

NO. 75

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 9, 2018

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THURSDAY, JUNE 28, 2018

**Thursday, June 28, 2018**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

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

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

(2 Peter 1:5-7) Add to your faith goodness; And to your goodness knowledge; and to your knowledge self control; and to your self control perserverance; and to your perserverance godliness; and to godliness botherly kindness and to your botherly kindness, love.

Let us Pray, Lord as we hear your word from 2 Peter; direct us to be doers of your word. Bless usthis day in all that we do, Lord, As we look to celebrate the 4<sup>th</sup> of July next week we give thanks for our founding fathers and for all our freedom we hold near and dear. We are grateful for all those who have served and for all those who are serving this great country , our defenders of freedom at home and abroad. Bless us Lord in this Senate, Bless our state and Bless this country! In Your Holy Name, Amen.

**Point of Quorum**

At 10:03 A.M., Senator LEATHERMAN made the point that a quorum was present. It was ascertained that a quorum present.

**Call of the Senate**

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Campbell	Campsen
Cash	Cromer	Davis
Fanning	Gambrell	Goldfinch
Hembree	Hutto	Leatherman
Massey	Nicholson	Peeler
Reese	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Young

[SJ]

**THURSDAY, JUNE 28, 2018**

A quorum being present, the Senate resumed.

**Expression of Personal Interest**

Senator LEATHERMAN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SETZLER rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator KIMPSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CAMPSER rose for an Expression of Personal Interest.

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

**Appointment Reported**

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

**STATEWIDE APPOINTMENT**

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2016, and to expire May 19, 2023

5th Congressional District:

Charles H. Leaird, 1030 Foxridge Court, Sumter, SC 29150 *VICE*  
Alfred Reid

Received as information.

**Leave of Absence**

At 11:37 A.M., Senator GOLDFINCH requested a leave of absence for Senator RANKIN for the day.

**Leave of Absence**

At 11:40 A.M., Senator BENNETT requested a leave of absence for Senator GREGORY for the day.

[SJ]

**THURSDAY, JUNE 28, 2018**

**Leave of Absence**

At 2:23 P.M., Senator RICE requested a leave of absence for Senator SENN until 4:00 P.M.

**INTRODUCTION OF RESOLUTIONS**

The following were introduced:

S. 1286 -- Senators Leatherman, Alexander, Allen, Bennett, M. B. Matthews, Campbell, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Goldfinch, Gregory, Grooms, Hembree, Hutto, Jackson, Johnson, Kimpson, Malloy, Martin, Massey, J. Matthews, McElveen, McLeod, Nicholson, Peeler, Rankin, Reese, Rice, Sabb, Scott, Senn, Setzler, Shealy, Sheheen, Talley, Timmons, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE CRAIG PARKS UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA SENATE FINANCE COMMITTEE, TO EXTEND DEEP APPRECIATION FOR HIS MANY YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1287 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE ELAINE COX ELLIOTT UPON THE OCCASION OF HER RETIREMENT AS MAGISTRATE JUDGE FOR GEORGETOWN COUNTY, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED PUBLIC SERVICE TO GEORGETOWN COUNTY, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1288 -- Senator Leatherman: A SENATE RESOLUTION TO HONOR AND RECOGNIZE DR. WENDELL ESTEP, PASTOR OF FIRST BAPTIST CHURCH OF COLUMBIA, AND TO COMMEND HIM FOR HIS MANY YEARS OF EXTRAORDINARY LEADERSHIP AND SERVICE TO HIS CONGREGATION AND THE COLUMBIA COMMUNITY.

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The Senate Resolution was adopted.

[SJ]

**THURSDAY, JUNE 28, 2018**

S. 1289 -- Senator Shealy: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MARY D. HAZELTON FOR HER MANY YEARS OF DEDICATED SERVICE TO VETERANS IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

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

H. 3789 -- Reprs. Govan, Yow, Henegan, J.E. Smith, Thigpen, Hart, Clemmons, Whipper and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT"; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO SECTION 17-22-910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17-22-940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

Very respectfully,  
Speaker of the House

[SJ]

**THURSDAY, JUNE 28, 2018**

Received as information.

