

NO. 70

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

TUESDAY, MAY 8 2018

Tuesday, May 8, 2018
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the acting PRESIDENT, Senator CROMER.

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

Ezekiel 11:19a

“I will give them an undivided heart and put a new spirit in them...”

Let us pray. Gracious and loving God, after many months of hard work, we have but a few days to be about winding up this legislative term.

However, no matter how busy we are, help us to always remember in our hearts and prayers those who are poor, those who are experiencing financial difficulties, those who have lost loved ones and those who feel depressed or hopeless. Also we pray for Your protection and Your blessings on all those who serve in our military overseas and in all branches of our security forces here at home. Keep them in Your protective care and strong in their faith. May we also, live a life of faith with humility and kindness, always honoring You in all that we say and do. In Your holy name we pray and give You praise, Amen.

The acting 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	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Gregory
Hembree	Hutto	Kimpson
Leatherman	Martin	Massey
Nicholson	Peeler	Rice
Scott	Setzler	Shealy
Talley	Timmons	Turner
Verdin	Young	

[SJ]

TUESDAY, MAY 8, 2018

Motion Adopted

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

MESSAGE FROM THE GOVERNOR

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

Initial Appointment, Hampton County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Gwen Bampfield, 113 Kinard Lane, Hampton, SC 29924-0132 *VICE*
Charles A. Grill

Initial Appointment, Orangeburg County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Stephanie Grant, 410 Tecza Drive, Orangeburg, SC 29115-9192 *VICE*
Willie Robinson, Jr.

Local Appointment

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence April 10, 2018, and to expire April 10, 2022

Myrtle Beach City Council:

Thomas D. Webb, 679 Providence Dr., Myrtle Beach, SC 29572

Doctor of the Day

Senator ALEXANDER introduced Dr. David Garr of Mount Pleasant, S.C., Doctor of the Day.

Leave of Absence

At 11:09 A.M., Senator MARTIN requested a leave of absence for Senator GOLDFINCH until 11:45 A.M.

Leave of Absence

At 3:10 P.M., Senator SABB requested a leave of absence for Senator SCOTT until 4:00 P.M.

RECALLED AND ADOPTED

S. 1240 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

[SJ]

TUESDAY, MAY 8, 2018

THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET “DANIEL LEE LOWRY BOULEVARD” AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator FANNING asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator FANNING asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator FANNING, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 3619 -- Reps. Atwater and Erickson: A BILL TO AMEND SECTION 47-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO CRUELTY TO ANIMALS, SO AS TO DEFINE THE TERM “COMPANION ANIMAL”; AND BY ADDING SECTION 47-1-45 SO AS TO PROHIBIT THE TATTOOING OR PIERCING OF A COMPANION ANIMAL EXCEPT FOR SPECIFIED REASONS AND, WHEN AUTHORIZED, PERFORMED BY SPECIFIED PERSONS, AND TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION WHICH IS A MISDEMEANOR.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Agriculture and Natural Resources.

The Bill was recalled from the Committee on Agriculture and Natural Resources and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4980 -- Reps. Tallon, Allison, Long and Forrester: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO

TUESDAY, MAY 8, 2018

RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO REVISE THE MEMBERSHIP OF ITS GOVERNING COMMISSION TO PROVIDE A MEMBER FROM SPARTANBURG COUNTY, AND TO ADD THE "ENOREE BASIN" OF SPARTANBURG COUNTY TO REWA'S SERVICE AREA.

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

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5231 -- Reps. Pitts, West and White: A BILL TO AMEND SECTION 50-9-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTRIBUTION OF REVENUES GENERATED FROM THE SALE OF PRIVILEGES TO HUNT AND FISH BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REVISE THE DISTRIBUTION OF REVENUE GENERATED FROM THE SALE OF RECREATIONAL AND COMMERCIAL MARINE LICENSES, PERMITS, AND TAGS.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Fish, Game and Forestry.

The Bill was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

OBJECTION

S. 92 -- Senators Gregory, Bennett, Fanning and Shealy: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

Senator MASSEY moved that the Bill be recommitted to Committee on Judiciary.

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

Ayes 18; Nays 23

TUESDAY, MAY 8, 2018

AYES

Allen	Bennett	Campbell
Campsen	Gambrell	Goldfinch
Hembree	Hutto	Kimpson
Leatherman	Malloy	Massey
<i>Matthews, Margie</i>	Peeler	Rankin
Reese	Sabb	Scott

Total--18

NAYS

Alexander	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gregory	Johnson
Martin	McElveen	McLeod
Nicholson	Rice	Senn
Setzler	Shealy	Talley
Timmons	Turner	Verdin
Williams	Young	

Total--23

Having failed to received the necessary vote, the motion failed.

Senator DAVIS objected to further consideration of the Bill.

RECOMMITTED

S. 92 -- Senators Gregory, Bennett, Fanning and Shealy: A BILL TO AMEND SECTION 20-3-130(C), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, SO AS TO PROVIDE THAT CERTAIN EARNINGS OF A SUBSEQUENT SPOUSE ARE NOT TO BE CONSIDERED BY THE COURT WHEN MAKING, MODIFYING, OR TERMINATING THE AWARD OF ALIMONY.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Judiciary.

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

[SJ]

TUESDAY, MAY 8, 2018

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 HUTTO, the Bill was recommitted to Committee on Medical Affairs.

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 MALLOY, the Bill was recommitted to Committee on Finance.

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 MALLOY, the Bill was recommitted to Committee on Judiciary.

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

[SJ]

TUESDAY, MAY 8, 2018

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 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 DRIVER'S 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 SECTION 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

[SJ]

TUESDAY, MAY 8, 2018

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, 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.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Judiciary.

S. 1208 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO RESIDENTIAL SPECIALTY CONTRACTORS LICENSE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4777, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1209 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF ELEVATORS AND AMUSEMENT RIDES, RELATING TO FEE SCHEDULE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4794, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

[SJ]

TUESDAY, MAY 8, 2018

S. 1210 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - RESIDENTIAL BUILDERS COMMISSION, RELATING TO CLASSIFICATION OF RESIDENTIAL SPECIALTY CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4778, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1211 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF IMMIGRANT WORKER COMPLIANCE, RELATING TO AUDIT PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4770, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1212 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4802, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1213 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PERPETUAL CARE CEMETERY BOARD, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4768, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

TUESDAY, MAY 8, 2018

S. 1214 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - CONTRACTOR'S LICENSING BOARD, RELATING TO MECHANICAL CONTRACTORS - AIR CONDITIONING, HEATING AND PACKAGED EQUIPMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4796, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1215 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4763, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 1216 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4764, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MALLOY, the Resolution was recommitted to Committee on Labor, Commerce and Industry Committee.

S. 890 -- Senators Davis, Fanning, Rice, Leatherman, Talley, Timmons, Shealy, Jackson, Gregory, Senn, Turner and Young: A BILL TO AMEND TITLE 58 OF THE 1976 CODE OF LAWS, RELATING TO PUBLIC UTILITIES, SERVICES AND CARRIERS, BY ADDING CHAPTER 41, TO PROVIDE FOR THE PROCUREMENT OF LOWEST-COST ENERGY FROM INDEPENDENT POWER PRODUCERS; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Judiciary.

TUESDAY, MAY 8, 2018

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1229 -- Senators Rankin, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO COMMEND LINDSEY DANIELLE KNIPP FOR HER THREE AND A HALF YEARS OF OUTSTANDING AND DEDICATED SERVICE AS A PROOFREADER TO THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

l:\s-res\lar\002lind.kmm.lar.docx

The Senate Resolution was adopted.

S. 1230 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE LEO REDMOND UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS TWENTY-THREE YEARS OF SERVICE AS DIRECTOR OF THE CAYCE HISTORICAL MUSEUM, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

l:\s-res\ngs\038leo.kmm.ngs.docx

The Senate Resolution was adopted.

S. 1231 -- Senators Rankin, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO COMMEND ELEANOR KATHERINE WELLS FOR HER FIFTEEN YEARS OF OUTSTANDING AND DEDICATED LEGAL SERVICE TO THE SOUTH CAROLINA SENATE AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

l:\s-jud\bills\rankin\jud0073.pb.docx

The Senate Resolution was adopted.

TUESDAY, MAY 8, 2018

S. 1232 -- Senator Williams: A SENATE RESOLUTION TO HONOR AND RECOGNIZE COLONEL TRACY L. SIMMONS, COMMAND INSPECTOR GENERAL OF THE 311TH EXPEDITIONARY SUSTAINMENT COMMAND, FOR HIS OUTSTANDING SERVICE TO THE ARMY NATIONAL GUARD AND UNITED STATES ARMY RESERVE; TO THANK HIM FOR THE SACRIFICES HE HAS MADE IN DEFENDING OUR COUNTRY; AND TO WISH HIM MUCH SUCCESS AND HAPPINESS AS HE CONTINUES HIS ILLUSTRIOUS CAREER.

I:\s-res\kpw\008trac.kmm.kmw.docx

The Senate Resolution was adopted.

S. 1233 -- Senator Turner: A SENATE RESOLUTION TO CONGRATULATE THOMAS "TIP" PRICE ON WINNING THE BOYS 10- TO 11-YEAR-OLD DIVISION IN THE 2018 DRIVE, CHIP & PUTT NATIONAL FINALS.

I:\s-res\rt\014tip .kmm.rt.docx

The Senate Resolution was adopted.

S. 1234 -- Senator Hembree: A SENATE RESOLUTION TO SALUTE DAVID M. ROSS, EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION (SCPC), ON THE OCCASION OF HIS DEPARTURE FROM THE COMMISSION, TO EXTEND DEEP APPRECIATION FOR HIS MORE THAN SEVEN YEARS OF DISTINGUISHED SERVICE TO THE ORGANIZATION, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN HIS NEW ENDEAVORS.

I:\council\bills\rm\1414cz18.docx

The Senate Resolution was adopted.

S. 1235 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JEFF MAXEY, A SPECIAL EDUCATION RESOURCE TEACHER AT STARR ELEMENTARY SCHOOL IN ANDERSON SCHOOL DISTRICT THREE, AND CONGRATULATE HIM FOR BEING NAMED THE 2019 SOUTH CAROLINA TEACHER OF THE YEAR BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION.

I:\council\bills\gm\25241sa18.docx

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

TUESDAY, MAY 8, 2018

S. 1236 -- Senator Goldfinch: A SENATE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING FROM OCTOBER 24 THROUGH OCTOBER 26, 2018, AND TO PROVIDE THAT THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

I:\council\bill\rm\1412vr18.docx

The Senate Resolution was introduced and referred to the Committee on Invitations.

S. 1237 -- Senator Setzler: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MAYOR JERALD SANDERS FOR HIS VALUABLE CONTRIBUTIONS AS THE FIRST AFRICAN AMERICAN MAYOR OF THE TOWN OF SWANSEA.

I:\s-res\ngs\039mayo.kmm.ngs.docx

The Senate Resolution was adopted.

S. 1238 -- Senator Sheheen: A SENATE RESOLUTION TO CONGRATULATE DEBORAH POLSON ANDERSON OF KERSHAW COUNTY UPON THE OCCASION OF HER RETIREMENT FROM THE SOUTH CAROLINA STATE LIBRARY, TO COMMEND HER FOR HER MORE THAN THIRTY-NINE YEARS OF EXEMPLARY SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

I:\s-res\vas\028debb.kmm.vas.docx

The Senate Resolution was adopted.

S. 1239 -- Senators Sheheen and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 11 SO AS TO PROVIDE INCREASED FUNDING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THE SAME PERCENTAGE AS GENERAL FUND REVENUES INCREASE, TO PROVIDE ADDITIONAL FUNDING FOR CERTAIN SCHOLARSHIPS AND TO PROVIDE ELIGIBILITY CRITERIA FOR THE FUNDING, AND TO ESTABLISH THE HIGHER EDUCATION FACILITIES REPAIR AND RENOVATION FUND TO PROVIDE INFRASTRUCTURE FUNDING FOR INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-149-170, 59-149-180, 59-104-50, AND 59-104-60 SO AS TO

TUESDAY, MAY 8, 2018

NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY FOR CERTAIN SCHOLARSHIPS; TO AMEND SECTION 59-150-370, RELATING TO THE HOPE SCHOLARSHIP, SO AS TO NORMALIZE THE TEN-POINT GRADING SCALE FOR PURPOSES OF ELIGIBILITY; BY ADDING SECTIONS 59-142-80 AND 59-143-40 SO AS TO APPROPRIATE ADDITIONAL FUNDING FOR THE NEED-BASED GRANT PROGRAM AND TO PROVIDE ELIGIBILITY CRITERIA FOR FUTURE FUNDING; TO AMEND SECTIONS 59-104-25 AND 59-149-15, RELATING TO CERTAIN STEM STIPENDS, SO AS TO PROVIDE THAT THE STIPEND IS AVAILABLE WHEN THE STUDENT BECOMES A JUNIOR INSTEAD OF A SOPHOMORE; BY ADDING SECTION 59-142-80 SO AS TO REQUIRE THAT THE FUNDING TO THE NEED-BASED TUITION GRANTS PROGRAM MUST BE THE SAME AS THE FUNDING TO THE NEED-BASED GRANTS; TO AMEND SECTION 2-7-105, RELATING TO AUTHORIZATION FOR STATE CAPITAL IMPROVEMENT BONDS, SO AS TO REQUIRE THAT THE BONDS BE ISSUED IN EVERY ODD-NUMBERED YEAR; TO AMEND SECTION 2-47-40, RELATING TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE THAT CERTAIN INFORMATION BE GIVEN TO THE COMMITTEE THROUGH THE EXECUTIVE BUDGET OFFICE; BY ADDING SECTION 2-47-65 SO AS TO INDEX FOR INFLATION PROJECT COSTS FOR PURPOSES OF DETERMINING IF CERTAIN IMPROVEMENT PROJECTS ARE PERMANENT IMPROVEMENT PROJECTS; TO AMEND SECTION 2-47-55, RELATING TO A COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 59-103-110, RELATING TO APPROVAL FOR CONSTRUCTION PROJECTS, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 59-103-170 SO AS TO REQUIRE THE COMMISSION ON HIGHER EDUCATION SUBMIT POLICY STATEMENTS AND RULES AS REGULATIONS.

l:\council\bill\bbm\9787dg18.docx

Senator SHEHEEN spoke on the Bill.

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

S. 1240 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

[SJ]

TUESDAY, MAY 8, 2018

THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

l:\council\bill\gt\5514cm18.docx

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

S. 1241 -- Senator Jackson: A SENATE RESOLUTION TO APPLAUD AND HONOR THE TOWN THEATRE OF COLUMBIA, SOUTH CAROLINA, ON THE OCCASION OF ITS CENTENNIAL SEASON AND TO CELEBRATE THIS MOMENTOUS MILESTONE.

l:\council\bill\rt\17427cm18.docx

The Senate Resolution was adopted.

S. 1242 -- Senators Scott, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Malloy, Martin, Massey, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR AND COMMEND VERSIE J. BELLAMY ON THE OCCASION OF EARNING A DOCTOR OF NURSING PRACTICE DEGREE AND TO APPLAUD HER FOR HER TIRELESS EFFORTS TO OFFER EXEMPLARY HEALTHCARE SERVICES.

l:\council\bill\rt\17428cz18.docx

The Senate Resolution was adopted.

S. 1243 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE ANNIE RUTH BURROUGHS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

l:\s-res\lkg\039anni.kmm.lkg.docx

The Senate Resolution was adopted.

S. 1244 -- Senator Senn: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. ALYKHAN SHARIFF OF

[SJ]

TUESDAY, MAY 8, 2018

CHARLESTON COUNTY FOR HIS MANY CONTRIBUTIONS TO THE FIELD OF CHIROPRACTIC AND TO THE WELL-BEING OF SOUTH CAROLINIANS THROUGH THE PROVISION OF CHIROPRACTIC CARE, AND TO WISH HIM CONTINUED SUCCESS, HEALTH, AND HAPPINESS FOR MANY YEARS TO COME.

I:\council\bills\agm\19360wab18.docx

The Senate Resolution was adopted.

