVE TO INVESTIGATE A WASTE MANAGEMENT SITE AT ANY TIME TO ADDRESS AN EMERGENCY SITUATION; BY AMENDING SECTION 44-96-120, RELATED TO THE SOLID WASTE MANAGEMENT TRUST FUND, SO AS TO INCLUDE FUNDING THE SOLID WASTE EMERGENCY FUND IN THE LIST OF AUTHORIZED SOLID WASTE MANAGEMENT TRUST FUND EXPENDITURES; BY AMENDING SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT FACILITY PERMITTING, SO AS TO ALLOW THE DEPARTMENT TO LIMIT DEMONSTRATION OF NEED REQUIREMENTS, TO REMOVE LOCAL LAND USE AND ZONING ORDINANCES FROM A CONSTRUCTION PERMIT TO BUILD A NEW SOLID WASTE MANAGEMENT FACILITY OR EXPAND AN EXISTING FACILITY, AND TO REQUIRE A PERSON SEEKING A CONSTRUCTION PERMIT TO PROVIDE DOCUMENTATION OF COMPLIANCE WITH LOCAL LAND USE AND ZONING ORDINANCES; AND BY AMENDING SECTION 44-96-360, RELATING TO SOLID WASTE PROCESSING FACILITIES, SO AS TO ESTABLISH CERTAIN CONDITIONS FOR FACILITIES THAT RECYCLE CONSTRUCTION AND DEMOLITION DEBRIS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

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

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4935 -- Reps. Felder, Douglas, Ridgeway and Bryant: A JOINT RESOLUTION TO CREATE THE "SOUTH CAROLINA PALLIATIVE CARE AND QUALITY OF LIFE STUDY COMMITTEE"; TO PROVIDE FOR THE PURPOSE, MEMBERSHIP, AND DUTIES OF THE STUDY COMMITTEE; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

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

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 3138 -- Reps. Stavrinakis, McCoy and Erickson: A BILL TO AMEND SECTION 61-4-550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR USE AT FAIRS AND SPECIAL FUNCTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE PERMITS TO SELL BEER AND WINE AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION FOR "FESTIVAL"; AND TO AMEND SECTION 61-6-2000, AS AMENDED, RELATING TO TEMPORARY PERMITS FOR NONPROFIT ORGANIZATIONS, SO AS TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY ISSUE LICENSES TO SELL ALCOHOLIC LIQUOR BY THE DRINK AT MULTIPLE LOCATIONS ON MULTIPLE DAYS AT A FESTIVAL ON ONE APPLICATION, AND TO PROVIDE A DEFINITION OF "FESTIVAL".

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

**Motion Under Rule 26B**

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**READ THE SECOND TIME**

H. 3177 -- Reps. Clemmons, G.R. Smith, Bedingfield and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-31-60 SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman

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Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Williams	Young	

**Total--44**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

H. 3549 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 61-6-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERMIT ISSUED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC LIQUOR IN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO PROVIDE THAT THE DECISION-MAKING BODY OF THE LOCAL SCHOOL MUST AFFIRMATIVELY STATE THAT IT DOES NOT OBJECT TO THE ISSUANCE OF A LICENSE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3549.006), which was adopted:

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

/ SECTION 1. Section 61-6-120(A)(2) of the 9176 Code, as last amended by Act 253 of 2014, is further amended to read:

“(2) ‘school’, an establishment, other than a private dwelling, where the usual processes of education are usually conducted; and”

SECTION 2. Section 61-6-120(C) of the 1976 Code, as last amended by Act 253 of 2014, is further amended to read:



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“(C)(1)Notwithstanding the provisions of subsection (A), the department may issue a license ~~so long as the provisions of subsection (A) are met in regards to schools,~~ and so long as any ~~playground or church, school, or playground~~ located within the parameters affirmatively states that it does not object to the issuance of a license. This subsection only applies to a permit for on-premises consumption of alcoholic liquor.

(2)(a) Any applicant seeking to utilize the provisions of this subsection must provide a statement declaring the church, playground, or school does not object to the issuance of the specific license sought, as follows: ~~from the decision-making body of the owner of the playground or~~

(i)if a church, from the decision-making body of the local church,

(ii) if a playground, from the decision-making body of the owner of the playground,

(iii) if a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school stating that it does not object to the issuance of the specific license sought.