**H. 3789--REPORT OF COMMITTEE OF CONFERENCE  
ENROLLED FOR RATIFICATION**

H. 3789 -- Reps. Govan, Yow, Henegan, J.E. Smith, Thigpen, Hart, Clemmons, Whipper and Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM EXPUNGEMENT ACT"; BY ADDING ARTICLE 10 TO CHAPTER 22, TITLE 17 SO AS TO PROVIDE THAT PERSONS ELIGIBLE FOR EXPUNGEMENT OF A CRIMINAL RECORD PURSUANT TO SECTION 17-22-910 WHO SUCCESSFULLY GRADUATE AND COMPLETE THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY AND SOUTH CAROLINA JOBS CHALLENGE PROGRAM ADMINISTERED BY THE SOUTH CAROLINA ARMY NATIONAL GUARD MAY APPLY TO HAVE THEIR RECORD EXPUNGED UPON SUCCESSFUL GRADUATION AND COMPLETION OF THE PROGRAMS UNDER CERTAIN DELINEATED CIRCUMSTANCES; AND TO AMEND SECTION 17-22-940, AS AMENDED, RELATING TO THE EXPUNGEMENT PROCESS, SO AS TO INCLUDE A REFERENCE TO THE DIRECTOR OF THE SOUTH CAROLINA YOUTH CHALLENGE ACADEMY ATTESTING TO THE ELIGIBILITY OF THE CHARGE FOR EXPUNGEMENT ON AN EXPUNGEMENT APPLICATION.

The Report of the Committee of 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.

**H. 5231--REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

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

[SJ]

**THURSDAY, JUNE 28, 2018**

FROM THE SALE OF RECREATIONAL AND COMMERCIAL MARINE LICENSES, PERMITS, AND TAGS.

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

Senator CAMPSSEN spoke on the report.

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

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

**Ayes 36; Nays 0**

**AYES**

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

**Total--36**

**NAYS**

**Total--0**

The Committee of Conference Committee was adopted as follows:

**H. 5231 -- Conference Report**

The General Assembly, Columbia, S.C., May 21, 2018

The COMMITTEE OF CONFERENCE, to whom was referred:

**THURSDAY, JUNE 28, 2018**

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.

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 5/10/18-S.)

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

/ SECTION 1. Section 50-9-920(C) of the 1976 Code is amended to read:

“(C) Revenue generated from the sale of recreational and commercial marine licenses, permits, and tags shall be deposited to the Marine Resources Fund ~~unless otherwise required by law. Revenue shall be distributed as follows, from each:~~ generated from the sale of recreational licenses, permits, and tags must be distributed in accordance with the provisions of Sections 50-9-960 and 50-9-965

~~(1) annual or temporary recreational saltwater fishing license:~~

- ~~(a) twenty five cents to saltwater administration;~~
- ~~(b) one dollar to law enforcement; and~~
- ~~(c) the balance to recreational saltwater programs;~~

~~(2) charter vessel license:~~

- ~~(a) five percent to saltwater administration;~~
- ~~(b) twenty percent to law enforcement; and~~
- ~~(c) the balance to recreational saltwater programs;~~

~~(3) saltwater fishing pier license:~~

- ~~(a) five percent to saltwater administration;~~
- ~~(b) twenty percent to law enforcement; and~~
- ~~(c) the balance to recreational saltwater programs;~~

~~(4) shrimp baiting license:~~

~~(a) seventy percent for additional enforcement efforts during the established shrimp baiting period to assist existing law enforcement personnel in monitoring and enforcement of the shrimp baiting laws; and~~

~~(b) the balance to the Marine Resources Fund;~~

~~(5) sale of stamps, prints, and related articles:~~

- ~~(a) five percent to saltwater administration;~~



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- (b) ~~twenty percent to saltwater enforcement; and~~
- (c) ~~the balance to recreational saltwater programs.”~~

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

/s/Sen. George E. Campsen	/s/Rep. Michael A. Pitts
/s/Sen. J. Thomas McElveen	/s/Rep. William M. Hixon
/s/Sen. Scott Talley	/s/Rep. Lucas Atkinson
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., June 28, 2018

Mr. President and Senators:

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

H. 5231 -- Reprs. 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.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 5231 -- Reprs. Pitts, West and White: A BILL TO AMEND SECTION 50-9-920, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[SJ]

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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.