H. 3751 -- Reps. Parks, McCravy, King, Pitts, Ridgeway, Elliott and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF GENETIC COUNSELORS; TO ESTABLISH THE BOARD OF GENETIC COUNSELOR EXAMINERS; TO PROVIDE THE POWERS AND DUTIES OF THE BOARD; TO DEFINE NECESSARY TERMINOLOGY; TO PROVIDE PROCEDURES AND CRITERIA FOR LICENSURE BY THE BOARD; TO PROVIDE RELATED DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE FOR THE INVESTIGATION OF VIOLATIONS AND IMPOSITION OF PENALTIES; AND TO PROVIDE CERTAIN EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, AMONG OTHER THINGS.

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

H. 4489 -- Reps. Henderson, Jefferson, Robinson-Simpson and W. Newton: A BILL TO AMEND SECTION 44-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATE OF NEED PROGRAM, SO AS TO CLARIFY THAT KIDNEY DISEASE TREATMENT CENTERS ARE EXEMPT FROM CERTIFICATE OF NEED REVIEW REQUIREMENTS BUT ARE SUBJECT TO LICENSING REQUIREMENTS; AND TO REPEAL SECTION 44-7-310 RELATING TO PUBLIC ACCESS TO HEALTH FACILITY LICENSING INFORMATION.

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

H. 5341 -- Reps. Lucas, White, Simrill, Rutherford, Murphy, S. Rivers and Davis: A BILL TO AMEND SECTION 12-6-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL

[SJ]

TUESDAY, MAY 8, 2018

REVENUE CODE, TO PROVIDE AN EXCEPTION FOR PERSONAL AND DEPENDENT EXEMPTION AMOUNTS, AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX; AND TO AMEND SECTION 12-6-50, RELATING TO PROVISIONS OF THE INTERNAL REVENUE CODE NOT ADOPTED BY THIS STATE, SO AS TO NOT ADOPT CERTAIN PROVISIONS.

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

H. 5368 -- Reps. Allison, Alexander, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McGinnis, McKnight, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pitts, Pope, Putnam, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Young and Yow: A CONCURRENT RESOLUTION TO DECLARE MONDAY, MAY 7, THROUGH FRIDAY, MAY 11, 2018, AS CHARTER SCHOOL WEEK IN THE PALMETTO STATE AND TO ACKNOWLEDGE THE IMPORTANCE OF EDUCATING THE CHILDREN OF SOUTH CAROLINA IN INNOVATIVE CLASSROOMS AND SCHOOLS.

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

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3038 -- Reps. Duckworth, Clemmons, Johnson, Atkinson, Daning and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 42 TO TITLE 40

TUESDAY, MAY 8, 2018

SO AS TO PROVIDE FOR THE LICENSURE OF LOCKSMITHS; TO DEFINE NECESSARY TERMINOLOGY; TO CREATE THE BOARD OF LOCKSMITHS AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE BOARD; TO REQUIRE APPLICANTS FOR LICENSURE TO SATISFY CERTAIN CRITERIA, COMPLETE WRITTEN TESTING REQUIREMENTS, AND SUBMIT TO FINGERPRINT-BASED NATIONAL CRIMINAL BACKGROUND RECORDS CHECKS; AND TO REQUIRE LOCKSMITHS TO COMPLETE CERTAIN CONTINUING EDUCATION REQUIREMENTS TO MAINTAIN LICENSURE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out H. 4710 favorable:

H. 4710 -- Reps. Hill, Williams, McKnight, Yow, West, Gagnon, McCravy, Wheeler, Parks, Henegan, Caskey, Gilliard, Brown, B. Newton, Allison, Chumley, Long, Elliott, Henderson and Blackwell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE PERSIAN GULF WAR VETERAN SPECIAL LICENSE PLATES.

**Poll of the Transportation Committee
Polled 17; Ayes 17; Nays 0**

AYES

Grooms	Leatherman	Rankin
Verdin	Malloy	Campsen
Peeler	Campbell	Bennett
Hembree	McElveen	Johnson
Kimpson	Sabb	Margie Matthews
Climer	McLeod	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

[SJ]

TUESDAY, MAY 8, 2018

Senator CAMPSen from the Committee on Fish, Game and Forestry polled out H. 5090 favorable:

H. 5090 -- Reps. Clemmons and Yow: A BILL TO AMEND SECTION 50-11-515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF WILD TURKEY FEATHERS IN ART, SO AS TO PROVIDE THAT WILD TURKEY PARTS MAY BE USED IN ARTS AND CRAFTS BY CERTAIN INDIVIDUALS, TO PROVIDE THAT THIS PROVISION DOES NOT AUTHORIZE THE SALE OF WILD TURKEY MEAT, AND TO DELETE THE PROVISIONS THAT PROHIBIT THE SALE OF PARTS OF WILD TURKEYS AND THE SALE OF CAPES, BEARDS, AND FANS.

**Poll of the Fish, Game and Forestry Committee
Polled 17; Ayes 16; Nays 1**

AYES

Campsen	Hutto	Cromer
Williams	Gregory	McElveen
Young	Margie Matthews	John Matthews
Fanning	Goldfinch	Rice
Talley	Timmons	Corbin
Cash		

Total--16

NAYS

Sheheen

Total--1

Ordered for consideration tomorrow.

Privilege of the Chamber

On motion of Senator DAVIS, on behalf of Senator LEATHERMAN, the Privilege of the Chamber, to that area behind the rail, was extended to R. Lester "Les" Boles in recognition of his retirement as Director of Budget Development from the South Carolina Revenue and Fiscal Affairs Office.

Remarks by Senator LEATHERMAN

In my 38 year career, I have worked with many dedicated employees. Too often, we fail to say thank you to those employees, from the State

[SJ]

TUESDAY, MAY 8, 2018

Trooper to the Restaurant Inspector, to the DMV Clerk. Without our state workforce, our decisions in this Chamber are nothing more than words on paper because policy comes alive only by taking action, by doing the business of the people.

On occasion, we as policy makers have the distinct privilege of working with people of the highest character who exhibit all of the attributes of a public servant. And, today we are here to recognize one such person, Les Boles.

Les is retiring after 38 years of public service, and the past 20 years or so he has led the State Budget Office in support of our budget writing efforts. He has been putting in the long hours while the House and Senate discuss the budget in committee and on the floors. But, what most of you do not see are the long hours of effort after to translate the budget from a group of policy decisions to operational instructions for state government.

Only a few of you will remember that Les served the Finance Committee as budget director in 1997 on loan from the State Budget Office.

Les is joined here today by his wife, Susan, and his daughter, Melissa, and son-in-law Brannon McAlister.

Mr. PRESIDENT, I request that the reading clerk now read the Resolution.

PRESIDENT PRESIDES

At 11:45 A.M., the PRESIDENT assumed the Chair.

Privilege of the Chamber

On motion of Senator DAVIS, on behalf of Senator McELVEEN, the Privilege of the Chamber, to that area behind the rail, was extended to Malachi Coffey in recognition of his heroic efforts in courageously rescuing his neighbor.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 345 -- Senators Davis, McElveen, Scott and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-33-55 SO AS TO PROVIDE CERTAIN

[SJ]

TUESDAY, MAY 8, 2018

NURSING PROFESSIONALS MAY PROVIDE NONCONTROLLED PRESCRIPTION DRUGS AT ENTITIES THAT PROVIDE FREE MEDICAL SERVICES FOR INDIGENT PATIENTS; BY ADDING SECTION 40-33-57 SO AS TO PROVIDE CERTAIN NURSING PROFESSIONALS MAY CERTIFY STUDENTS AS UNABLE TO ATTEND SCHOOL BUT WHO POTENTIALLY MAY BENEFIT FROM RECEIVING INSTRUCTION AT HOME OR IN A HOSPITAL; BY ADDING SECTION 40-33-59 SO AS TO PROVIDE THAT NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES ORALLY OR IN WRITING MAY REFER A PATIENT TO A PHYSICAL THERAPIST FOR TREATMENT; BY ADDING SECTION 40-33-61 SO AS TO PROVIDE RECIPIENTS AND BENEFICIARIES OF CERTAIN ASSISTANCE AND SERVICES WITHIN THE SCOPE OF PRACTICE OF A NURSE PRACTITIONER OR CERTIFIED NURSE MIDWIFE MAY CHOOSE THE PROVIDERS FROM WHOM THEY RECEIVE SUCH ASSISTANCE AND SERVICES; BY ADDING SECTION 40-33-63 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY PRONOUNCE DEATH AND SIGN DEATH CERTIFICATES; BY ADDING SECTION 40-33-65 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY ORDER HOSPICE AND PALLIATIVE CARE SERVICES FOR PATIENTS; BY ADDING SECTION 40-33-67 SO AS TO PROVIDE NURSE PRACTITIONERS AND CERTIFIED NURSE MIDWIVES MAY CERTIFY INDIVIDUALS AS HANDICAPPED FOR PURPOSES OF OBTAINING HANDICAPPED PARKING PLACARDS; AND BY ADDING SECTION 40-47-370 SO AS TO EXEMPT ADVANCED PRACTICE REGISTERED NURSES FROM CERTAIN LICENSURE AND PRACTICE PROVISIONS WHEN EMPLOYED BY THE UNITED STATES GOVERNMENT AND PROVIDING SERVICES UNDER THE DIRECTION AND CONTROL OF THE UNITED STATES GOVERNMENT; TO AMEND SECTION 40-33-20, RELATING TO DEFINITIONS CONCERNING THE NURSE PRACTICE ACT, SO AS TO REVISE AND ADD NECESSARY DEFINITIONS; TO AMEND SECTION 40-33-34, RELATING TO THE PERFORMANCE OF DELEGATED MEDICAL ACTS, QUALIFICATIONS, PROTOCOLS, AND PRESCRIPTIVE AUTHORIZATIONS OF LICENSEES OF THE NURSING BOARD, SO AS TO MAKE VARIOUS REVISIONS; TO AMEND SECTION 40-47-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF MEDICAL EXAMINERS, SO AS

[SJ]

TUESDAY, MAY 8, 2018

TO REVISE SEVERAL DEFINITIONS AFFECTING THE SCOPE OF PRACTICE OF CERTAIN LICENSEES OF THE NURSING BOARD; AND TO AMEND SECTION 40-47-195, RELATING TO PHYSICIANS SUPERVISING MEDICAL ACTS DELEGATED TO OTHER PROFESSIONALS, SO AS TO ELIMINATE THE REQUIREMENT THAT SUPERVISING PHYSICIANS BE RESPONSIBLE FOR ENSURING CERTAIN ACTS DELEGATED TO ADVANCED PRACTICE REGISTERED NURSES ARE PERFORMED TO CERTAIN STANDARDS.

Very respectfully,

Speaker of the House

Received as information.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

(A234, R203, S345) -- Senators Davis, McElveen, Scott and Fanning:
AN ACT TO AMEND SECTION 40-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO REVISE THESE DEFINITIONS; TO AMEND SECTION 40-33-34, RELATING TO REQUIREMENTS FOR THE PERFORMANCE OF MEDICAL ACTS, QUALIFICATIONS FOR LICENSURE, AND SCOPE AND STANDARDS OF PRACTICE CONCERNING ADVANCED PRACTICE REGISTERED NURSES, SO AS TO REVISE THESE REQUIREMENTS, TO ALLOW THE PERFORMANCE OF CERTAIN ADDITIONAL MEDICAL ACTS, TO REVISE THE PRESCRIPTIVE AUTHORITY OF CERTAIN ADVANCED PRACTICE REGISTERED NURSES WITH RESPECT TO CONTROLLED SUBSTANCES AND NARCOTICS, AND TO DEFINE NECESSARY TERMS, AMONG OTHER THINGS; TO AMEND SECTION 40-33-110, RELATING TO GROUNDS FOR DISCIPLINE UNDER THE NURSE PRACTICE ACT, SO AS TO INCLUDE ENGAGING IN PRACTICE AS A NURSE PRACTITIONER, CLINICAL NURSE SPECIALIST, OR CERTIFIED NURSE-MIDWIFE WITHOUT A COMPLIANT PRACTICE AGREEMENT, FAILING TO COMPLY WITH SUCH A PRACTICE AGREEMENT, AND KNOWINGLY HOLDING ONESELF TO BE

[SJ]

TUESDAY, MAY 8, 2018

MISREPRESENTED AS A PHYSICIAN; TO AMEND SECTION 40-47-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF MEDICAL EXAMINERS, SO AS TO REVISE SEVERAL DEFINITIONS AFFECTING THE SCOPE OF PRACTICE OF CERTAIN LICENSEES OF THE NURSING BOARD; TO AMEND SECTION 40-47-110, RELATING TO GROUNDS FOR DISCIPLINE CONCERNING LICENSEES OF THE BOARD OF MEDICAL EXAMINERS, SO AS TO INCLUDE ENGAGING IN PRACTICE WITH A NURSE PRACTITIONER, CLINICAL NURSE SPECIALIST, OR CERTIFIED NURSE-MIDWIFE WITHOUT A COMPLIANT PRACTICE AGREEMENT OR FAILING TO COMPLY WITH SUCH A PRACTICE AGREEMENT; TO AMEND SECTION 40-47-195, RELATING TO PHYSICIANS SUPERVISING MEDICAL ACTS, SO AS TO PROVIDE LICENSURE QUALIFICATIONS AND PRACTICE AGREEMENT REQUIREMENTS FOR PHYSICIANS AND MEDICAL STAFF WHO ENGAGE IN PRACTICE WITH NURSE PRACTITIONERS, CERTIFIED NURSE-MIDWIVES, OR CLINICAL NURSE SPECIALISTS, AND TO PROVIDE THE BOARD OF MEDICAL EXAMINERS IS AUTHORIZED TO CONDUCT RANDOM AUDITS OF PRACTICE AGREEMENTS; TO AMEND SECTION 40-47-935, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO INCLUDE TELEMEDICINE SUBJECT TO CERTAIN REQUIREMENTS; AND TO AMEND SECTION 40-47-955, RELATING TO THE SCOPE OF PRACTICE OF PHYSICIAN ASSISTANTS, SO AS TO INCLUDE THE PERFORMANCE OF TELEMEDICINE; AND TO PROVIDE THE PROVISIONS OF THIS ACT TAKE EFFECT JULY 1, 2018.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator DAVIS explained the House amendments.

Senator DAVIS proposed the following amendment (S-345), which was adopted:

Amend the bill, as and if amended, page 20 by striking lines 16-26 and inserting:

[SJ]

TUESDAY, MAY 8, 2018

/ (5) An APRN who establishes a nurse-patient relationship solely by means of telemedicine only may prescribe within a practice setting fully in compliance with this chapter and during an encounter in which threshold information necessary to make an accurate diagnosis is obtained in a medical history interview conducted by the prescribing licensee; provided, however, that Schedule II-V prescriptions are only permitted pursuant to a practice agreement as defined in Section 40-33-20(45) and nothing in this item may be construed to authorize the prescribing of medications via telemedicine that otherwise are restricted by the limitations in Section 40-47-37(C)(6) unless approved by a joint committee of the SC Board of Medical Examiners and the South Carolina Board of Nursing. /

Amend the bill further, page 31, by striking lines 19-20 and inserting:

/ SECTION 9. This act takes effect July 1, 2018. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1043 -- Senators Turner and Talley: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE UNTIL DECEMBER 31, 2025.

Very respectfully,

Speaker of the House

Received as information.

[SJ]

TUESDAY, MAY 8, 2018

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1116 -- Senators Timmons and Talley: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE GREENVILLE HEALTH SYSTEM, SO AS TO CHANGE THE NAME TO GREENVILLE HEALTH AUTHORITY, AND TO PROVIDE FOR THE FULFILLMENT OF GREENVILLE HEALTH AUTHORITY'S PURPOSE THROUGH THE OPERATION OF FACILITIES AND DELIVERY OF SERVICES BY AGREEMENT WITH NONPROFIT ENTITIES; AND TO RATIFY THE ACTIONS OF THE GREENVILLE HEALTH SYSTEM IN ENTERING INTO THE AMENDED MASTER AFFILIATION AGREEMENT AND THE LEASE AND CONTRIBUTION AGREEMENT.