(b) If more than one ~~playground or church, school, or playground~~ is located within the parameters set forth in subsection (A), the applicant must provide the statement from all ~~playgrounds and churches, schools, or playgrounds.~~

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.”

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

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**Motion Under Rule 26B**

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4672 -- Reps. Elliott, B. Newton, Allison, Felder, Bryant, Putnam, Martin, Arrington, Thigpen, Gagnon, Thayer, Douglas, Govan, Anderson, McGinnis, Huggins, Tallon, Daning, D.C. Moss, Long, Henderson, Mace, Cogswell, West, Chumley, Gilliard, Atwater, J.E. Smith, Bernstein, Jefferson, Williams, W. Newton, Henderson-Myers, Ballentine, Bowers, Weeks and M. Rivers: A BILL TO AMEND SECTION 56-1-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VISION SCREENING REQUIRED FOR ISSUANCE OF A DRIVER'S LICENSE, SO AS TO PROVIDE THAT VISION SCREENING IS REQUIRED UPON RENEWAL OF A LICENSE, AND TO PROVIDE THAT A CERTIFICATE OF VISION EXAMINATION FORM MUST BE EXECUTED BY THE CERTIFYING OPHTHALMOLOGIST OR OPTOMETRIST.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (4672R001.DR.LKG), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 39 through 41 and inserting:

/person conducting the screening. A Certificate of Vision Examination form must be executed by the certifying ophthalmologist or optometrist and must be transmitted to the department electronically pursuant to its electronic specifications. The minimum standards of the /

Amend the bill further, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. This act takes effect October 1, 2020. /

Re-number sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

The amendment was adopted.

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The question then was second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

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

**Total--42**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 4946 -- Reps. Erickson, Bradley, Bowers and M. Rivers: A BILL TO AMEND SECTION 50-5-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SHELLFISH IMPORTATION PERMITS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE PERMITS TO PERSONS TO POSSESS, PRODUCE, PURCHASE, OR SELL GENETICALLY MODIFIED SHELLFISH, AND THE PROVISION THAT PROHIBITS THE PLACEMENT OF GENETICALLY MODIFIED SHELLFISH IN THE WATERS OF THIS STATE WITHOUT A PERMIT.

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The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

H. 5038 -- Reps. Atwater, Bradley, Howard, Thayer, Gagnon, Huggins, Hewitt, McGinnis, Hayes, Willis, Spires, Ballentine, G.M. Smith, Sandifer, Norrell, Henderson, Toole, Erickson, Cobb-Hunter, Ott, Ridgeway, McEachern, Douglas, Rutherford, Bernstein, W. Newton, Clary, Anthony, Wheeler, Anderson, Kirby,

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Alexander, Tallon and Elliott: A BILL TO AMEND SECTION 38-71-2130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF A PHARMACY BENEFIT MANAGER, SO AS TO ESTABLISH PROHIBITED ACTS FOR A PHARMACY BENEFIT MANAGER.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

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

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**CARRIED OVER**

H. 3055 -- Reps. Robinson-Simpson, Clyburn, Gilliard, Mack, King and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "RESTORATIVE JUVENILE PRACTICES AND APPROACHES ACT" BY CREATING THE "JUVENILE RESTORATIVE PRACTICES STUDY COMMITTEE" TO REVIEW JUVENILE JUSTICE LAWS AND MAKE RECOMMENDATIONS CONCERNING RELATED REFORMS; AND TO PROVIDE FOR THE COMPOSITION, DUTIES, STAFFING, AND DISSOLUTION OF THE COMMITTEE.

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

S. 759 -- Senator Rankin: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW AN EXEMPTION FOR THE DWELLING HOUSE AND ONE ACRE OF LAND FOR A PERSON WITH A BRAIN OR SPINAL CORD INJURY.

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

S. 773 -- Senator Rice: A BILL TO AMEND SECTION 56-5-750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FAILURE TO STOP A MOTOR VEHICLE WHEN SIGNALLED BY A LAW ENFORCEMENT VEHICLE, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

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

H. 4705 -- Reps. Bannister, Elliott, Arrington, Long, Chumley, B. Newton, Martin, Henderson-Myers, G.R. Smith, Trantham, Bryant, Hamilton, Hixon, S. Rivers, Stringer, Brawley and Ballentine: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTERS OF CHILD ABUSE OR NEGLECT, SO AS TO ADD RELIGIOUS COUNSELORS AS MANDATED REPORTERS.