Very respectfully,

Speaker of the House

Received as information.

**H. 4950--THE GENERAL APPROPRIATIONS BILL  
REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

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

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

**Motion under Rule 24B Adopted**

Senator LEATHERMAN moved under Rule 24B to allow the inclusion of Proviso 117.169 in the Report of the Committee of Conference

*117.169. (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers Retirement System on or before December 31, 2017, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be recertified and must not require recertification through basic training for those that have been inactive for a year or more.*

Senator LEATHERMAN explained the proviso.

[SJ]

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Senator LEATHERMAN spoke on the proviso.  
Senator MATTHEWS spoke on the proviso.  
Senator BENNETT spoke on the proviso.

**Motion Adopted**

On motion of Senator GROOMS, with unanimous consent, Senators GROOMS, REESE and TALLY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator MATTHEWS spoke on the proviso.

The question being the inclusion of the proviso.

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

**Ayes 38; Nays 1**

**AYES**

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

**Total--38**

**NAYS**

*Matthews, Margie*

**Total--1**

The motion was adopted.

[SJ]

10

**THURSDAY, JUNE 28, 2018**

Senator CASH spoke on the report.  
Senator MALLOY spoke on the report.

Senator CASH moved to lay the conference report on the table.

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

**Ayes 10; Nays 28**

**AYES**

Campsen	Cash	Climer
Corbin	Grooms	Rice
Talley	Timmons	Verdin
Young		

**Total--10**

**NAYS**

Alexander	Bennett	Campbell
Cromer	Davis	Fanning
Gambrell	Goldfinch	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	Nicholson	Peeler
Reese	Sabb	Scott
Senn	Setzler	Shealy
Turner		

**Total--28**

The Senate refused to table the conference report.

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

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

**Ayes 30; Nays 9**

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**AYES**

Alexander	Allen	Bennett
Campbell	Cromer	Davis
Fanning	Gambrell	Goldfinch
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Reese	Sabb
Scott	Senn	Setzler
Shealy	Turner	Young

**Total--30**

**NAYS**

Campsen	Cash	Climer
Corbin	Grooms	Rice
Talley	Timmons	Verdin

**Total--9**

The Committee of Conference Committee was adopted as follows:

**Statement from Senator SENN**

Today I voted for the budget despite some misinformation going around that the budget conferences were not done in public. It appears those conference were indeed public. Also, I voted for the budget because my colleagues in both the House and the Senate finance committees saw fit to include funding for two matters important to me personally and to a number of other very important Lowcountry projects. I asked for the state to provide \$150,000 for the Florence Crittendon Home for Unwed Mothers. Though this is a Charleston home for needy pregnant women, it services women statewide. Last year, funding was removed and I thought it was improper to remove funding from Planned Parenthood (which is what the governor has signaled is coming via veto) yet not give an option to pregnant women in need who want to raise their babies. Second, I am responsible for seeking funding for the historic Morris Island Lighthouse which is deteriorating and in need of repair. There was \$175,000 placed in the Parks and Recreation budget which will be combined with private fund raising dollars raised by Save the Light in order to repair the rusting interior of the lighthouse.

[SJ]

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The other monies given to Charleston as well as to other areas of the state are too numerous to cite as our budget is very lengthy but it is available online.

There was an attempt to have us table the budget in its entirety because some funding can indirectly go to Planned Parenthood. I do not support Planned Parenthood or a number of other entities that get governmental money for a number of reasons but we cannot scrap an entire budget because of one line item especially where the governor has promised to veto the line item for Planned Parenthood anyway. He is the only person with the power to veto line items. As legislators we can only vote up or down on the entire budget and the state needs a budget. Further the Hyde amendment demands that dollars going to Planned Parenthood for abortions only be used in cases of rape, incest or life of the mother. I am pro life exceptions as aforementioned so I don't see that line item as offensive as some others in the vast minority did.