Very respectfully,
Speaker of the House

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

Point of Order

Senator JOHNSON raised a Point of Order under Rule 37 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT overruled the Point of Order.

Senator TIMMONS explained the amendments.

Senator MARTIN spoke on the Bill.

Senator CORBIN spoke on the Bill.

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

Ayes 6; Nays 1

AYES

Allen	Corbin	Talley
Timmons	Turner	Verdin

[SJ]

25

TUESDAY, MAY 8, 2018

Total--6

NAYS

Martin

Total--1

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

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

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.

Very respectfully,

Speaker of the House

Received as information.

**H. 4117 -- SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 4117 and asked for a Committee of Conference.

Whereupon, Senators HUTTO, CORBIN and DAVIS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

[SJ]

TUESDAY, MAY 8, 2018

The House respectfully informs your Honorable Body that it has appointed Reps. Felder, Clary and Brown to the Committee of Conference on the part of the House on:

H. 4434 -- Reps. Clary, Elliott, Cogswell, Collins, Henderson-Myers, Felder, Pope, Taylor, Ott, Thayer, Govan, Cole and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 33, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE A UNIVERSAL SCREENING TOOL FOR USE BY LOCAL SCHOOL DISTRICTS TO SCREEN STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE FOR CHARACTERISTICS OF DYSLEXIA BEGINNING WITH THE 2019-2020 SCHOOL YEAR; TO PROVIDE SPECIFIC ABILITIES THAT THE SCREENING TOOL MUST MEASURE; TO PROVIDE THAT PARENTS AND OTHER CERTAIN PARTIES MAY REQUEST THIS DYSLEXIA SCREENING FOR A STUDENT; TO REQUIRE LOCAL SCHOOL DISTRICTS TO CONVENE SCHOOL-BASED PROBLEM-SOLVING TEAMS TO ANALYZE SCREENING DATA AND PROGRESS MONITORING DATA TO ASSIST TEACHERS IN PLANNING AND IMPLEMENTING APPROPRIATE INSTRUCTION AND EVIDENCE-BASED INTERVENTIONS FOR ALL STUDENTS; TO REQUIRE DYSLEXIA-SPECIFIC INTERVENTIONS FOR STUDENTS INDICATED BY SCREENINGS TO HAVE CHARACTERISTICS OF DYSLEXIA; TO REQUIRE THE DEPARTMENT TO PROVIDE RELATED PROFESSIONAL DEVELOPMENT RESOURCES FOR EDUCATORS; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RELATED REGULATIONS; AND TO CREATE A DYSLEXIA ADVISORY COUNCIL TO ADVISE THE DEPARTMENT IN MATTERS RELATING TO DYSLEXIA.

Very respectfully,
Speaker of the House

Received as information.

**H. 4434--FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF FREE CONFERENCE
ADOPTED**

On motion of Senator SHEHEEN, the Report of the Committee of Conference was taken up for immediate consideration.

[SJ]

TUESDAY, MAY 8, 2018

Senator SHEHEEN spoke on the report.

**H. 4434--Free Conference Powers Granted
Free Conference Committee Appointed**

Senator SHEHEEN asked that the Committee of Conference be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

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	Nicholson	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators SHEHEEN, MARTIN and HEMBREE were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

TUESDAY, MAY 8, 2018

The question then was adoption of the Report of the Committee of Free Conference.

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	Nicholson	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Total--0

On motion of Senator SHEHEEN, the Report of the Committee of Free Conference to H. 4434 was adopted as follows:

H. 4434 -- Free Conference Report

The General Assembly, Columbia, S.C., May 3, 2018

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4434 -- Reps. Clary, Elliott, Cogswell, Collins, Henderson-Myers, Felder, Pope, Taylor, Ott, Thayer, Govan, Cole and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 33, TITLE 59 SO AS TO DEFINE NECESSARY TERMS, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE A UNIVERSAL SCREENING TOOL FOR USE BY LOCAL SCHOOL DISTRICTS TO

TUESDAY, MAY 8, 2018

SCREEN STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE FOR CHARACTERISTICS OF DYSLEXIA BEGINNING WITH THE 2019-2020 SCHOOL YEAR; TO PROVIDE SPECIFIC ABILITIES THAT THE SCREENING TOOL MUST MEASURE; TO PROVIDE THAT PARENTS AND OTHER CERTAIN PARTIES MAY REQUEST THIS DYSLEXIA SCREENING FOR A STUDENT; TO REQUIRE LOCAL SCHOOL DISTRICTS TO CONVENE SCHOOL-BASED PROBLEM-SOLVING TEAMS TO ANALYZE SCREENING DATA AND PROGRESS MONITORING DATA TO ASSIST TEACHERS IN PLANNING AND IMPLEMENTING APPROPRIATE INSTRUCTION AND EVIDENCE-BASED INTERVENTIONS FOR ALL STUDENTS; TO REQUIRE DYSLEXIA-SPECIFIC INTERVENTIONS FOR STUDENTS INDICATED BY SCREENINGS TO HAVE CHARACTERISTICS OF DYSLEXIA; TO REQUIRE THE DEPARTMENT TO PROVIDE RELATED PROFESSIONAL DEVELOPMENT RESOURCES FOR EDUCATORS; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RELATED REGULATIONS; AND TO CREATE A DYSLEXIA ADVISORY COUNCIL TO ADVISE THE DEPARTMENT IN MATTERS RELATING TO DYSLEXIA.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 04/17/18-S.)

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

/ SECTION 1. Chapter 33, Title 59 of the 1976 Code is amended by adding:

“Article 5

Dyslexia Screenings

Section 59-33-510. As used in this section:

(1) ‘Evidence-based reading instruction’ means reading, writing, and spelling instruction that employs direct instruction of systematic and cumulative content, with the sequence beginning with the easiest and most basic elements, and progressing methodically to more difficult material. Each step also must be based on steps already learned. Components of evidence-based reading instruction include instruction targeting phonemic awareness, phonics, fluency, vocabulary, and comprehension.

TUESDAY, MAY 8, 2018

(2) ‘Dyslexia specific intervention’ means evidence-based, specialized reading, writing, and spelling instruction that is multisensory in nature, equipping students to simultaneously use multiple senses, such as vision, hearing, touch, and movement. Dyslexia specific intervention requires greater intensity, such as smaller groups, increased frequency of instruction, and individualized progression through steps, than typical evidence-based reading instruction.

(3) ‘Multi-tiered system of supports’ or ‘MTSS’ means an evidence-based model of schooling that uses data-based problem solving to integrate academic and behavioral instruction and intervention. The integrated academic and behavioral supports are delivered to students at varying intensities by means of multiple tiers based on student need. Need-driven decision making seeks to ensure that district resources reach the appropriate students at their schools at the appropriate levels to accelerate the performance of all students to fulfill the profile of the South Carolina Graduate.

(4) ‘Response to Intervention’ or ‘RTI’ means the process of providing high-quality instruction and intervention matched to student needs using learning rate over time and level of performance to make important instructional decisions. To ensure efficient use of resources, schools begin with the identification of trends and patterns using schoolwide data and grade level data. Students who need instructional intervention beyond what is provided universally for positive behavior or academic content areas are provided with targeted, supplemental interventions delivered individually or in small groups at increasing levels of intensity. RTI is a process that is driven by the use of a problem-solving model and is used for the purpose of revealing what works best for groups of students and individual students, regardless of placement.

(5) ‘Tiered instruction’ means instruction and intervention provided with increasing intensity in response to student needs. This instruction is typically provided in an RTI process depicted as a three-tier model. Data is collected at each tier and is used to measure the efficacy of the instruction and intervention so that meaningful decisions may be made about how instruction and intervention should be maintained and layered. Tier 1 is the foundation and consists of scientific, research-based core instructional and behavioral methodologies, practices, and supports designed for all students in the general curriculum. Tier 2 consists of supplemental, targeted instruction and interventions that are provided in addition to and in alignment with effective core instruction and behavioral supports to groups of targeted students who need additional

TUESDAY, MAY 8, 2018

instructional support, behavioral support, or both. Tier 3 consists of intensive instructional or behavioral interventions provided in addition to and in alignment with effective core instruction with the goal of increasing an individual student's rate of progress. Tier 3 interventions are developed for individual students using a problem-solving process. Students receiving Tier 3 level supports may or may not be eligible for specially designed instruction and related services in accordance with the Individuals with Disabilities Education Improvement Act.

(6) 'Problem-solving model' means a problem-solving method used to match instructional resources to educational need. The problem-solving model uses data to define the problem, establish performance goals, develop intervention plans, monitor progress, and evaluate outcomes.

(7) Universal screening process (USP) means the process a district employs to screen all students who may be experiencing academic and/or social-emotional difficulties. The screening tools and the process must be based on approval and guidelines provided by the department, which must include screening tools that must be administered at no cost to the district.

Section 59-33-520. (A)(1) The State Department of Education shall establish and provide training and support for a statewide MTSS framework that must contain a common data-based problem-solving model, on-going student assessment, and a layered continuum of supports using evidence-based practices. As part of the assessment, a universal screening process must be used to identify students who may be at risk of experiencing academic difficulties in reading, math, or writing, and who also may be at risk of experiencing difficulties in social-emotional development.

(2) Beginning with the 2019-2020 School Year, to the extent funding is provided or that approved screening tools are available at no cost, a local school district shall use the universal screening process to screen each student in the district who is in kindergarten through first grade three times each school year and as needed in second grade as outlined in the district's universal screening procedures, and any other student as required by the department, for reading difficulties, including dyslexia, and the need for intervention.

(3) In addition to screening required by this subsection, screening also may be requested for a student by his parent or guardian, teacher, counselor, or school psychologist.

(B) The district, following the universal screening procedures it conducted, shall convene a school-based team to analyze screening data

TUESDAY, MAY 8, 2018

and progress monitoring data to assist teachers in planning and implementing appropriate instruction and evidence-based interventions for all students who, based on the screening, are at risk of experiencing academic difficulties, including those students who exhibit the characteristics of dyslexia, as provided by the department. Guidance may include suggestions of tiered interventions, dyslexia specific interventions, academic and social-emotional supports, and supplemental technology as appropriate for the student's access to assistive technology.

(C) If the RTI process conducted by the district indicates that a student is at risk for experiencing academic difficulties, including dyslexia, the district shall:

- (1) notify the parent or legal guardian of the student;
- (2) provide the parent or legal guardian of the student with information and resource material so that they may assist and support learning for their child;
- (3) provide the student with tiered, evidence-based intervention as defined in Section 59-33-510; and
- (4) monitor and evaluate the effectiveness of the intervention and the student's progress.

Section 59-33-530. The department shall provide appropriate professional development training and resources for all educators in the area of MTSS and the identification of, and evidence-based intervention methods for, students who are at risk of experiencing academic difficulties, including students with dyslexia.

Section 59-33-540. The State Board of Education shall create a reporting template and guidelines for districts and charter schools to complete the template. School districts and charter school authorizers shall complete the template and provide the compiled results to the department annually by June thirtieth, commencing June 30, 2020. The department shall provide the compiled information to the State Board of Education, State Superintendent of Education, and the Chairs of the House Education and Public Works Committee and Senate Education Committee by July thirty-first of each year commencing July 31, 2020. The template must include the following:

- (1) identification of the screening tool used;
- (2) the type and amount of professional development specifically applicable to reading difficulties including, but not limited to, dyslexia and other related disorders that is provided to faculty and staff;
- (3) the number of students screened and the number who were identified as having reading difficulties including, but not limited to,

TUESDAY, MAY 8, 2018

dyslexia and who required intervention, and the interventions employed by the school; and

(4) longitudinal data reported by grade that separately identifies academic growth for students who are identified as having reading difficulties including, but not limited to, dyslexia and provided intervention services, and students who do not receive services. Individual students must not be identified.

Section 59-33-550. (A) There is created a Learning Disorders Task Force for the purpose of working with the department in matters relating to reading disorders to include, but not be limited to, dyslexia. The State Superintendent of Education shall convene the first meeting at which time a chair shall be elect by the task force. The task force is composed of nine members as follows:

(1) an education specialist in school psychology appointed by the State Superintendent of Education, for a term of three years;

(2) a representative from the South Carolina branch of the International Dyslexia Association, appointed by the president of the association for a term of three years;

(3) a special education teacher with an understanding of reading difficulties including, but not limited to, dyslexia, appointed by the State Superintendent of Education for a term of three years;

(4) a primary school teacher, appointed by the State Superintendent of Education for a term of three years;

(5) a middle school teacher, appointed by the State Superintendent of Education for a term of three years;

(6) a high school teacher, appointed by the State Superintendent of Education for a term of three years;

(7) a parent of a child with dyslexia, appointed by the State Superintendent of Education for a term of three years;

(8) a certified school speech pathologist, appointed by the State Superintendent of Education for a term of three years; and

(9) a member in good standing of the South Carolina Optometric Physicians Association, appointed by that association's board of directors for a term of three years.

(B) Initially, the members representing subsections (1), (3), (5), (7), and (9) shall serve terms of five years or until their successors are appointed and qualified. At the end of the first appointment term for these members, new appointments shall serve terms of three years or until their successors are appointed and qualified. All appointments must be provided to the State Superintendent of Education by July 1, 2018. The terms of the members shall commence July 1, 2018.

TUESDAY, MAY 8, 2018

(C) A vacancy must be filled in the same manner of the original appointment for the unexpired portion of the term. A member may be appointed to successive terms.

(D) The members of the task force shall serve without compensation, mileage, per diem, or subsistence allowances.

(E) The task force shall meet at least quarterly. A quorum consists of a majority of the membership of the council.

(F) The task force shall coordinate with the department and the South Carolina branch of the International Dyslexia Association in the identification of universal screening tools to be used pursuant to Section 59-33-520, and collaborate with the department in the creation of the reporting guidelines required by Section 59-33-540.”

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

/s/Sen. Vincent A. Sheheen

/s/Rep. R. Raye Felder

/s/Sen. Shane R. Martin

/s/Rep. Gary E. Clary

/s/Sen. Greg Hembree

/s/Rep. Robert L. Brown

On Part of the Senate.

On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2018

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

H. 4727 -- Reprs. White, Hardee, Yow, Huggins, Jefferson, Hosey, Anderson, West, Hewitt, Finlay, Ott, Duckworth, Sandifer, Davis, Clary, B. Newton, J.E. Smith, Rutherford, Bernstein, W. Newton, Herbkersman, McCoy, Lowe, Elliott and S. Rivers: A BILL TO AMEND SECTION 48-59-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO EXTEND VOTING PRIVILEGES TO CERTAIN MEMBERS AND TO PROHIBIT CERTAIN MEMBERS FROM SERVING AS CHAIRMAN; TO AMEND SECTION 48-59-50, RELATING TO THE POWERS AND DUTIES OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO REQUIRE THE BANK TO DEVELOP CRITERIA AND A CONSERVATION PRIORITIZATION MAP, AND TO PROHIBIT THE AWARD OF A GRANT OR LOAN

[SJ]

TUESDAY, MAY 8, 2018

UNLESS THE FUNDS ARE PRESENTLY AVAILABLE IN THE TRUST FUND; TO AMEND SECTION 48-59-70, RELATING TO GRANTS OR LOANS FOR LAND INTERESTS, SO AS TO EXPAND THE CONSERVATION CRITERIA TO INCLUDE THE VALUE OF THE PROPOSAL FOR ACCESS TO THE PUBLIC, TO REQUIRE CERTAIN ACCESS DISCLOSURES ON A GRANT OR LOAN APPLICATION, AND TO PROHIBIT THE PURCHASE OF A CONSERVATION EASEMENT FOR MORE THAN FIVE HUNDRED THOUSAND DOLLARS; TO REPEAL SECTION 12-24-95 RELATING TO THE PORTION OF THE DEED RECORDING FEE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; AND TO REPEAL SECTION 7 OF ACT 200 OF 2002 RELATING TO THE REQUIREMENT TO PERIODICALLY REAUTHORIZE THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND.

Very respectfully,

Speaker of the House

Received as information.

**H. 4727--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator SETZLER, the Senate insisted upon its amendments to H. 4727 and asked for a Committee of Conference.