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

H. 4673 -- Reps. G.M. Smith, Brawley and Weeks: A BILL TO AMEND SECTION 62-2-507, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OF

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CERTAIN BENEFICIARY DESIGNATIONS BY DIVORCE, ANNULMENT, OR AN ORDER TERMINATING MARITAL PROPERTY RIGHTS, SO AS TO EXEMPT BENEFICIARY DESIGNATIONS UNDER EMPLOYEE BENEFIT PLANS ADMINISTERED BY THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY.

Senator MASSEY explained the Bill.

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

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

Senator YOUNG explained the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

**AMENDED, CARRIED OVER**

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

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD5153.001), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-3, in Section 42-17-20, as contained in SECTION 1, and inserting the following:

/ to by the parties and authorized by the commission. For purposes of this section, the 'county seat' is the county courthouse. These districts

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are defined as those districts designated by the commission and in effect as of January 1, 2018.” /

Re-number sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question being the second reading of the Bill.

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

**OBJECTION**

S. 431 -- Senators Senn, Campsen and Climer: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A FIREARM ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION OR IN ANY PUBLICLY OWNED BUILDING; TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR; TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION RESULTING IN PROPERTY DAMAGE IS GUILTY OF A MISDEMEANOR; AND TO PROVIDE THAT A PERSON WHO VIOLATES THIS SECTION BY CAUSING INJURY OR DEATH IS GUILTY OF A FELONY.

Senator MALLOY objected to the consideration of the Bill.

S. 982 -- Senator Hutto: A BILL AMEND SECTION 56-1-286, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR

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DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385, RELATING TO THE REINSTATEMENT OF PERMANENTLY REVOKED DRIVER'S LICENSES, SO AS TO LIMIT APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400, RELATING TO SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, SO AS TO REORGANIZE FOR CLARITY, REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, SO AS TO ALLOW A PERSON CLASSIFIED AS AN HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE INTERLOCK IGNITION PROGRAM; TO AMEND SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE WAS CREATED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND 56-1-1340, RELATING TO THE ISSUANCES OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941, AS AMENDED, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO INCLUDE REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF LESS THAN FIFTEEN ONE HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION,

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PARDON AND PAROLE; TO AMEND SECTION 56-5-2951, RELATING TO TEMPORARY ALCOHOL LICENSES, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, SO AS TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to the consideration of the Bill.

**AMENDMENT PROPOSED  
OBJECTION**

H. 3139 -- Reps. Stavrinakis and McCoy: A BILL TO AMEND SECTIONS 61-4-515 AND 61-6-2016, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE AND SELL BEER AND WINE FOR ON-PREMISES CONSUMPTION AND A BIENNIAL LICENSE TO PURCHASE ALCOHOLIC LIQUORS BY THE DRINK AT A MOTORSPORTS ENTERTAINMENT COMPLEX OR TENNIS SPECIFIC COMPLEX, SO AS TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR "BASEBALL COMPLEX".

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD3139.007):

Amend the bill, as and if amended, by inserting an appropriately numbered section after SECTION 3 and inserting therein the following:

/ SECTION \_\_. Section 15-78-120(a) of the 1976 Code is amended to read:

“(a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding ~~three~~ five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed

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~~six hundred thousand~~ one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.”/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator MALLOY objected to further consideration of the Bill.

**ADOPTED**

S. 1191 -- Senators Alexander, Rankin and Hutto: A CONCURRENT RESOLUTION TO FIX ELEVEN O’CLOCK ON THURSDAY, MAY 10, 2018, AS THE TIME TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022; TO ELECT A MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FOURTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022; TO ELECT A MEMBER OF THE PUBLIC

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SERVICE COMMISSION FOR THE SIXTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2022.

The Resolution was adopted, ordered sent to the House.

S. 1192 -- Senators Gambrell and Nicholson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 221/SOUTH CAROLINA HIGHWAY 72 IN GREENWOOD COUNTY, FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 25 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 246, "EMMETT I. DAVIS, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 5242 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Dellaney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D.C. Moss, V.S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MAY 2, 2018, "SOUTH CAROLINA TEEN PREGNANCY PREVENTION DAY" AND TO HONOR THE VALUABLE CONTRIBUTIONS OF THE SOUTH CAROLINA CAMPAIGN TO PREVENT TEEN PREGNANCY, ITS PARTNERS WITHIN LOCAL COMMUNITIES AND ORGANIZATIONS, PARENTS, EDUCATORS, AND TRUSTED ADULTS.