**Statement from Senator MARTIN**

I was not able to be in today's Senate session because of business obligations. The haphazard scheduling of the Senate punishes members who must maintain a regular job with regular working hours. I would have voted, however, to table the conference report and no on final passage. The conference report contains funding for Planned Parenthood. That is unacceptable, and I will not support it.

**Statement from Senators DAVIS, MASSEY, PEELER,  
ALEXANDER, CROMER, HEMBREE, CAMPBELL,  
GAMBRELL, SHEALY, TURNER and GREGORY**

We appreciate and share Sen. Richard Cash's passion for protecting the rights of the unborn and, for that reason, voted with him and other pro-life senators for amendments to the budget that would prohibit Planned Parenthood from receiving Medicaid reimbursements for family-planning services. Unfortunately, those amendments failed. However, when Sen. Cash moved today to reject the entire state budget because it failed to include such prohibitions, we were in opposition. Here's why: First, under current law, *none* of the federal or state funding that Planned Parenthood receives can be used for abortion services except to protect the health of the mother or in cases of rape or incest. Second, the state department of Health & Human Services is finalizing a waiver request for submission to the federal Centers for Medicare & Medicaid Services that would prohibit Planned Parenthood from receiving money for family-planning purposes. Were it not for those two

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facts, we would have supported Sen. Cash's motion to reject the budget; however, in light of those facts, and after weighing the bad outcomes that would be associated with heading into a new fiscal year on July 1 without a budget -- no increases in pay for K-12 teachers and no additional funding for School Resource Officers, to name but two -- we opposed his motion.

**H. 4950 -- Conference Report**

The General Assembly, Columbia, S.C., June 26, 2018

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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 5/3/18.)

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

/

Amend title to conform.

/s/Sen. Hugh K. Leatherman

/s/Rep. W. Brian White

/s/Sen. John W. Matthews

/s/Rep. William Clyburn

/s/Sen. Sean M. Bennett

/s/Rep. J. Derham Cole, Jr.

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., June 28, 2018

Mr. President and Senators:

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

**THURSDAY, JUNE 28, 2018**

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

Very respectfully,

Speaker of the House

Received as information.

**Motion Adopted**

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

**ACTING PRESIDENT PRESIDES**

Senator PEELER assumed the Chair.

**RECESS**

At 12:51 P.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 2:00 P.M.

**AFTERNOON SESSION**

The Senate reassembled at 2:11 P.M., and was called to order by the PRESIDENT.

**Call of the Senate**

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Hembree	Hutto
Jackson	Johnson	Kimpson
Leatherman	Malloy	Massey
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Rankin	Reese



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Rice	Sabb	Setzler
Shealy	Talley	Timmons
Turner	Young	

A quorum being present, the Senate resumed.

**S. 1043--REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

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.

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

Senator REESE spoke on the report.  
Senator GROOMS spoke on the report.

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

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

**Ayes 38; Nays 0**

**AYES**

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

[SJ]

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**Total--38**

**NAYS**

**Total--0**

The Committee of Conference Committee was adopted as follows:

**S. 1043 -- Conference Report**

The General Assembly, Columbia, S.C., June 28, 2018

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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 05/09/18-S.)

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

/ SECTION 1. Notwithstanding SECTION 1.B. of Act 57 of 2013, the provisions of Chapter 67, Title 12 of the 1976 Code are repealed on December 31, 2021.

SECTION 2. A. Section 12-67-140 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) For building sites which have had no portion thereof placed into service before July 1, 2018, and upon which is located a redeveloped multi-floor structure that is listed on the National Register of Historic Places, the taxpayer may subdivide the structure into separate units in the manner as provided for in this chapter, except that up to seven separate floors may be considered seven separate subdivided units if a floor is redeveloped for the exclusive use as a residential apartment or apartments. Before making an initial claim for tax credits pursuant to this chapter, in lieu of the requirements of Section 12-67-140(B)(1), a taxpayer utilizing the provisions of this subsection must notify the department in writing of his intent to claim tax credits pursuant to this chapter, providing any information required by the department,

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including, but not necessarily limited to, the location of the building site, the actual expenses incurred in connection with the rehabilitation of the building site, the number of units for which a credit is being claimed, and the date the building site will be placed in service. Except as specifically provided otherwise in this subsection, taxpayers are subject to all other requirements of this chapter.”