Whereupon, Senators SETZLER, CAMPSER and CAMPBELL were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

[SJ]

TUESDAY, MAY 8, 2018

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

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

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1225 -- Senators Peeler, Hembree, J. Matthews, Setzler, Grooms, Hutto, Young, Talley, Jackson, Malloy, Sheheen, Nicholson, Turner, Rice, Senn, Rankin, Alexander, Allen, Bennett, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Johnson, Kimpson, Leatherman, Martin, Massey, M.B. Matthews, McElveen, McLeod, Reese, Sabb, Scott, Shealy, Timmons, Verdin and Williams: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2018 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

Returned with concurrence.

Received as information.

S. 1235 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JEFF MAXEY, A SPECIAL EDUCATION RESOURCE TEACHER AT STARR ELEMENTARY SCHOOL IN ANDERSON SCHOOL DISTRICT THREE, AND CONGRATULATE HIM FOR BEING NAMED THE 2019 SOUTH

TUESDAY, MAY 8, 2018

CAROLINA TEACHER OF THE YEAR BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION.

Returned with concurrence.

Received as information.

RECESS

At 12:30 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 1:30 P.M.

At 1:39 P.M., the Senate resumed.

Privilege of the Chamber

On motion of Senator DAVIS, on behalf of Senator TALLEY, the Privilege of the Chamber, to that area behind the rail, was extended to Mike Ayres in recognition of his retirement as the Wofford College Head Football Coach and wished him continued success in all future endeavors.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bills and Resolution were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3195 -- Reprs. 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".

H. 3440 -- Reprs. 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

TUESDAY, MAY 8, 2018

43-25-60, RELATING TO TEACHERS OF STUDENTS WITH CERTAIN VISUAL IMPAIRMENTS, SO AS TO PROVIDE USE OF COUNSELORS TO ASSIST THOSE TEACHERS.

Senator GAMBRELL explained the Bill.

H. 4913 -- Reprs. 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.

H. 4628 -- Reprs. 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.

Senator BENNETT explained the Bill.

Senator SENN moved to carry over the Bill.

Senator MARTIN moved to table the motion to carry over.

Senator SENN objected to further consideration of the Bill.

Motion Adopted

On motion of Senator CROMER, with unanimous consent, the Senate agreed to take up H. 4628.

There was no objection.

TUESDAY, MAY 8, 2018

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 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.

Senator DAVIS explained the Bill.

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

TUESDAY, MAY 8, 2018

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 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.

Senator BENNETT explained the Bill.

[SJ]

TUESDAY, MAY 8, 2018

Recorded Vote

Senator MASSEY desired to be recorded as voting against the third reading of the Bill.

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.

COMMITTEE AMENDMENT ADOPTED

READ THE THIRD TIME, RETURNED TO THE HOUSE

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.

The Committee on Judiciary proposed the following amendment (JUD3138.006), which was adopted:

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

/ SECTION 1. Chapter 6, Title 61 of the 1976 Code is amended by adding:

"Section 61-6-1840. (A) This section authorizes the department to issue a festival liquor by the drink license, not to exceed a period of five days, to an applicant that meets the following requirements:

TUESDAY, MAY 8, 2018

(1) the festival must have a total beneficial economic impact in an amount exceeding one million dollars to the immediate community in which the festival is held, which may be based on economic information from previous years;

(2) the festival, on a daily basis, as required by Section 61-6-1610 and the state constitution, must serve more meals than alcoholic beverages and must be able to serve meals to at least forty people at any time while the festival is open;

(3) the festival must have a projected attendance of at least fifty thousand people during the time the festival is held, and past attendance may be considered;

(4) the festival has engaged and continues to engage in tourism promotion;

(5) the festival is held in a defined premises that is separate and apart from other areas, and is enclosed by a fence or other type of enclosure of at least eight feet in height for the duration of the festival with a controlled, restricted access;

(6) the festival applicant shall establish a procedure, approved by the State Law Enforcement Division, that requires sufficient identification to determine that individuals purchasing alcoholic beverages meet the age requirements to consume alcohol and further requires those individuals purchasing alcoholic beverages maintain in their possession a personal identifier that is easily identified by a server of alcoholic beverages; and

(7) the festival shall employ a security service approved by the State Law Enforcement Division.

(B) Except as otherwise provided in this subsection, a festival liquor by the drink license shall be issued to a qualifying applicant only once a year. If, after a license has been issued, the festival is not held, the festival organizer or holder of the festival liquor by the drink license must notify the department within forty-eight hours of the decision to not hold the festival and return the license to the department and may apply for another festival liquor by the drink license in the same year.

(C) The department shall charge a nonrefundable filing fee of thirty-five dollars for processing an application for a festival liquor by the drink license. The application must include a statement by the applicant as to the nature, acreage of location, information requested in subsection (A), and dates of the festival. All of the buildings and grounds of the defined festival location that are under the direct control of the festival liquor by the drink license holder are presumed to be the premises used by the licensee to conduct the festival, including, but not

TUESDAY, MAY 8, 2018

limited to, the areas designated within the festival for entertainment, cultural events, food and beverage services, and retail spaces. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(D) The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.

(E) The department shall require the applicant obtain a criminal background check conducted by the State Law Enforcement Division within ninety days prior to an application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it is obtained more than ninety days before the date of the festival.

(F) This section does not prohibit an applicant for a festival liquor by the drink license to apply for a temporary beer and wine permit, pursuant to Section 61-4-550.

(G) The issuance of this license authorizes the festival liquor by the drink licensee to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license issued pursuant to subarticle 1 of this article purchases its alcoholic liquors.”

SECTION 2. This act takes effect upon the approval of the Governor./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

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

Ayes 33; Nays 8

AYES

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

[SJ]

44

TUESDAY, MAY 8, 2018

Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McLeod
Nicholson	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Williams	Young

Total--33

NAYS

Bennett	Cash	Corbin
Martin	Massey	Rice
Timmons	Verdin	

Total--8

There being no further amendments, the Bill, as amended, was read third time, passed and ordered returned to the House.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

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.

Senator DAVIS explained the Bill.

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

Ayes 33; Nays 9

AYES

Allen	Bennett	Campbell
Campsen	Cash	Climer

[SJ]

45

TUESDAY, MAY 8, 2018

Davis	Fanning	Gambrell
Goldfinch	Gregory	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Reese	Sabb
Scott	Senn	Setzler
Shealy	Talley	Timmons
Turner	Williams	Young

Total--33

NAYS

Alexander	Corbin	Cromer
Grooms	Martin	Massey
Peeler	Rice	Verdin

Total--9

There being no further amendments, the Bill, as amended, read the third time and ordered returned to the House.

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, Long, Robinson-Simpson, West, Collins, Bradley, Arrington, Bedingfield, Putnam, Johnson, Bowers, Anthony, Bannister, Bennett, Blackwell, Clary, Crawford, Daning, Dellene, 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

TUESDAY, MAY 8, 2018

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.

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.

Senator DAVIS explained the Bill.

[SJ]

47

TUESDAY, MAY 8, 2018

REMOVED FROM CONSENT CALENDAR

H. 4676 -- Reps. Collins and Felder: A BILL TO AMEND SECTIONS 56-1-50, AS AMENDED, 56-1-125, 56-1-175, AS AMENDED, AND 56-1-180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A BEGINNER'S PERMIT, A CONDITIONAL DRIVER'S LICENSE, AND A SPECIAL RESTRICTED DRIVER'S LICENSE, AND THE REQUIREMENT THAT CERTAIN INDIVIDUALS MUST REGISTER WITH THE UNITED STATES SELECTIVE SERVICE, ALL SO AS TO REVISE CERTAIN TERMS.

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

REMOVED FROM CONSENT CALENDAR

H. 4466 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-3110 SO AS TO PROVIDE THAT A COUNTY MAY ADOPT AN ORDINANCE THAT REGULATES THE OPERATION OF CERTAIN UNLICENSED VEHICLES UPON THE PUBLIC STREETS AND HIGHWAYS WITHIN ITS JURISDICTION WHEN THE VEHICLES ARE OFFERED TO THE PUBLIC FOR RENTAL ON A DAILY, WEEKLY, OR MONTHLY BASIS, AND TO PROVIDE THAT MUNICIPALITIES MAY ADOPT A SIMILAR ORDINANCE IN THE ABSENCE OF COUNTY ORDINANCES.

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

REMOVED FROM CONSENT CALENDAR

H. 4973 -- Reps. Bales, Taylor, Brown, Hosey, Simrill, Hixon, Blackwell and Young: A BILL TO AMEND SECTION 56-3-2150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL LICENSE PLATES ISSUED TO CERTAIN CURRENT AND RETIRED PUBLIC OFFICIALS, SO AS TO PROVIDE THAT TWO SPECIAL LICENSE PLATES MAY BE ISSUED TO EACH OF THESE OFFICIALS, AND THAT A SPECIAL LICENSE PLATE ISSUED TO A MEMBER OF THE GENERAL ASSEMBLY WHO IS RECEIVING RETIREMENT BENEFITS MUST CONTAIN THE SEAL IMPRINTED ON SPECIAL LICENSE PLATES ISSUED TO CURRENT MEMBERS OF THE GENERAL ASSEMBLY.

TUESDAY, MAY 8, 2018

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

AMENDED, READ THE SECOND TIME

H. 3865 -- Reps. Bernstein, Delleney, Ridgeway, King, Whipper, J.E. Smith and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA PREGNANCY ACCOMMODATIONS ACT"; TO AMEND SECTION 1-13-30, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA HUMAN AFFAIRS LAWS, SO AS TO REVISE THE TERMS "BECAUSE OF SEX" OR "ON THE BASIS OF SEX" USED IN THE CONTEXT OF EQUAL TREATMENT FOR WOMEN AFFECTED BY PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES OF AN EMPLOYER, SO AS TO ADD CERTAIN OTHER UNLAWFUL EMPLOYMENT PRACTICES IN REGARD TO FAILURE TO PROVIDE REASONABLE ACCOMMODATIONS FOR AN APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH LIMITATIONS BECAUSE OF PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS, AND TO PROVIDE FOR NOTICE AND APPLICABILITY TO EMPLOYEES TO WHOM THE ABOVE PROVISIONS APPLY; AND TO PROVIDE NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT, THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION SHALL PROMULGATE REGULATIONS, WHICH SHALL IDENTIFY SOME REASONABLE ACCOMMODATIONS ADDRESSING KNOWN LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS THAT MUST BE PROVIDED TO A JOB APPLICANT OR EMPLOYEE, UNLESS THE EMPLOYER CAN DEMONSTRATE THAT DOING SO WOULD IMPOSE AN UNDUE HARDSHIP.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD3865.012), which was adopted:

Amend the bill, as and if amended, page 5, by striking lines 35-43 as contained in SECTION 5, and therein inserting the following:

/ SECTION 5. The South Carolina Human Affairs Commission may promulgate regulations to carry out this act, provided the regulations

TUESDAY, MAY 8, 2018

do not exceed the definition of “reasonable accommodation” requirements for employers under federal law. These regulations may identify some reasonable accommodations addressing medical needs arising from pregnancy, childbirth, or related medical conditions that must be provided to a job applicant or employee affected by these known limitations, unless the employer can demonstrate that doing so would impose an undue hardship. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senators CASH and HUTTO proposed the following amendment (JUD3865.013), which was adopted:

Amend the bill, as and if amended, page 5, by striking lines 35-43 as contained in SECTION 5, and inserting therein the following:

/ SECTION 5. The South Carolina Human Affairs Commission may promulgate regulations to carry out this act, provided the regulations do not exceed the definition of “reasonable accommodation” requirements for employers under federal or state law. These regulations may identify some reasonable accommodations addressing medical needs arising from pregnancy, childbirth, or related medical conditions that must be provided to a job applicant or employee affected by these known limitations, unless the employer can demonstrate that doing so would impose an undue hardship./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

TUESDAY, MAY 8, 2018

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

Total--44

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 4486 -- Reps. 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

[SJ]

TUESDAY, MAY 8, 2018

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.

Senators CORBIN, GAMBRELL and DAVIS proposed the following amendment (4486R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 18, by striking lines 37-40 and inserting:

/ (C)(1) Any member state may withdraw from this compact by:

- (a) enacting a statute repealing the same; or
- (b) by action of the Governor.

(2) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute or withdrawal by the Governor. /

Re-number sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question being the second reading of the Bill.

TUESDAY, MAY 8, 2018

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED
READ THE SECOND TIME**

H. 3622 -- Reps. Ryhal, Burns, Duckworth, Gagnon, Henegan, Herbkersman, Hill, Hixon, Johnson, V.S. Moss, Ridgeway, Spires, Taylor, Thayer, Yow, Robinson-Simpson, Magnuson, Long and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-51-210 SO AS TO PROVIDE CERTAIN PODIATRIC SURGERY MUST BE PERFORMED IN CERTAIN FACILITIES, TO PROVIDE A PODIATRIST WHO PERFORMS THESE PROCEDURES MUST MEET CERTAIN CRITERIA, TO PROVIDE FOR THE EXTENSION OF PROFESSIONAL PRIVILEGES TO THESE PODIATRISTS BY CERTAIN HEALTH FACILITIES, TO REQUIRE HEALTH

[SJ]

TUESDAY, MAY 8, 2018

FACILITIES IN THIS STATE PROVIDE THE RIGHT TO PURSUE AND PRACTICE FULL CLINICAL AND SURGICAL PRIVILEGES TO PODIATRISTS WHO MEET CERTAIN CRITERIA, TO PROVIDE AN ABILITY TO LIMIT THESE PRIVILEGES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY IN THIS STATE TO OFFER A SPECIFIC HEALTH SERVICE NOT OTHERWISE OFFERED, AND TO PROVIDE THAT IF THE FACILITY DOES OFFER A HEALTH SERVICE, IT MAY NOT DISCRIMINATE AMONG CERTAIN HEALTH PROFESSIONALS AUTHORIZED BY LAW TO PROVIDE THESE SERVICES; AND TO AMEND SECTION 40-51-20, RELATING TO DEFINITIONS, SO AS TO REVISE AND ADD CERTAIN DEFINITIONS.

The Senate proceeded to a consideration of the Bill.

Senators DAVIS and PEELER proposed the following amendment (WAB\3622C004.AGM.WAB18), which was adopted:

Amend the committee report, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Chapter 51, Title 40 of the 1976 Code is amended by adding:

“Section 40-51-67. (A) There is established the Joint Podiatric Surgery Advisory Committee as a committee of the Board of Podiatry Examiners. The purpose of the advisory committee is to assist the board in matters pertaining to podiatrists who perform surgical procedures of the ankle and related soft tissue structures.

(B) The advisory committee is to be composed of five members as follows:

(1) two orthopedic surgeons appointed by the Board of Medical Examiners, at least one of whom must be a foot and ankle specialist;

(2) two podiatrists appointed by the Board of Podiatry Examiners, both of whom must be RRA certified or qualified;

(3) one lay person appointed by the Governor.

(C) The orthopedic surgeons and podiatrists serving on the advisory committee must be licensed in good standing in this State and must be actively practicing within the geographic boundaries of this State.

(D) Members of the advisory committee are appointed for terms of four years and until their successors are appointed and qualify.

(E) Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. The Board of Podiatry Examiners, after notice and opportunity for hearing, may remove any

TUESDAY, MAY 8, 2018

member of the advisory committee, except for the lay person appointed by the Governor, for negligence, neglect of duty, incompetence, revocation or suspension of license, or other dishonorable conduct. No member may serve more than two full four-year terms consecutively but may be eligible for reappointment four years from the date the last full four-year term expired.

(F) The advisory committee must meet at least two times yearly and at other times as may be necessary. The advisory committee must provide notice of its meeting pursuant to the Administration Procedures Act.

(G) The advisory committee must adopt rules for its proceedings and elect officers. The advisory committee must keep records and minutes of its meetings as necessary to carry out its functions and must report on its activities at least annually to the Board of Podiatry Examiners and the Board of Medical Examiners and upon request of either board.