The Resolution was adopted, ordered returned to the House.

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

**MOTION FOR SPECIAL ORDER FAILED**

H. 3548 -- Reps. Bennett, Delleney, Yow, Stringer, Hardee, Erickson, Long, Fry, Daning, S. Rivers, Davis, Allison, Hill, Crosby, B. Newton, McCoy, West, McCravy, Tallon, Elliott, Henderson, V.S. Moss, G.R. Smith, Pope, Toole, Huggins, Hamilton, Bedingfield, Atwater, Ballentine, Willis, Simrill and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA UNBORN CHILD PROTECTION FROM DISMEMBERMENT ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO PROHIBIT DISMEMBERMENT ABORTIONS, WITH EXCEPTIONS, AND TO DEFINE RELEVANT TERMS; TO PROVIDE FOR INJUNCTIVE RELIEF AND CIVIL REMEDIES TO ENFORCE THE PROVISIONS OF THE ARTICLE; TO CREATE CRIMINAL PENALTIES; AND FOR OTHER PURPOSES.

Senator MASSEY moved that the Bill be made a Special Order.

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

**Ayes 26; Nays 18**

**AYES**

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

**Total--26**

**NAYS**

Allen	Fanning	Hutto
Jackson	Johnson	Kimpson
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>

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McElveen	McLeod	Nicholson
Reese	Sabb	Scott
Setzler	Sheheen	Williams

**Total--18**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

**MOTION ADOPTED**

At 2:56 P.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

**MOTION ADOPTED**

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**NONCONCURRENCE**

H. 3819 -- Reps. Bedingfield, Fry, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, King, Knight, Arrington, Forrester, Allison, Tallon, Hamilton, Felder, Elliott, Jordan, B. Newton, Martin, McCravy, Wheeler, Erickson, West, Lowe, Ryhal, Atwater, Willis, Jefferson, W. Newton, Thigpen, Bennett, Crosby, Long, Putnam, Cogswell and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-363 SO AS TO ESTABLISH REQUIREMENTS RELATED TO PRESCRIBING OPIOID ANALGESICS TO MINORS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator PEELER explained the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

WEDNESDAY, APRIL 25, 2018

**EXECUTIVE SESSION**

On motion of Senator LEATHERMAN, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Corrections and Penology Committee, the following appointment was taken up for immediate consideration:

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

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

On motion of Senator SHANE MARTIN, the question was confirmation of Freddie B. Pough.

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

**Ayes 39; Nays 0; Abstain 4**

**AYES**

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

**Total--39**

**NAYS**

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**Total--0**

**ABSTAIN**

Allen  
Senn

*Matthews, Margie*

McElveen

**Total--4**

The appointment of Freddie B. Pough was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointments were taken up for immediate consideration:

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2017, and to expire June 30, 2021

Chairman:

Mark Elam, 317 Bennett Street, Mount Pleasant, SC 29464 *VICE*  
Allan Amsler

On motion of Senator PEELER, the question was confirmation of Mark Elam.

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

**Ayes 41; Nays 0; Abstain 2**

**AYES**

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

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Williams Young

**Total--41**

**NAYS**

**Total--0**

**ABSTAIN**

Campsen Setzler

**Total--2**

The appointment of Mark Elam was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2016, and to expire June 30, 2020

7th Congressional District:

Jim Creel, Jr., 1079 Waterway Lane, Myrtle Beach, SC 29572 *VICE*  
William Lee Hewitt, III

On motion of Senator PEELER, the question was confirmation of Jim Creel, Jr..

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

**Ayes 42; Nays 0; Abstain 1**

**AYES**

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

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Sheheen  
Turner

Talley  
Williams

Timmons  
Young

**Total--42**

**NAYS**

**Total--0**

**ABSTAIN**

Setzler

**Total--1**

The appointment of Jim Creel, Jr. was confirmed.