B. This SECTION takes effect upon approval by the Governor and first applies to eligible building sites placed in service after June 30, 2018.

SECTION 3. A. Section 12-65-20(4) and (8) of the 1976 Code are amended to read:

“(4) ‘Textile mill site’ means the textile mill together with the land and other improvements on it which were used directly for textile manufacturing operations or ancillary uses. However, the area of the site is limited to the land located within the boundaries where the textile manufacturing, dyeing, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses. Notwithstanding the provisions of this item, with respect to any site acquired by a taxpayer before January 1, 2008, ~~or a site located on the Catawba River near Interstate 77, or a site which, on the date the notice of intent to rehabilitate is filed, is located in a distressed area of a county in this State, as designated by the applicable council of government,~~ the textile mill site includes the textile mill structure, together with all land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses. For purposes of this item, ‘contiguous parcel’ means any separate tax parcel sharing a common boundary with an adjacent parcel or separated only by a private or public road.

(8) ‘Rehabilitation expenses’ means the expenses or capital expenditures incurred in the rehabilitation, renovation, or redevelopment of the textile mill site, including without limitations, the demolition of existing buildings, environmental remediation, site improvements and the construction of new buildings and other improvements on the textile mill site, but excluding the cost of acquiring the textile mill site or the cost of personal property located at the textile mill site. For expenses associated with a textile mill site to qualify for the credit, the textile mill and buildings on the textile mill site must be either renovated or demolished. Rehabilitation expenses associated with new or rehabilitated buildings on a textile mill site that increases the amount of square footage of the buildings that existed on the site by more than two

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hundred percent must not be considered a rehabilitation expense for the purpose of calculating the credit.”

B. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2017.

SECTION 4. A. Section 12-6-50(13) of the 1976 Code is amended to read:

~~“(13) Sections 1352 through 1359 relating to an alternative tax on qualifying shipping activities Reserved;”~~

B. Section 12-6-1110 of the 1976 Code is amended to read:

“Section 12-6-1110. ~~(A)~~ For South Carolina income tax purposes, gross income, adjusted gross income, and taxable income as calculated under the Internal Revenue Code are modified as provided in this article and subject to allocation and apportionment as provided in Article 17 of this chapter.

~~(B) If a taxpayer has made an election pursuant to Internal Revenue Code Section 1354 to be taxed under the provisions of Section 1352-1359 of the Internal Revenue Code, Election to Determine Taxable Income from Certain International Shipping Activities, the election is not effective for South Carolina income tax purposes, and the taxpayer is taxed in accordance with this chapter as though no federal Section 1354 election has been made.”~~

C. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2017.

SECTION 5. A. Section 12-67-140(B)(3)(a) of the 1976 Code is amended to read:

“(a) The entire credit is earned in the taxable year in which the applicable phase or portion of the building site is placed in service but must be taken in equal installments over a three-year period beginning with the tax year in which the applicable phase or portion of the building site is placed in service. Unused credit may be carried forward for the succeeding five years at the individual, partnership, or limited liability company level.”

B. Section 12-67-140(B)(6) of the 1976 Code is amended to read:

“(6) To the extent that the taxpayer is a partnership or a limited liability company taxed as a partnership, the credit, including any unused credit amount carried forward, may be passed through to the partners or members and may be allocated among any of its partners or members on an annual basis including, without limitation, an allocation of the entire credit or unused carryforward to one any partner or member, who was a member or partner at any time in the year in which the credit or unused carryforward is allocated. The allocation must be allowed without regard

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to any provision of the Internal Revenue Code or regulations promulgated pursuant thereto, that may be interpreted as contrary to the allocation, including, without limitation, the treatment of the allocation as a disguised sale.”