(H) The advisory committee shall have the following duties and responsibilities pertaining to podiatrists who perform surgical procedures of the ankle and related soft tissue structures:

(1) recommend policies or regulations to the Board of Podiatry Examiners regarding professional certification and standards of practice;

(2) recommend continuing education requirements to the Board of Podiatry Examiners;

(3) provide expert information and advice to the Board of Podiatry Examiners on issues related to patient safety and standard of care;

(4) assist the Department and the Board of Podiatry Examiners in processing complaints and issues by providing expert analysis and review of such complaints and issues after the department investigation is completed. The advisory committee must provide a comprehensive analysis of whether the standard of care was met and must make recommendations to the Board of Podiatry Examiners regarding appropriate sanctions if the advisory committee concludes that a violation of this act has occurred; and

(5) perform any other duties or responsibilities assigned by the Board of Podiatry.”

SECTION 2. Chapter 51, Title 40 of the 1976 Code is amended by adding:

“Section 40-51-210. (A) Surgery of the ankle and soft tissue structures governing the ankle must be performed in an accredited hospital or ambulatory surgical center. A podiatrist who performs osseous (boney) surgical procedures of the ankle and related soft tissue structures governing the ankle must be board-certified or board-qualified

TUESDAY, MAY 8, 2018

by the American Board of Foot and Ankle Surgery, must have graduated from a three-year residency program in podiatric medicine and reconstructive rear foot and ankle (RRA) surgery accredited by the Council on Podiatric Medical Education or its successor organization at the time of graduation, and shall satisfy all requirements for credentials as outlined by the facility. In addition to granting or denying privileges, the governing body of each hospital or ambulatory surgical center may suspend, revoke, or modify these privileges. An applicant or individual who has privileges shall comply with applicable medical staff bylaws, rules, and regulations, including the policies and procedures governing the qualifications of applicants and the scope and delineation of privileges.

(B) With respect to the practice of podiatry in health facilities throughout this State, medical staff governing documents shall include and provide for the right to pursue and practice full clinical and surgical privileges for holders of a Doctor of Podiatric Medicine (DPM) degree within the scope of his licensure. These rights and privileges only may be limited or restricted on the basis of the demonstrated competence of an individual practitioner. This competence must be determined by health facility rules, regulations, and procedures that are necessary and are applied in good faith, equally and in a nondiscriminatory manner, to all practitioners regardless of their professional degree.

(C) Nothing in this section may be construed to require a health facility to offer a specific health service not otherwise offered by it. If a health service is offered, the facility shall not discriminate among people holding Doctor of Medicine, Doctor of Osteopathy, or Doctor of Podiatric Medicine degrees who are authorized by law to provide these health services.”

SECTION 3. Section 40-51-20 of the 1976 Code is amended to read:

“Section 40-51-20. For the purposes of this chapter:

(1) ~~‘Podiatry’ shall mean the diagnosis, medical and surgical treatment limited to ailments of the human foot, except the administration of an anaesthetic other than local~~ ‘Ankle’ means the distal metaphysis and epiphysis of the tibia and fibula, the articular cartilage of the distal tibia and distal fibula, the ligaments that connect the distal metaphysis and epiphysis of the tibia and fibula and the talus, and the portions of skin, subcutaneous tissue, fascia, muscles, tendons and nerves at or below the level of the myotendinous junction of the triceps surae.

TUESDAY, MAY 8, 2018

(2) 'Diagnosis' ~~shall mean~~ means to ascertain a disease or ailment by symptoms and findings and does not confer the right to use X-ray other than for diagnosis.

(3) 'Medical treatment' ~~shall mean~~ means the application or prescribing of any therapeutic agent or remedy for the relief of foot or ankle ailments, except the medical treatment of any systemic disease causing manifestations in the foot or ankle.

(4) 'Podiatric ankle surgery' or 'surgical treatment of the ankle' means surgical treatment of the ankle, including the surgical treatment of the anatomical structures of the ankle, as well as the administration and prescription of drugs incidental to the ankle, and the surgical treatment of manifestations of systemic diseases as they appear on the ankle, excluding:

(a) amputation of the leg or foot above the level of the transmetatarsal;

(b) surgical fixation of tibial shaft fractures;

(c) midshaft tibial osteotomy;

(d) total ankle replacement; and

(e) placement of external fixator pins proximal or above the myotendinous junction. Any external fixator pins inserted above the ankle but below the myotendinous junction may only be performed under protocols established between a podiatrist and an orthopedic surgeon who agrees to provide indirect supervision and responsibility for complications that may arise.

(5) 'Podiatrist' means:

(a) For podiatrists who are RRA qualified or certified, the diagnosis, surgical, medical, and mechanical treatment of all conditions of the human foot and ankle.

(b) For podiatrists who are not RRA qualified or certified, the diagnosis, surgical, medical, and mechanical treatment of all conditions of the human foot and soft tissue structures.

(c) The practice of podiatry (both RRA certified or qualified and non-RRA certified or qualified) includes the administration of local anesthesia, defined as localized infiltration only, and in conjunction with the practice of podiatry. Excluded from the definition of podiatry is the amputation of the entire foot and the administration of an anesthetic other than local.

(6) 'Podiatry' means, depending on qualifications or certifications as provided in item (5), the diagnosis, surgical, medical, and mechanical treatment of all conditions of the human foot and ankle. The practice of podiatry includes the administration of local anesthesia, defined as

TUESDAY, MAY 8, 2018

localized infiltration only, and in conjunction with the practice of podiatry. Excluded from the definition of podiatry is the amputation of the entire foot and the administration of an anesthetic other than local.

(7) ‘Surgical treatment’ ~~shall mean~~ means the use of ~~any~~ a cutting or invasive instrument to treat a disease, ailment, deformity, or condition of the foot or ankle, but ~~shall~~ does not confer the right to amputate the entire foot or toes.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The Committee on Medical Affairs proposed the following amendment (WAB\3622C001.AGM.WAB18), which was adopted:

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

/ SECTION 1. Chapter 51, Title 40 of the 1976 Code is amended by adding:

“Section 40-51-67. (A) There is created a Joint Podiatric Surgery Advisory Committee as a committee to the Board of Medical Examiners which consists of six members with experience regarding podiatry or orthopedic surgery.

(B) The committee is comprised of:

(1) three orthopedic surgeons selected by the Board of Medical Examiners; and

(2) three podiatrists selected by the Board of Podiatry Examiners.

(C) The committee shall assist and advise the Board of Medical Examiners and the Board of Podiatry Examiners in evaluating an applicant’s training and experience in midfoot, rearfoot, and ankle procedures.

(D) The committee shall review allegations of practices violating the provisions of this chapter related to surgical procedures of the ankle and related soft tissue structures and make recommendations to the appropriate board.”

SECTION 2. Chapter 51, Title 40 of the 1976 Code is amended by adding:

“Section 40-51-210. (A) Surgery of the ankle and soft tissue structures governing the ankle must be performed in an accredited

TUESDAY, MAY 8, 2018

hospital or ambulatory surgical center. A podiatrist who performs osseous (boney) surgical procedures of the ankle and related soft tissue structures governing the ankle must be board-certified or board-qualified by the American Board of Foot and Ankle Surgery, must have graduated from a three-year residency program in podiatric medicine and reconstructive rear foot and ankle (RRA) surgery accredited by the Council on Podiatric Medical Education or its successor organization at the time of graduation, and shall satisfy all requirements for credentials as outlined by the facility. In addition to granting or denying privileges, the governing body of each hospital or ambulatory surgical center may suspend, revoke, or modify these privileges. An applicant or individual who has privileges shall comply with applicable medical staff bylaws, rules, and regulations, including the policies and procedures governing the qualifications of applicants and the scope and delineation of privileges.

(B) With respect to the practice of podiatry in health facilities throughout this State, medical staff governing documents shall include and provide for the right to pursue and practice full clinical and surgical privileges for holders of a Doctor of Podiatric Medicine (DPM) degree within the scope of his licensure. These rights and privileges only may be limited or restricted on the basis of the demonstrated competence of an individual practitioner. This competence must be determined by health facility rules, regulations, and procedures that are necessary and are applied in good faith, equally and in a nondiscriminatory manner, to all practitioners regardless of their professional degree.

(C) Nothing in this section may be construed to require a health facility to offer a specific health service not otherwise offered by it. If a health service is offered, the facility shall not discriminate among people holding Doctor of Medicine, Doctor of Osteopathy, or Doctor of Podiatric Medicine degrees who are authorized by law to provide these health services.”

SECTION 3. Section 40-51-20 of the 1976 Code is amended to read:

“Section 40-51-20. For the purposes of this chapter:

(1) ~~‘Podiatry’ shall mean the diagnosis, medical and surgical treatment limited to ailments of the human foot, except the administration of an anaesthetic other than local~~ ‘Ankle’ means the distal metaphysis and epiphysis of the tibia and fibula, the articular cartilage of the distal tibia and distal fibula, the ligaments that connect the distal metaphysis and epiphysis of the tibia and fibula and the talus, and the portions of skin, subcutaneous tissue, fascia, muscles, tendons and

TUESDAY, MAY 8, 2018

nerves at or below the level of the myotendinous junction of the triceps surae.

(2) ‘Diagnosis’ ~~shall mean~~ means to ascertain a disease or ailment by symptoms and findings and does not confer the right to use X-ray other than for diagnosis.

(3) ‘Medical treatment’ ~~shall mean~~ means the application or prescribing of any therapeutic agent or remedy for the relief of foot or ankle ailments, except the medical treatment of any systemic disease causing manifestations in the foot or ankle.

(4) ‘Podiatric ankle surgery’ or ‘surgical treatment of the ankle’ means surgical treatment of the ankle, including the surgical treatment of the anatomical structures of the ankle, as well as the administration and prescription of drugs incidental to the ankle, and the surgical treatment of manifestations of systemic diseases as they appear on the ankle, excluding:

(a) amputation of the leg or foot above the level of the transmetatarsal;

(b) surgical fixation of pilon fractures, tibial shaft fractures; and

(c) midshaft tibial osteotomy.

(5) ‘Podiatrist’ means a person licensed pursuant to this chapter and by this license may diagnose and treat conditions of the human foot and ankle. A podiatrist who performs osseous (boney) surgical procedures of the ankle and related soft tissue structures governing the ankle must be board-certified or board-qualified by the American Board of Foot and Ankle Surgery, must have graduated from a three-year residency program in podiatric medicine and reconstructive rear foot and ankle (RRA) surgery accredited by the Council on Podiatric Medical Education or its successor organization at the time of graduation.

(6) ‘Podiatry’ means the diagnosis, surgical, medical, and mechanical treatment of all conditions of the human foot and ankle. The practice of podiatry includes the administration of local anesthesia, defined as localized infiltration only, and in conjunction with the practice of podiatry. Excluded from the definition of podiatry is the amputation of the entire foot and the administration of an anesthetic other than local.

(7) ‘Surgical treatment’ ~~shall mean~~ means the use of any a cutting or invasive instrument to treat a disease, ailment, deformity, or condition of the foot or ankle, but shall does not confer the right to amputate the entire foot or toes.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

TUESDAY, MAY 8, 2018

Senator DAVIS explained the amendment.

The amendment was adopted.

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, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Senn	Setzler	Shealy
Talley	Timmons	Turner
Verdin	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.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 4009 -- Reps. Lucas, Williams, Crawford, Alexander, McCoy, Hiott, Clemmons, Bales, Bedingfield, Ott, G.R. Smith, Herbkersman, Sandifer and S. Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 69 TO TITLE 12 SO AS TO ENACT THE "MOTORSPORTS ENTERTAINMENT COMPLEX INVESTMENT ACT" BY EXEMPTING CERTAIN BUILDING MATERIALS FOR A

TUESDAY, MAY 8, 2018

COMPLEX FROM THE SALES TAX AND TO PROVIDE THE PROCESS BY WHICH A QUALIFIED COMPANY MAY CLAIM THE EXEMPTION, TO CREATE THE MOTORSPORTS TOURISM INCENTIVE FUND TO AWARD GRANTS OR LOANS TO ATTRACT AND EXPAND TOURISM AND HOSPITALITY PROJECTS RELATED TO EVENTS AT SUCH COMPLEXES, TO PROVIDE THAT A COMPLEX IS ELIGIBLE FOR BENEFITS FROM THE CLOSING FUND, TO ALLOW A TAX CREDIT OF TWENTY-FIVE PERCENT OF THE COSTS INCURRED BY A TAXPAYER TO INSTALL EQUIPMENT OR TECHNOLOGY THAT ALLOWS INFORMATION TO BE TRANSMITTED THROUGH A WIRELESS LOCAL AREA NETWORK AT A COMPLEX; TO AMEND SECTION 12-20-110, RELATING TO THE APPLICABILITY OF CORPORATION LICENSE FEE PROVISIONS, SO AS TO MAKE SUCH PROVISIONS INAPPLICABLE TO A COMPLEX; AND TO AMEND SECTION 12-21-2425, RELATING TO THE ADMISSION LICENSE TAX, SO AS TO INCREASE THE EXEMPTION ON A COMPLEX, TO REMOVE THE TIME PERIOD FOR THE EXEMPTION, AND TO PROVIDE THAT THE EXEMPTED REVENUE MUST BE USED ON MARKETING FOR EVENTS AT THE COMPLEX.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG4009C003.BBM.DG18), which was adopted:

Amend the bill, as and if amended, beginning on page 3, by striking line 38 through line 10 on page 4, and inserting:

/ SECTION 2. A. Section 12-6-3585(A), (E), and (F) of the 1976 Code are amended to read:

“(A) For each tax year beginning after 2017, a taxpayer may claim as a credit against state income tax imposed by Chapter 6, Title 12, bank tax imposed by Chapter 11, Title 12, license fees imposed by Chapter 20 of Title 12, or insurance premiums imposed by Chapter 7, Title 38, or any combination of them, one hundred percent of an amount contributed to the Industry Partnership Fund at the South Carolina Research Authority (SCRA), or an SCRA-designated affiliate, or both, pursuant to Section 13-17-88(E), up to a maximum credit of ~~six hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of two million dollars for all taxpayers in tax year 2006; up to a maximum credit of one million three hundred thousand dollars for a single taxpayer, not to exceed an aggregate credit of four million dollars~~

[SJ]

TUESDAY, MAY 8, 2018

~~for all taxpayers in tax year 2007; and up to a maximum credit of two million dollars for a single taxpayer, not to exceed an aggregate credit of six million dollars for all taxpayers for each tax year beginning after December 31, 2007~~ two hundred fifty thousand dollars for a single taxpayer, not to exceed an aggregate credit of twelve million dollars for all taxpayers. For purposes of determining a taxpayer's entitlement to the credit for qualified contributions for a given tax year in which more than the applicable aggregate annual limit on the credit is contributed by taxpayers for that year, taxpayers who have made contributions that are intended to be qualified contributions earlier in the applicable tax year than other taxpayers must be given priority entitlement to the credit. The SCRA shall certify to taxpayers who express a bona fide intention of making one or more qualified contributions as to whether the taxpayer is entitled to that priority.

(E) 'Taxpayer' means an individual, corporation, partnership, trust, bank, insurance company, or other entity having a state income or insurance premium tax or license fee liability who has made a qualified contribution. However, for purposes of this section, any member of the SCRA board of trustees or the SC Launch!, Inc. board of directors is not considered a taxpayer, and may not claim the credit allowed by this section.

(F) To qualify for the credit, the taxpayer shall retain a form provided by SCRA identifying the taxpayer and the year and amount of credit for which the taxpayer qualifies. The Department of Revenue may require a copy of the form be attached to the taxpayer's income tax return or be provided otherwise to the department. Also, to qualify for the credit, a taxpayer who is certified by SCRA under subsection (A) as having priority entitlement to the credit for an applicable year must make a commitment satisfactory to SCRA, at such time as SCRA deems appropriate but not later than April first of such year, to make the contribution during such year."

B. Notwithstanding the increase in the annual maximum credit amount for all taxpayers from six million dollars to twelve million dollars in Section 12-6-3585, as amended by this SECTION, the increased maximum credit amount must be phased in in two equal and cumulative installment amounts beginning in tax years beginning after 2017.

C. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after 2017, except that the amendment to Section 12-6-3585(F) shall not take effect until January 1, 2019.