**Motion Adopted**

On motion of Senator SHEHEEN, with unanimous consent, the provisions of Rule 16 requiring a recorded vote on the following appointments were waived.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were taken up for immediate consideration:

Reappointment, South Carolina State Housing Finance, and Development Authority, with the term to commence August 15, 2017, and to expire August 15, 2021

At-Large - Pharmacist:

Charles E. Gardner, 127 Haviland Ave., Greenville, SC 29607

On motion of Senator ALEXANDER, the question was confirmation of Charles E. Gardner.

The appointment of Charles E. Gardner was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

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Initial Appointment, South Carolina Board of Real Estate Appraisers, Appraisal Management Company:

Joseph Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

On motion of Senator ALEXANDER, the question was confirmation of Joseph Mark Chapman.

The appointment of Joseph Mark Chapman was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Having received a favorable report from the Medical Affairs Committee, the following appointments were taken up for immediate consideration:

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021

Public Member:

Neil B. Lipsitz, 2612 Harvey Rd., Beaufort, SC 29902

On motion of Senator PEELER, the question was confirmation of Neil B. Lipsitz.

The appointment of Neil B. Lipsitz was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2017, and to expire June 30, 2023

1st Congressional District:

Lauren B. Thomas, 1801 Rushland Grove Lane, John's Island, SC 29455 *VICE* Carol S. Russell

On motion of Senator PEELER, the question was confirmation of Lauren B. Thomas.

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The appointment of Lauren B. Thomas was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Reappointment, South Carolina State Board of Nursing, with the term to commence June 30, 2016, and to expire June 30, 2020

7th Congressional District:

Karen Racz Hazzard, 25 Deloach Trail, Pawleys Island, SC 29585

On motion of Senator PEELER, the question was confirmation of Karen Racz Hazzard.

The appointment of Karen Racz Hazzard was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Initial Appointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2018, and to expire June 1, 2022

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302 *VICE*  
Tanya T. Pound

On motion of Senator PEELER, the question was confirmation of Sarah Davis Emory.

The appointment of Sarah Davis Emory was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

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

Midlands:

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

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On motion of Senator PEELER, the question was confirmation of Arthur L. Guerry.

The appointment of Arthur L. Guerry was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2017, and to expire December 31, 2021  
4th Congressional District:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643 *VICE* Carol Ann Moody

On motion of Senator PEELER, the question was confirmation of Sallie Beth Todd.

The appointment of Sallie Beth Todd was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

Reappointment, South Carolina State Board of Pharmacy, with term coterminous with Governor

At-Large - Pharmacist:

Rebecca Long Gillespie, 3909 Devereaux Road, Columbia, SC 29205

On motion of Senator PEELER, the question was confirmation of Rebecca Long Gillespie.

The appointment of Rebecca Long Gillespie was confirmed.

**Recorded Vote**

Senator MASSEY desired to be recorded as voting in favor of the confirmation.

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**LOCAL APPOINTMENTS**

**Confirmations**

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

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

Dean Ford, 205 North Maple Street, Simpsonville, SC 29681-2312

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

Michael D. Stokes, 301 Trailblazer Dr., Travelers Rest, SC 29690-2230

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

Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

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

Darrell S. Fisher, 112 Hedge Rose Court, Travelers Rest, SC 29690-7001

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

Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

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

James Hudson, 6 Highview Drive, Greenville, SC 29609-3261

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

Robert Simms, 100 South Main Street, Greer, SC 29650-2017

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

Jonathan Daniel Anders, 107 South Pliney Circle, Simpsonville, SC 29681-2330

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Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Kenneth Southerlin, 301 Trailblazer Drive, Travelers Rest, SC 29690

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

Ernest M. O'Brien, 102 Cherokee Dr., Greenville, SC 29615-1117

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

Mark Edmonds, 131 Montis Dr., Greenville, SC 29617-8101

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Vilvin Garrison, 551 Waterbrook Dr., Greenville, SC 29607-4878

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

James Hicks, 612 Timber Walk Drive, Simpsonville, SC 29681-4554

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Clare R. Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Greenville County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Laura Saunders, 3 Brookside Way, Greenville, SC 29605-1211

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

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

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

Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

**Motion Adopted**

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

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**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Bennie Cunningham of Seneca, S.C. Bennie played football for Clemson University from 1972-1975. He was drafted by the Pittsburg Steelers and played there from 1976 - 1985. Bennie later returned to Clemson and earned a masters degree in secondary education and had a long career as a guidance counselor at West Oak High School in Westminster. Bennie was a great man who will be dearly missed.

**ADJOURNMENT**

At 3:34 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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