C. Section 12-6-3535(C) of the 1976 Code is amended to read:

“(C)(1)The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in equal installments over a three-year period beginning with the year in which the property is placed in service. ‘Placed in service’ means the rehabilitation is completed and allows for the intended use. Any unused portion of any credit installment may be carried forward for the succeeding five years at the individual, partnership, or limited liability company level.

(2) The credit earned pursuant to this section by an ‘S’ corporation owing corporate level income tax must be used first at the entity level. Remaining credit passes through to each shareholder in a percentage equal to each shareholder’s percentage of stock ownership. The credit, including any unused credit amount carried forward, earned pursuant to this section by a general partnership, limited partnership, limited liability company, or other pass-through entity, as defined in Section 12-6-545, must be passed through to its partners and may be allocated among partners, including, without limitation, an allocation of the entire credit or unused carryforward to one any partner who was a member or partner at any time in the year in which the credit or unused carryforward is allocated, in a manner agreed to by the partners or members. As used in this item the term ‘partner’ means a partner, member, or owner of an interest in the pass-through entity, as applicable. If the taxpayer makes a pass-through election under Section 50(d) of the Internal Revenue Code, the taxpayer may elect to pass the credit claimed pursuant to this section to the tenant of the eligible structure or to retain the credit.”

D. This SECTION takes effect upon approval by the Governor and first applies to buildings placed in service after June 30, 2018.

SECTION 6. A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3378. (A)(1) In tax years beginning after 2017 and ending before 2028, an agribusiness operation or an agricultural packaging operation, as defined in Section 12-6-3360, that increases its purchases of agricultural products which have been certified as South Carolina grown by the South Carolina Department of Agriculture by a minimum of fifteen percent in a single calendar year over its base year is eligible to claim an income tax credit or a credit against employee withholding in an amount determined by the Coordinating Council for

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Economic Development (council). However, a taxpayer may not be awarded a credit pursuant to this section in excess of one hundred thousand dollars in any tax year.

(2) The maximum amount of tax credits allowed to all qualifying taxpayers pursuant to this section may not exceed the following for each calendar year:

2018 - \$500,000

2019 - \$1,000,000

2020 - \$1,500,000

After 2020 - \$2,000,000

(B)(1) If the income tax credit exceeds the taxpayer's income tax liability for the taxable year, the excess amount may be carried forward and claimed against income taxes in the next five succeeding taxable years.

(2) If the credit against withholding taxes exceeds the taxpayer's withholding tax liability for the taxable quarter that is not otherwise refunded pursuant to this title, the excess amount may be carried forward and claimed against withholding liability that is not otherwise refunded under this title in the next twenty succeeding taxable quarters.

(C) The council has sole discretion in allocating the credits provided by this section and must consider the following factors:

(1) the amount of base year purchases of certified agricultural products;

(2) the total and percentage increase in purchases; and

(3) factors related to the economic benefit of the State or other factors.

(D) For every year in which a taxpayer claims the credit, the taxpayer shall submit an application to the council after the calendar year in which the increase in purchases of certified products occurs. Allocations of the credit may be made on a monthly, quarterly, or annual basis. The taxpayer shall attach a schedule to the taxpayer's application to the council with the following information and information requested by the council or the department:

(1) a description of how the base year purchases of certified agricultural products and the increase in purchases was determined;

(2) the amount of the base year purchases of certified agricultural products;

(3) the amount of the increase in purchases of certified agricultural products for the taxable year stated both as a percentage increase and as a total increase in purchases of certified agricultural products, including information which demonstrates an increase in purchases of certified

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agricultural products in excess of the minimum amount required to claim the tax credits pursuant to this section;

- (4) any tax credit utilized by the taxpayer in prior years; and
- (5) the amount of tax credit carried over from prior years.

(E) By March first of each year, the council shall submit a report to the General Assembly detailing the recipients of the credits allowed by this section, including the credit amount of each recipient.

(F) The Department of Commerce, upon consultation with the Department of Agriculture, may establish guidelines necessary to ensure all applications, product certification record sheets, and checklists are accurately and effectively created and comply with the provisions of this section.