SECTION 3. A. Section 12-6-3585 of the 1976 Code is amended by adding a subsection to read:

TUESDAY, MAY 8, 2018

“(J) By March fifteenth of each year, the South Carolina Research Authority shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor detailing the amount contributed to the Industry Partnership Fund in the previous tax year that entitled the taxpayer to the credit allowed by this section, the taxpayers that received the credit, and the manner in which such contributions were expended or are expected to be expended. The report also must be posted in a conspicuous place on the website maintained by the South Carolina Research Authority.”

B. This SECTION takes effect January 1, 2019.

SECTION 4. Except where specified otherwise, this act takes effect upon approval by the Governor and applies to tax years beginning after 2017. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the amendment.

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, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Senn	Setzler	Shealy
Talley	Timmons	Turner
Verdin	Williams	Young

Total--42

TUESDAY, MAY 8, 2018

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. 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.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill

The question then was second reading of the Bill.

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

Motion Under Rule 26B

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

There was no objection.

TUESDAY, MAY 8, 2018

**AMENDMENT PROPOSED
READ THE SECOND TIME**

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 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.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (4458R001.SP.GM):

Amend the bill, as and if amended, page 1, by striking line 30 and inserting:

/ butts, cigarette component litter, and expectorated chewing tobacco, upon waters or public or private /

Amend the bill further, as and if amended, page 2, by striking lines 5-6 and inserting:

/ cubic feet in volume, including cigarette butts, cigarette components, and expectorated chewing tobacco, is guilty of a misdemeanor and, upon conviction, must /

Amend the bill further, as and if amended, page 2, by striking lines 25-26 and inserting:

/ (43), (46), (73), and (74) including cigarette butts, cigarette components, and expectorated chewing tobacco, in an area or facility not intended for public deposit of /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then being second reading of the Bill.

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

TUESDAY, MAY 8, 2018

Motion Under Rule 26B

Senator CORBIN 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. 4931 -- Reps. Elliott, Alexander, Simrill, Stringer, West, Allison, Henderson, G.R. Smith, Burns, Trantham, Hamilton, Bannister, Putnam, Robinson-Simpson, Chumley, Taylor, Douglas, Knight, Dillard and Blackwell: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE AN APPLIED BACCALAUREATE IN MANUFACTURING DEGREE IF STATE FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\4931C001.AGM.WAB18), which was adopted:

Amend the bill, as and if amended, Section 59-103-15(C), as contained in SECTION 1, page 3, lines 20-23 by deleting the subsection and inserting:

/ (C) Notwithstanding subsection (B), the ~~doctoral~~ degrees set forth in subsection (B)(2)(~~e~~), (~~d~~), and (e), (f), (g), and (h), and subsection (B)(4)(f) are only allowed so long as new state general funds are not appropriated for the operations of the degree program.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee 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.

TUESDAY, MAY 8, 2018

Motion Under Rule 26B

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

There was no objection.

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.

On motion of Senator MALLOY, the Bill was 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.

Senator MALLOY explained the Bill.

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

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

TUESDAY, MAY 8, 2018

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

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

H. 5270 -- Reps. Hiott, Clary and Collins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 123 AND CARTEE ROAD IN PICKENS COUNTY THE "CHARLES E. DALTON INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

On motion of Senator RANKIN, the Resolution was carried.

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,

[SJ]

TUESDAY, MAY 8, 2018

SO AS TO INCLUDE BASEBALL COMPLEX, AND TO PROVIDE A DEFINITION FOR “BASEBALL COMPLEX”.

Senator MALLOY proposed the following amendment (JUD3139.011), which was ruled out of order:

Amend the committee report, as and if amended, page [3139-1], by striking lines 25 through 40, as contained in SECTION 3, and inserting therein the following:

/ SECTION 3. Section 61-2-145(A) of the 1976 Code as last amended by Act No. 45 (S.116) of 2017, is amended to read:

“(A)(1) In addition to all other requirements, during the period of the biennial permit or license, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o’clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars or, for a governmental entity, agency, or political subdivision as defined in Section 15-78-30 that is licensed or permitted as described above, that governmental entity, agency, or political subdivision must maintain liquor liability coverage with liability limits of at least the limit of liability as provided in Section 15-78-120(a)(6) or must maintain liability insurance through the Insurance Reserve Fund during the period of the biennial permit or license.

(2) Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.” /

Amend the committee report further, 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) or (a)(6)(i), no person shall recover in any action or claim brought hereunder a sum exceeding three 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) or (a)(6)(ii), the total sum recovered hereunder arising out of a single occurrence shall

TUESDAY, MAY 8, 2018

not exceed six hundred thousand 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.

(6)(i) If the action or claim is related to a governmental entity, agency, or political subdivision in the business of selling 'alcoholic beverages' as that term is defined in Section 61-2-145(D), no person shall recover in any action or claim brought hereunder a sum exceeding five hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(ii) If the action or claim is related to a governmental entity, agency, or political subdivision in the business of selling 'alcoholic beverages' as that term is defined in Section 61-2-145(D), the total sum recovered hereunder arising out of a single occurrence shall not exceed one million dollars regardless of the number of agencies or political subdivisions or claims or actions involved." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

[SJ]

71

TUESDAY, MAY 8, 2018

Point of Order

Senator SENN 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 MALLOY spoke against the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator SENN proposed the following amendment (JUD3139.012):

Amend the committee report, as and if amended, page [3139-1], by striking lines 25 through 40, as contained in SECTION 3, and inserting therein the following:

/ SECTION 3. Section 61-2-145(A) of the 1976 Code as last amended by Act No. 45 (S.116) of 2017, is amended to read:

“(A)(1) In addition to all other requirements, during the period of the biennial permit or license, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o’clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement ~~for~~ with a limit of at least \$600,000 if the permittee or licensee is a governmental entity or total coverage of at least one million dollars during the period of the biennial permit or license if the permittee or licensee is not a governmental entity.

(2) Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.” /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Point of Order

Senator MALLOY 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 SENN spoke against the Point of Order.

TUESDAY, MAY 8, 2018

Senator M.B. MATTHEWS objected to further consideration of the Bill.

OBJECTION

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.

Senator SETZLER moved to carry over the Bill.

Senator MARTIN moved to table the motion to carry over.

Senator NICHOLSON objected to further consideration of the Bill.

H. 3125 -- Reps. McEachern, Pitts and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-645 SO AS TO ALLOW TEMPORARY PLACEMENT OF A CHILD WITH A RELATIVE OR ALTERNATIVE CAREGIVER PURSUANT TO A SAFETY PLAN, TO PROVIDE REQUIREMENTS FOR A SAFETY PLAN, AND TO LIMIT THE DURATION OF A SAFETY PLAN TO NINETY DAYS, WITH EXCEPTIONS; BY ADDING SUBARTICLE 10 TO ARTICLE 3, CHAPTER 7, TITLE 63 SO AS TO ALLOW DSS TO OFFER PROTECTIVE SERVICES PURSUANT TO A CHILD AND FAMILY PLAN IN CERTAIN CHILD ABUSE OR NEGLECT MATTERS, TO PROVIDE REQUIREMENTS FOR A CHILD AND FAMILY PLAN, TO LIMIT THE DURATION OF A CHILD AND FAMILY PLAN TO SIX MONTHS, WITH EXCEPTIONS, AND TO PROVIDE FOR TERMINATION OF FAMILY PRESERVATION SERVICES; TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO DEFINITIONS USED IN CHAPTER 7, TITLE 63, SO AS TO ADD DEFINITIONS FOR "SAFETY PLAN", "PLACEMENT PLAN", AND "TREATMENT PLAN"; TO AMEND SECTION 63-7-650, RELATING TO REQUIREMENTS BEFORE PLACING A CHILD WITH A RELATIVE OR OTHER PERSON WHEN THE CHILD IS TAKEN INTO EMERGENCY PROTECTIVE CUSTODY, SO AS TO

[SJ]

TUESDAY, MAY 8, 2018

MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-690, RELATING TO PLACEMENT OF A CHILD WITH A RELATIVE OR OTHER PERSON INSTEAD OF TAKING THE CHILD INTO DSS CUSTODY, SO AS TO MAKE CONFORMING CHANGES.

Senator SHEALY objected to the consideration of the Bill.

H. 3820 -- Reps. Fry, Bedingfield, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, Erickson, Lowe, Atwater, Willis, Jefferson, W. Newton, Thigpen, Bennett, Crosby, Long, Putnam, Cogswell, Henderson-Myers and Govan: A BILL TO AMEND SECTION 59-32-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SCHOOL COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO REQUIRE CERTAIN INSTRUCTION IN PRESCRIPTION OPIOID ABUSE PREVENTION IN GRADES NINE THROUGH TWELVE BEGINNING WITH THE 2017-2018 SCHOOL YEAR.

Senator J. MATTHEWS objected to consideration of the Bill.

H. 3896 -- Reps. Duckworth, Kirby, Johnson, Hardee, Hosey, Crosby, Arrington, Daning, V.S. Moss, Elliott, Bales, Bannister, Bennett, Dillard, Hamilton, Willis, Murphy, Stavrinakis, McCoy, McGinnis, Hewitt, Jefferson, Williams, McEachern, W. Newton and Clary: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POWERS OF A COUNTY GOVERNMENT, SO AS TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE THE REQUIREMENT THAT A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH AND TO PROVIDE A PROCEDURE FOR ENFORCEMENT OF THE ORDINANCE.

Senator CORBIN objected to consideration of the Bill.

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

TUESDAY, MAY 8, 2018

THE DISTRICTS ON APPROPRIATE CORRECTIVE ACTIONS, SO AS TO REVISE RELATED PROCEDURES.

Senator SHEHEEN objected to consideration of the Bill.

H. 5063 -- Reps. Funderburk and Erickson: A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF HOME-BASED FOOD PRODUCTION OPERATIONS TO APPLY FOR REGULATORY EXEMPTIONS FROM THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE, SO AS TO REFLECT THAT THE DEPARTMENT OF AGRICULTURE DOES NOT HAVE REGULATORY AUTHORITY OVER HOME-BASED FOOD PRODUCTION OPERATIONS.

Senator SHEHEEN objected to consideration of the Bill.

H. 3068 -- Reps. J.E. Smith and Clyburn: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT ATHLETES, SO AS TO ENACT THE "UNIFORM ATHLETE AGENTS ACT OF 2017", TO ADOPT THE INTERSTATE COMPACT FOR REGISTRATION OF STUDENT ATHLETE AGENTS AND MAKE NECESSARY CONFORMING CHANGES, TO REVISE VARIOUS PROVISIONS IN CONSIDERATION OF THE EXPANDED IMPACT OF SOCIAL MEDIA ON THE SOLICITATION AND RECRUITMENT OF STUDENT ATHLETES BY ATHLETE AGENTS, TO REVISE REQUIREMENTS REGARDING THE ESTABLISHMENT OF RELATIONSHIPS BETWEEN STUDENT ATHLETES AND ATHLETE AGENTS, AND TO REVISE VARIOUS AVAILABLE REMEDIES, AMONG OTHER THINGS.

Senator SHEHEEN objected to consideration of the Bill.

H. 4715 -- Reps. Kirby, Ott, Hiott, Hixon, Chumley, Burns, Johnson, Duckworth, Wheeler, Dillard, Forrest and Atkinson: A BILL TO AMEND SECTION 50-23-11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO PROVIDE FOR A THIRTY-DOLLAR APPLICATION FEE, TO PROVIDE FOR THE EXPIRATION OF DEMONSTRATION NUMBERS, AND TO PROVIDE FOR THE USE OF FEE REVENUE; TO AMEND SECTION 50-23-70, AS AMENDED, RELATING TO

[SJ]

TUESDAY, MAY 8, 2018

MOTORCRAFT CERTIFICATE OF NUMBER FEES AND DECALS, SO AS TO PROHIBIT THE DEPARTMENT OF NATURAL RESOURCES FROM ISSUING DUPLICATE DECALS WHEN AD VALOREM TAXES ARE OUTSTANDING; TO AMEND SECTION 50-23-340, RELATING TO THE APPLICATION FEE FOR WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO REDUCE THE FEE TO TEN DOLLARS; TO AMEND SECTION 50-23-345, AS AMENDED, RELATING TO TEMPORARY WATERCRAFT CERTIFICATE OF NUMBERS, SO AS TO PROVIDE A CERTIFICATE OF NUMBER MAY NOT BE ISSUED UNTIL AD VALOREM TAXES ARE PAID FOR THE YEAR IN WHICH THE CERTIFICATE IS ISSUED; TO AMEND SECTION 50-23-370, AS AMENDED, RELATING TO THE EXPIRATION AND RENEWAL OF WATERCRAFT CERTIFICATES OF NUMBER, SO AS TO PROVIDE FOR THE ISSUANCE OF RENEWAL NOTICES AND PROCESSING OF RENEWALS BY COUNTY AUDITORS, AND TO MAKE RENEWALS ANNUAL INSTEAD OF EVERY THREE YEARS, AND TO PROVIDE FOR THE IMPLEMENTATION OF THESE PROVISIONS OVER A THREE-YEAR PERIOD; BY ADDING SECTION 50-23-12 SO AS TO REQUIRE THE COMPLETION OF CERTAIN CHANGE IN STATUS FORMS FOR WATERCRAFT AND OUTBOARD MOTOR TRADE-INS; BY ADDING SECTION 50-23-35 SO AS TO PROVIDE FOR THE ISSUANCE OF WATERCRAFT TITLES UPON PROVIDING EVIDENCE OF AD VALOREM TAX PAYMENT, AND TO PROVIDE EXCEPTIONS; AND BY ADDING ARTICLE 26 TO CHAPTER 37, TITLE 12 SO AS TO PROVIDE PROCEDURES CONCERNING ASSESSMENTS AND PAYMENTS FOR PROPERTY TAXATION OF BOATS AND WATERCRAFT AND THE ISSUANCE OF CERTIFICATES OF NUMBER FOR BOATS AND WATERCRAFT.

Senator SHEHEEN objected to consideration of the Bill.

H. 4810 -- Reps. Gilliard, Williams, Hosey, Jefferson, Cobb-Hunter, Henegan, Ott, King, Govan, Howard, Pendarvis, Brown, Huggins, Ballentine, Henderson-Myers, W. Newton, McCoy, Hewitt, Stavrinakis, Bannister and Herbkersman: A JOINT RESOLUTION TO CREATE THE "SCHOOL METAL DETECTOR STUDY COMMITTEE" TO STUDY WHETHER IT IS IN THE PUBLIC INTEREST TO REQUIRE THE INSTALLATION AND USE OF METAL DETECTORS AT PUBLIC SCHOOLS IN THIS STATE, TO PROVIDE FOR THE

[SJ]

TUESDAY, MAY 8, 2018

MEMBERSHIP OF THE STUDY COMMITTEE, AND TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY.

Senator McELVEEN objected to consideration of the Bill.

H. 4875 -- Reps. Ott and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 50 SO AS TO ENACT THE "SOUTH CAROLINA SOLAR HABITAT ACT" TO ESTABLISH VOLUNTARY SOLAR BEST-MANAGEMENT PRACTICES FOR COMMERCIAL SOLAR ENERGY GENERATION SITES, TO ESTABLISH A NATIVE VEGETATION HABITAT AND POLLINATOR MANAGEMENT PLAN TO BE USED AS TECHNICAL GUIDANCE FOR THE PURPOSES OF THIS ACT, AND TO PROVIDE THAT CERTIFICATES OF COMPLIANCE MAY BE ISSUED TO ENTITIES THAT MEET SOLAR SITE GUIDELINES ESTABLISHED PURSUANT TO THIS ACT.

Senator CLIMER objected to consideration of the Bill.

H. 5152 -- Reps. V.S. Moss and Hixon: A BILL TO AMEND SECTION 39-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IDENTIFICATION TAGS PLACED ON COTTON BALES STORED IN A WAREHOUSE OPERATED UNDER THE STATE WAREHOUSE SYSTEM, SO AS TO PROVIDE ADDITIONAL TYPES OF IDENTIFICATION NUMBERS, TAGS, AND STICKERS THAT THE WAREHOUSE MAY UTILIZE.

Senator McELVEEN objected to consideration of the Bill.

H. 3846 -- Rep. G.M. Smith: A BILL TO AMEND SECTION 40-59-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM HOMEBUILDERS LICENSURE REQUIREMENTS FOR CERTAIN RESIDENTIAL PROPERTY IMPROVEMENTS MADE BY PROPERTY OWNERS FOR PERSONAL USE, SO AS TO REMOVE A PROVISION WHICH DISQUALIFIES PROPERTY OWNERS WHO SELL OR RENT SUCH AN IMPROVED PROPERTY WITHIN TWO YEARS AFTER THE IMPROVEMENTS ARE MADE FROM THIS EXCEPTION, AND TO MAKE A CONFORMING CHANGE IN A RELATED DISCLOSURE GIVEN TO PROPERTY OWNERS SEEKING TO QUALIFY FOR THE EXCEPTION.

Senator NICHOLSON objected to consideration of the Bill.

[SJ]

TUESDAY, MAY 8, 2018

H. 4093 -- Reps. Collins, J.E. Smith and Norrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION, AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Senator McELVEEN objected to consideration of the Bill.

H. 4601 -- Reps. Fry, Bedingfield, Alexander, Dillard, Douglas, Erickson, Henderson, Hewitt, Huggins, Ridgeway, Spires, West, Norrell, Weeks, Rutherford and Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-75-225 SO AS TO PROVIDE CRITERIA FOR LICENSURE AS AN ADDICTION COUNSELOR; TO AMEND SECTION 40-75-5, RELATING TO CERTAIN PROVISIONS GENERALLY APPLICABLE TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-10, AS AMENDED, RELATING TO THE BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-20, RELATING TO DEFINITIONS, SO AS TO MAKE REVISIONS; TO AMEND SECTION 40-75-30, RELATING TO THE REQUIREMENT OF LICENSURE BY THE BOARD TO PRACTICE CERTAIN PROFESSIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-50, RELATING TO THE BOARD, SO AS TO REMOVE DUTIES CONCERNING THE ESTABLISHMENT AND FUNCTION OF STANDARDS COMMITTEES; TO AMEND SECTION 40-75-110, RELATING TO DISCIPLINARY PROCEEDINGS CONCERNING BOARD LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-190, RELATING TO CONFIDENTIALITY OF CLIENT COMMUNICATIONS BY LICENSEES, SO AS TO INCLUDE

TUESDAY, MAY 8, 2018

ADDICTION COUNSELORS AND TO REVISE EXCEPTIONS; TO AMEND SECTION 40-75-220, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST LICENSURE, SO AS TO REVISE THOSE REQUIREMENTS AND PROVIDE ADDITIONAL REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE; TO AMEND SECTION 40-75-230, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR SUPERVISOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST SUPERVISOR LICENSURE, SO AS TO MAKE THOSE REQUIREMENTS APPLICABLE TO ADDICTION COUNSELOR SUPERVISOR LICENSURE; TO AMEND SECTION 40-75-240, RELATING TO INTERN LICENSES, SO AS TO REPLACE THE TERM "INTERN" WITH "ASSOCIATE" AND TO INCLUDE ADDICTION COUNSELOR INTERNS; TO AMEND SECTION 40-75-250, RELATING TO THE ISSUANCE OF DISPLAY OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE ADDICTION COUNSELOR LICENSES AND ADDICTION COUNSELOR ASSOCIATE LICENSES; TO AMEND SECTION 40-75-260, RELATING TO RECIPROCITY AGREEMENTS WITH OTHER STATES, SO AS TO INCLUDE ADDICTION COUNSELOR CREDENTIALS; TO AMEND SECTION 40-75-285, RELATING TO THE APPLICABILITY OF ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO INCLUDE ADDICTION COUNSELORS; AND TO AMEND SECTION 40-75-290, RELATING TO PERSONS NOT APPLICABLE TO ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO REMOVE PROVISIONS CONCERNING CERTAIN ADDICTION COUNSELORS; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS", AND TO REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS".

Senator McELVEEN objected to consideration of the Bill.

H. 4815 -- Reprs. 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

[SJ]

TUESDAY, MAY 8, 2018

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 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 McELVEEN objected to consideration of the Bill.

H. 4877 -- Reps. Clemmons and Bales: A BILL TO AMEND SECTION 40-56-10, AS AMENDED, CODE OF LAWS OF SOUTH

[SJ]

TUESDAY, MAY 8, 2018

CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE BOARD OF PYROTECHNIC SAFETY, SO AS TO REVISE THE MEMBERSHIP BY DESIGNATING ONE ADDITIONAL SEAT FOR A MEMBER WHO IS A PYROTECHNIC RETAILER AND ELIMINATING ONE SEAT DESIGNATED FOR A MEMBER OF THE GENERAL PUBLIC.

Senator JACKSON objected to consideration of the Bill.

H. 4304 -- Reps. Duckworth, Loftis, Finlay, Henderson, Stavrinakis, Clary, McCoy, Taylor, Cogswell, Hewitt, Erickson, Crawford, Johnson, Jordan, Atwater, Spires, Fry, Clemmons, Putnam, McCravy, Huggins, Davis, Kirby, Arrington, Bennett, Collins, Felder, Ballentine, Bannister, Bedingfield, Blackwell, Cole, Forrest, Gagnon, Hardee, Herbkersman, Hiott, Hixon, Lowe, Lucas, V.S. Moss, Pope, S. Rivers, Simrill, G.R. Smith, Thayer, Wheeler, Willis, Murphy, Brown, Elliott, Ott, Norrell, McGinnis, Caskey, Mace, Trantham, Ridgeway and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-37-60 SO AS TO PROVIDE THAT "OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES" MEANS INITIATIVES UNDERTAKEN BY AN ELECTRICAL UTILITY FOR THE LONG-TERM ADVANCEMENT OF ECONOMIC DEVELOPMENT AND CLEAN ENERGY BENEFITS RESULTING FROM OFFSHORE WIND, TO PROVIDE THAT THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION MAY ADOPT PROCEDURES THAT ENCOURAGE ELECTRICAL UTILITIES SUBJECT TO THE JURISDICTION OF THE COMMISSION TO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT PROVIDE COST RECOVERY FOR ENERGY SUPPLIERS AND DISTRIBUTORS WHO INVEST IN OFFSHORE WIND RESOURCE DEVELOPMENT ACTIVITIES THAT ARE REASONABLY EXPECTED TO RESULT IN ECONOMIC DEVELOPMENT FROM THE MANUFACTURING AND DEPLOYMENT OF OFFSHORE WIND.

Senator CLIMER objected to consideration of the Bill.

H. 4375 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V.S. Moss, Clyburn, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and

[SJ]

TUESDAY, MAY 8, 2018

Govan: A BILL TO AMEND SECTION 58-33-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

Senator HUTTO objected to consideration of the Bill.

H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrinnakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V.S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S

[SJ]

TUESDAY, MAY 8, 2018

ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

Senator MALLOY objected to consideration of the Bill.

AMENDED AND ADOPTED

H. 5141 -- Reps. Clary, Collins and Hiott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 123 AND SOUTH CAROLINA HIGHWAY 93 IN PICKENS COUNTY "DR. B.R. SKELTON INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Senate proceeded to a consideration of the Resolution,

Senator RICE proposed the following amendment (5141R001.KMM.RFR), which was adopted:

Amend the concurrent resolution, as and if amended, page 3, by striking line 6 and inserting:

/ Highway 123 and South Carolina Highway 93 in the City of Clemson in Pickens County /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question being the adoption of the Resolution.

The Resolution, as amended, was adopted, ordered returned to the House.

TUESDAY, MAY 8, 2018

Recorded Vote

Senator MARTIN desired to be recorded as voting against the adoption of the Resolution.

ADOPTED

H. 5199 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MT. CALVARY ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH ARRIE ROAD TO ITS INTERSECTION WITH EAST COUNTRY CLUB DRIVE "HENRY T. SMITH MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4245 -- Reps. Felder, B. Newton, Simrill, King, Pope, Delleney and D.C. Moss: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME A DEPARTMENT FACILITY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT KYLE J. WHITE AND PLACE APPROPRIATE MARKERS OR SIGNS AT THAT FACILITY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 5195 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH MCQUEEN STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH WEST LUCAS STREET TO ITS INTERSECTION WITH WEST SUMTER STREET "REVEREND EDWARD HEZEKIAH THOMAS WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

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

MADE SPECIAL ORDER

H. 4375 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard,

TUESDAY, MAY 8, 2018

Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V.S. Moss, Clyburn, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan: A BILL TO AMEND SECTION 58-33-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE BASE LOAD REVIEW ACT, SO AS TO ADD CERTAIN DEFINITIONS; TO REPEAL ARTICLES 4 AND 5, CHAPTER 33, TITLE 58, RELATING TO THE BASE LOAD REVIEW ACT, AND TO PROVIDE A SPECIFIC EXCEPTION TO THIS REPEAL; BY ADDING CHAPTER 34 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES UNDER WHICH ELECTRICITY RATES FOR CERTAIN RATEPAYERS WHO ARE PAYING ADDITIONAL CHARGES UNDER THE BASE LOAD REVIEW ACT FOR THE CONSTRUCTION OF NUCLEAR PLANTS OR PROJECTS SHALL BE REVISED AND DETERMINED; AND TO PROVIDE FOR PROCEDURES AND PROVISIONS OF LAW WHICH APPLY AND DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34.

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

The question then was the motion to make the Bill a Special Order.

The Bill was made a Special Order.

Recorded Vote

Senators KIMPSON and SHEHEEN desired to be recorded as voting to abstain on the motion to make the Bill a Special Order.

MADE SPECIAL ORDER

H. 4379 -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrinakis, Erickson, Huggins, W. Newton, Bales, Young, McEachern, Clary, Tallon, Brown, Fry, Robinson-Simpson, V.S. Moss, Clyburn, Bennett, Arrington, Daning, Pendarvis, Govan and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 7, TITLE 1 SO AS TO CREATE THE UTILITIES CONSUMER ADVOCATE IN THE OFFICE OF THE ATTORNEY GENERAL, AND TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UTILITIES

[SJ]

TUESDAY, MAY 8, 2018

CONSUMER ADVOCATE, AMONG OTHER THINGS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS MISSION, SO AS TO REMOVE THE PRESERVATION OF THE FINANCIAL INTEGRITY OF THE STATE'S PUBLIC UTILITIES, CONTINUED INVESTMENT, AND MAINTENANCE OF FACILITIES FROM THE MISSION; TO AMEND SECTION 58-4-50, RELATING TO REGULATORY STAFF DUTIES AND RESPONSIBILITIES, SO AS TO ADD THAT THE OFFICE SHALL PROVIDE RESEARCH, EXPERTISE, AND OTHER ASSISTANCE TO THE UTILITIES CONSUMER ADVOCATE AND MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 58-4-55, RELATING TO THE OFFICE OF REGULATORY STAFF'S ABILITY TO REQUEST CERTAIN INFORMATION, SO AS TO ADD THAT THE OFFICE SHALL HAVE SUBPOENA POWERS AND THAT THE UTILITIES CONSUMER ADVOCATE MAY REQUEST THE EXECUTIVE DIRECTOR TO ISSUE SUBPOENAS ON HIS BEHALF, AND TO PROVIDE A PENALTY FOR FAILURE TO PROVIDE REQUESTED INFORMATION UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 58-4-80, RELATING TO INTERVENTION IN CIVIL PROCEEDINGS BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE THAT ON APPEAL THE OFFICE DOES NOT REPRESENT THE PUBLIC SERVICE COMMISSION.

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

The question then was the motion to make the Bill a Special Order.

The Bill was made a Special Order.

Recorded Vote

Senators KIMPSON and SHEHEEN desired to be recorded as voting to abstain on the motion to make the Bill a Special Order.

RULE 32B

On behalf of the Rules Committee, Senator MASSEY, as Chairman of the Committee on Rules, called H. 3146 from the Contested Calendar.

The Committee on Rules was polled as follows:

Poll of the Rules Committee

Polled 16; Ayes 10; Nays 6; Not Voting 1

[SJ]

TUESDAY, MAY 8, 2018

AYES

Massey	Cromer	Leatherman
Martin	Gregory	Campsen
Corbin	Young	Grooms
Hembree		

Total--10

NAYS

Reese	Malloy	Allen
Kimpson	Sabb	Nicholson

Total--6

NOT VOTING

Scott

Total--1

In accordance with Rule 32B, H. 3146 would be considered in the course of business after the Special Orders.

MOTION ADOPTED

At 4:16 A.M., on motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

(R257, H4612) -- Reps. Sandifer and Toole: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-262 SO AS TO PROVIDE APPLICANTS FOR GENERAL CONTRACTOR LICENSURE OR MECHANICAL CONTRACT LICENSURE WHO ARE SUBJECT TO CERTAIN

[SJ]

TUESDAY, MAY 8, 2018

FINANCIAL STATEMENT REQUIREMENTS MAY PROVIDE CERTAIN SURETY BONDS IN LIEU OF PROVIDING THESE FINANCIAL STATEMENTS, TO PROVIDE REQUIREMENTS CONCERNING THESE SURETY BONDS, AND TO PROVIDE PROCEDURES FOR FILING CLAIMS AGAINST THESE SURETY BONDS.

Very respectfully,

Speaker of the House

Received as information.

**H. 4612 -- FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF FREE CONFERENCE
ADOPTED**

H. 4612 -- Reps. Sandifer and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-262 SO AS TO PROVIDE APPLICANTS FOR GENERAL AND MECHANICAL LICENSURE SUBJECT TO FINANCIAL STATEMENT REQUIREMENTS MAY INSTEAD PROVIDE CERTAIN SURETY BONDS, AND TO PROVIDE REQUIREMENTS CONCERNING THE SURETY BONDS.

On motion of Senator BENNETT, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator BENNETT spoke on the report.

**H. 4612--Free Conference Powers Granted
Free Conference Committee Appointed**

Senator BENNETT asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

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

Ayes 40; Nays 2

AYES

Alexander
Campbell

Allen
Campsen

Bennett
Cash

[SJ]

88

TUESDAY, MAY 8, 2018

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Hembree	Hutto	Johnson
Kimpson	Leatherman	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--40

NAYS

Malloy	Sabb
--------	------

Total--2

Free Conference Powers were granted.

Whereupon, Senators JOHNSON, BENNETT and GAMBRELL were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

On motion of Senator SHEHEEN, the Report of the Committee of Free Conference to H. 4434 was adopted as follows:

H. 4612 -- Free Conference Report

The General Assembly, Columbia, S.C., May 3, 2018

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4612 -- Reps. Sandifer and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-262 SO AS TO PROVIDE APPLICANTS FOR GENERAL AND MECHANICAL LICENSURE SUBJECT TO FINANCIAL STATEMENT REQUIREMENTS MAY INSTEAD PROVIDE CERTAIN SURETY BONDS, AND TO PROVIDE REQUIREMENTS CONCERNING THE SURETY BONDS.

TUESDAY, MAY 8, 2018

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 2/27/18-S.)

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

/ SECTION 1. Article 1, Chapter 11, Title 40 of the 1976 Code is amended by adding:

“Section 40-11-262. (A) In lieu of providing a financial statement showing a minimum net worth for a license group as required by Section 40-11-260, an applicant may provide a surety bond from a surety authorized to transact surety business in this State in an amount of two times the required net worth for the applicant's license group with his initial or renewal application.

(B) The surety bond provided in subsection (A) must:

(1) be continuous in form and must be maintained in effect for as long as the applicant maintains the license issued by the department or until the applicant submits a financial statement showing that he meets the net worth requirements for his license group as provided in Section 40-11-260;

(2) list the State of South Carolina as obligee for the bond;

(3) be for the benefit of any person who is damaged by an act or omission of the applicant constituting a breach of construction contract or a contract for the furnishing of labor, materials, or professional services for construction undertaken by the applicant, or by any unlawful act or omission of the applicant in performing construction; and

(4) be in addition to, and not in lieu of, any other surety bond required of the applicant by law or regulation, or by any party to a contract with the applicant.

(C) The surety bond provided in subsection (A) only may be canceled by notification to the board by the surety and the applicant thirty days prior to cancellation. When the surety bond is canceled, the licensee shall provide proof of net worth for his license group as required by Section 40-11-260 within ten days of cancellation or his license is suspended until written proof of net worth is provided.

(D) Claims may be filed against the bond on a form approved by the board in accordance with procedures established by the board in regulation.”

SECTION 2. This act takes effect upon approval by the Governor./

Amend title to conform.

TUESDAY, MAY 8, 2018

/s/Sen. Sean M. Bennett	/s/Rep. Bill Sandifer
/s/Sen. Kevin L. Johnson	/s/Rep. Phyllis J. Henderson
/s/Sen. Michael W. Gambrell	/s/Rep. Carl L. Anderson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

**H.4612--REPORT OF COMMITTEE OF FREE CONFERENCE
ADOPTED, ENROLLED FOR RATIFICATION**

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

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

AMENDMENT PROPOSED, CARRIED OVER

S. 918 -- Senators Peeler, Malloy, Hembree and M.B. Matthews: A BILL TO AMEND SECTION 44-53-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE "NARCOTICS AND CONTROLLED SUBSTANCES ACT", SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE"; TO AMEND SECTION 44-53-360, RELATING TO PRESCRIPTIONS, SO AS TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS WHEN PRESCRIBING NARCOTIC DRUGS, WITH EXCEPTIONS, AND TO ESTABLISH CERTAIN PRESCRIBING LIMITATIONS; BY ADDING SECTION 44-53-1655 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROVIDE PRESCRIPTION REPORTS TO PRACTITIONERS AND TO CONDUCT AUDITS OF THE PRESCRIPTION MONITORING PROGRAM, AND SECTION 44-53-1665 SO AS TO ESTABLISH REPORTING REQUIREMENTS OF THE DEPARTMENT; TO AMEND SECTIONS 44-53-1630, AS AMENDED, 44-53-1640, AS AMENDED, 44-53-1645, 44-53-1650, AND 44-53-1680, AS AMENDED, ALL RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD A DEFINITION FOR "TARGETED CONTROLLED SUBSTANCE", TO REQUIRE DISPENSERS TO SUBMIT ADDITIONAL INFORMATION TO THE PROGRAM AND TO REVIEW PROGRAM DATA BEFORE

[SJ]

TUESDAY, MAY 8, 2018

DISPENSING IN CERTAIN CIRCUMSTANCES, TO CHANGE THE REQUIREMENTS FOR PRACTITIONERS TO REVIEW PRESCRIPTION HISTORY BEFORE PRESCRIBING SELECT CONTROLLED SUBSTANCES, TO ALLOW PRACTITIONERS TO OBTAIN PRESCRIPTION REPORTS, AND TO MAKE CONFORMING CHANGES, RESPECTIVELY; AND TO AMEND SECTIONS 40-47-965 AND 40-33-34, BOTH AS AMENDED, RELATING TO PRESCRIPTIVE AUTHORITY OF PHYSICIANS ASSISTANTS AND NURSES, RESPECTIVELY, SO AS TO ADDRESS THE AUTHORITY TO PRESCRIBE NARCOTICS TO CERTAIN PATIENTS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MALLOY explained the House amendments.

Senator CROMER proposed the following amendment (918R001.SP.RWC):

Amend the bill, as and if amended, page 3, line 12, by inserting:

/ (5) A dispenser is immune from any civil or criminal liability or disciplinary action from the State Board of Pharmacy for dispensing a prescription written by a prescriber in violation of subsection ()(1).”/

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then was the adoption of the amendment.

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

CARRIED OVER

H. 4116 -- Reps. Ridgeway, Douglas, Spires, G.M. Smith, Clemmons, Tallon and Cole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-47-38 SO AS TO PROVIDE THAT NO PROVISION OF THE MEDICAL PRACTICE ACT MAY BE CONSTRUED TO REQUIRE A PHYSICIAN TO SECURE A MAINTENANCE OF CERTIFICATION AS A CONDITION OF LICENSURE, REIMBURSEMENT,

TUESDAY, MAY 8, 2018

EMPLOYMENT, OR ADMITTING PRIVILEGES AT A HOSPITAL IN THIS STATE; AND TO DEFINE A NECESSARY TERM.

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

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

CARRIED OVER

S. 709 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE FIRE AND SAFETY INSPECTIONS AT ALL PUBLIC SCHOOL FACILITIES AT LEAST ANNUALLY, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE OFFICE OF THE STATE FIRE MARSHAL.

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

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

CONCURRENCE

S. 857 -- Senator Setzler: A BILL TO AMEND SECTION 59-51-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD BY ELIMINATING TWO EX OFFICIO SEATS.

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

Senator SETZLER explained the amendments.

Senator MALLOY spoke on the Bill.

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

Ayes 41; Nays 0

AYES

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

[SJ]

TUESDAY, MAY 8, 2018

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

Total--41

NAYS

Total--0

On motion of Senator SETZLER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CARRIED OVER

H. 3895 -- Rep. Herbkersman: A BILL TO AMEND ARTICLES 9 AND 11 OF CHAPTER 9, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVENUE AND FISCAL AFFAIRS, SO AS TO REORGANIZE THE ARTICLES, TO ELIMINATE CERTAIN DIVISIONS, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 2-7-71 AND 2-7-78, RELATING TO CERTAIN IMPACT STATEMENTS, SO AS TO REQUIRE THE STATEMENTS TO BE CERTIFIED BY THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE; TO AMEND SECTION 2-7-73, AS AMENDED, RELATING TO HEALTH COVERAGE IMPACT STATEMENTS, SO AS TO REQUIRE THE DEPARTMENT OF INSURANCE TO CONDUCT THE ANALYSIS; TO AMEND SECTION 4-10-790, RELATING TO DISTRIBUTIONS FROM A LOCAL OPTION SALES AND USE TAX, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FURNISH DATA TO THE STATE TREASURER, AND TO REQUIRE THE REVENUE AND FISCAL AFFAIRS OFFICE TO PROVIDE CERTAIN ASSISTANCE; TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO FINANCIAL REPORTS FROM COUNTIES AND MUNICIPALITIES, SO AS TO

TUESDAY, MAY 8, 2018

DELAY THE REPORTS UNTIL MARCH FIFTEENTH; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO ALLOW THE EXECUTIVE DIRECTOR OF THE REVENUE AND FISCAL AFFAIRS OFFICE TO APPOINT A MEMBER; TO AMEND SECTIONS 27-2-85 AND 27-2-95, RELATING TO THE SOUTH CAROLINA GEODETIC SURVEY, SO AS TO DELETE OBSOLETE REFERENCES; TO AMEND SECTION 44-6-170, RELATING TO THE DATA OVERSIGHT COUNCIL, SO AS TO DELETE OBSOLETE REFERENCES, AND TO REVISE THE COMPOSITION OF THE COUNCIL; TO AMEND SECTION 44-6-5, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, SO AS TO DELETE AN OBSOLETE REFERENCE; TO REDESIGNATE CERTAIN SECTIONS OF THE CODE; AND TO REPEAL SECTIONS 1-11-360, 2-7-62, 44-6-175, AND 48-22-20 ALL RELATING TO THE DUTIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

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

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

READ THE SECOND TIME

H. 3146 -- Reprs. Delleney, G.R. Smith, B. Newton, Pitts, G.M. Smith, Daning, Taylor, Martin, W. Newton, Elliott, Loftis, Burns, Hixon, Erickson and Willis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF

[SJ]

TUESDAY, MAY 8, 2018

THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.

In accordance with provisions of Rule 32B, the Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

Senator JOHNSON spoke on the Resolution.

Senator SCOTT spoke on the Resolution.

Senator MALLOY spoke on the Resolution.

The question being the second reading of the Resolution.

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

Ayes 26; Nays 6

AYES

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

Total--26

NAYS

Allen	Johnson	Kimpson
Malloy	McLeod	Sabb

Total--6

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

TUESDAY, MAY 8, 2018

Motion Under Rule 26B

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

There was no objection.

Motion Adopted

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

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 Education Committee, the following appointments were taken up for immediate consideration:

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

At-Large:

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

On motion of Senator PEELER, the question was confirmation of Edgar Lamb.

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

Ayes 43; 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>

TUESDAY, MAY 8, 2018

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

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Edgar Lamb was confirmed.

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

On motion of Senator PEELER, the question was confirmation of Melissa A. Tilden.

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

Ayes 43; 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>

[SJ]

TUESDAY, MAY 8, 2018

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

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Melissa A. Tilden was confirmed.

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

At-Large:

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

On motion of Senator PEELER, the question was confirmation of Alton O. Smith.

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

Ayes 43; 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

[SJ]

TUESDAY, MAY 8, 2018

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

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Alton O. Smith was confirmed.

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

On motion of Senator PEELER, the question was confirmation of Linda Dolny.

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

Ayes 43; Nays 0; Abstain 1

AYES

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

[SJ]

100

TUESDAY, MAY 8, 2018

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

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Linda Dolny was confirmed.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2018, and to expire May 3, 2021

At-Large - Gubernatorial:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29464-6246 *VICE* Donald L. McLaurin

On motion of Senator PEELER, the question was confirmation of Cynthia C. Mosteller.

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

Ayes 42; Nays 0; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis

[SJ]

101

TUESDAY, MAY 8, 2018

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	Senn
Setzler	Shealy	Sheheen
Talley	Timmons	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

ABSTAIN

Campsen	Hutto
---------	-------

Total--2

The appointment of Cynthia C. Mosteller was confirmed.

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

At-Large:

Hugh Mitchell Bland, 609 Buncombe Street, Edgefeld, SC 29824-1016 *VICE* Felicia Sampson Preston

On motion of Senator PEELER, the question was confirmation of Hugh Mitchell Bland.

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

Ayes 43; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

[SJ]

102

TUESDAY, MAY 8, 2018

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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Hugh Mitchell Bland was confirmed.

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

At-Large:

James C. Kesler, 1970 Trinity Church Road, Newberry, SC 29108-8747 *VICE* Patricia Sara Silva

On motion of Senator PEELER, the question was confirmation of James C. Kesler.

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

Ayes 43; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

[SJ]

103

TUESDAY, MAY 8, 2018

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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of James C. Kesler was confirmed.

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

Public Research Institutions:

James A. Battle, Jr., Post Office Box 536, Nichols, SC 29581-0536
VICE Louis B. Lynn

On motion of Senator PEELER, the question was confirmation of James A. Battle, Jr.

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

Ayes 43; Nays 0; Abstain 1

AYES

[SJ]

104

TUESDAY, MAY 8, 2018

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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of James A. Battle, Jr. was confirmed.

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

At-Large:

Ronald M. Davis, 115 La Port Drive, Greenwood, SC 29649-9179
VICE Daniel B. Shonka

On motion of Senator PEELER, the question was confirmation of Ronald M. Davis.

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

Ayes 43; Nays 0; Abstain 1

TUESDAY, MAY 8, 2018

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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Ronald M. Davis was confirmed.

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

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Carey D. Adams.

[SJ]

106

TUESDAY, MAY 8, 2018

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

Ayes 43; 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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Carey D. Adams was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2018, and to expire February 13, 2023

At-Large - Pharmacist:

David J. Posek, 274 Doral Dr., Pawleys Island, SC 29585

On motion of Senator GROOMS, the question was confirmation of David J. Posek.

TUESDAY, MAY 8, 2018

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

Ayes 43; 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
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of David J. Posek was confirmed.

Message from the House

Columbia, S.C., May 8, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

Governor's Appointment, South Carolina Department of Transportation, At-Large:

[SJ]

108

TUESDAY, MAY 8, 2018

(1) Kristen E. Blanchard, 4-year term, with term to commence February 15, 2018, and to expire February 15, 2022:

At-Large:

VICE New Seat

(2) James T. McLawhorn, Jr., 4-year term, with term to commence February 15, 2018, and to expire February 15, 2022:

At-Large:

Vice: Grover Chifton Parker (resigned)

Very respectfully,

Speaker of the House

Received as information.

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

On motion of Senator GROOMS, the question was confirmation of Kristen E. Blanchard.

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

Ayes 40; Nays 1; Abstain 3

AYES

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

TUESDAY, MAY 8, 2018

Total--40

NAYS

Massey

Total--1

ABSTAIN

Goldfinch

Hutto

Sabb

Total--3

The appointment of Kristen E. Blanchard was confirmed.

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

On motion of Senator GROOMS, the question was confirmation of James T. McLawhorn, Jr.

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

Ayes 40; Nays 1; Abstain 3

AYES

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

[SJ]

110

TUESDAY, MAY 8, 2018

Total--40

NAYS

Massey

Total--1

ABSTAIN

Goldfinch

Hutto

Sabb

Total--3

The appointment of James T. McLawhorn, Jr. was confirmed.

LOCAL APPOINTMENTS

Confirmations

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

Initial Appointment, Orangeburg County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Stephanie Grant, 410 Tecza Drive, Orangeburg, SC 29115-9192 *VICE*
Willie Robinson, Jr.

Initial Appointment, Hampton County Part-Time Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Gwen Bampfield, 113 Kinard Lane, Hampton, SC 29924-0132 *VICE*
Charles A. Grill

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence April 10, 2018, and to expire April 10, 2022

Myrtle Beach City Council:

Thomas D. Webb, 679 Providence Dr., Myrtle Beach, SC 29572

ACTING PRESIDENT PRESIDES

Senator CLIMER assumed the Chair.

PRESIDENT PRESIDES

At 7:19 P.M., the PRESIDENT assumed the Chair.

TUESDAY, MAY 8, 2018

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Ruby Frances Lipscomb Humphries of Gaffney, S.C. Ms. Humphries was a graduate of Gaffney High School. Ruby retired from Limestone Concrete and Pipe Company and was the owner of Humphries Septic Tank Service. She was a member of Grassy Pond Baptist Church. Ruby was a loving mother and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Joseph James DeFeo, Jr. of Myrtle Beach, S.C. Joseph was the chairman of the Horry County School Board and was a state constable. He was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 7:20 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

TUESDAY, MAY 8, 2018
SENATE JOURNAL INDEX

H. 3038	17	H. 4612	87, 88, 89
H. 3055	68	H. 4628	39
H. 3068	75	H. 4657	40
H. 3125	73	H. 4675	40
H. 3138	42	H. 4676	48
H. 3139	69	H. 4710	18
H. 3146	95	H. 4715	75
H. 3195	38	H. 4727	35
H. 3329	65	H. 4810	76
H. 3440	38	H. 4815	79
H. 3549	45	H. 4875	77
H. 3619	3	H. 4877	80
H. 3622	53	H. 4913	39
H. 3751	16	H. 4931	67
H. 3820	74	H. 4962	73
H. 3826	37	H. 4973	48
H. 3846	77	H. 4980	3
H. 3865	49	H. 5042	74
H. 3895	94	H. 5063	75
H. 3896	74	H. 5090	19
H. 4009	61	H. 5141	83
H. 4077	46	H. 5152	77
H. 4093	78	H. 5153	68
H. 4116	92	H. 5156	42
H. 4117	26	H. 5195	84
H. 4245	84	H. 5199	84
H. 4304	81	H. 5231	4
H. 4375	81, 84	H. 5270	69
H. 4379	82, 85	H. 5341	16
H. 4434	27, 29	H. 5368	17
H. 4458	66	S. 1043	24
H. 4466	48	S. 1116	25
H. 4479	68	S. 1208	8
H. 4486	51	S. 1209	8
H. 4487	47	S. 1210	9
H. 4489	16	S. 1211	9
H. 4529	5	S. 1212	9
H. 4601	78	S. 1213	9

TUESDAY, MAY 8, 2018

S. 1214.....	10	S. 1240.....	14
S. 1215.....	10	S. 1240.....	2
S. 1216.....	10	S. 1241.....	15
S. 1225.....	37	S. 1242.....	15
S. 1229.....	11	S. 1243.....	15
S. 1230.....	11	S. 1244.....	15
S. 1231.....	11	S. 345.....	20, 22
S. 1232.....	12	S. 709.....	93
S. 1233.....	12	S. 759.....	6
S. 1234.....	12	S. 773.....	6
S. 1235.....	12	S. 857.....	93
S. 1235.....	37	S. 890.....	10
S. 1236.....	13	S. 918.....	91
S. 1237.....	13	S. 92.....	4, 5
S. 1238.....	13	S. 982.....	6
S. 1239.....	13		