(G) For purposes of this section, ‘base year’ initially means the total dollar purchases of agricultural products certified as South Carolina grown during the period from January first through December thirty-first of the same year. However, the base year total dollar purchases must exceed one hundred thousand dollars for a taxpayer to be eligible for the credits provided in this section. For a taxpayer who does not meet the one hundred thousand dollar purchases requirement in the year ending December thirty-first of the previous year, including a taxpayer who locates in South Carolina after December thirty-first of the previous year, its base certified grown purchases must be measured by the initial January first through December thirty-first calendar year in which it meets the purchasing requirement. The base year must be recalculated each calendar year after the initial base year.”

B. Section 12-10-80 of the 1976 Code is amended by adding two subsections at the end to read:

“(K)For purposes of this section, the job and per capita income thresholds contained in the definition of ‘qualifying service-related facility’ as set forth in Section 12-6-3360(M)(13)(b) must be modified to read as set forth in the item below:

(1) a business, other than a business engaged in legal, accounting, banking, or investment services (including a business identified under NAICS Section 55) or retail sales, which has a net increase of at least:

- (a) one hundred twenty-five jobs at a single location;
- (b) one hundred jobs at a single location comprised of a building or portion of a building that has been vacant for at least twelve consecutive months before the taxpayer’s investment;
- (c) seventy-five jobs at a single location and the jobs have an average cash compensation level of more than one and one-half times

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the lower of state per capita income or per capita income in the county where the jobs are located;

(d) fifty jobs at a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

(e) twenty-five jobs at a single location and the jobs have an average cash compensation level of more than two and one-half times the lower of state per capita income or per capita income in the county where the jobs are located.

(L) For purposes of this section and notwithstanding the provisions of Section 12-10-50(A)(1), subject to the discretion of the council, the definition of ‘qualifying service-related facility’ as defined in Section 12-6-3360(M)(13), as modified by Section 12-10-80(K)(1), shall also include the following:

(1) a business engaged in legal, accounting, banking, or investment services operating at a single facility if the single facility would otherwise qualify as a qualifying service-related facility as defined in Section 12-6-3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12-6-3360(M)(13)(b);

(2) a business generally engaged in retail sales at a single facility if that single facility would otherwise qualify as a qualifying service-related facility as defined in Section 12-6-3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12-6-3360(M)(13)(b) and provided that no retail sales are conducted at that single facility; and

(3) In making a determination with regard to Section 12-10-80(L)(1) or Section 12-10-80(L)(2), the council may consider the following:

(a) the percentage of such business’s annual gross receipts from services or other income producing activity derived from customers or clients located outside of South Carolina for the twelve months preceding the month in which such business applies to the council to claim a job development credit and such percentage may not be less than seventy-five percent;

(b) the nature of the new jobs to be created at the project;

(c) the wages of the new jobs to be created at the project;

(d) the capital investment of the project; and

(e) the potential for expansion or growth of the business or industry.”



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C. This SECTION takes effect upon approval by the Governor and applies for tax years beginning after 2017.

SECTION 7. A. Section 12-6-2295(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) receipts from the provision of direct broadcast satellite service that are attributable to this State in pro rata proportion of the costs of performing the service, including the costs of acquiring programming distribution rights and constructing and maintaining distribution infrastructure, that the service provider incurs within this State. As used in this subsection, the term ‘direct broadcast satellite service’ means the distribution or broadcasting of programming or services by satellite directly to the subscriber’s premises without the use of ground receiving or distribution equipment, except at the subscriber’s premises or in the uplink process to the satellite.”

B. This act takes effect upon approval by the Governor and applies to all open tax periods excluding assessments under judicial review as of the date of the Governor’s approval.

SECTION 8. A. Section 12-60-30 of the 1976 Code is amended by adding appropriately numbered items to read:

“( ) ‘Local governing body’ means, for property tax purposes, the governing body of a county, municipality, or other political subdivision that is entitled to receive any portion of the tax revenue generated from a property tax assessment.

( ) ‘Affected county’ means, for property tax purposes, a county that administers property tax collections for its own jurisdiction or for another local governing body and is in a property tax dispute with a taxpayer.

( ) ‘Chief executive officer’ means, for property tax purposes, the official identified in Section 8-13-1110(B)(5).

( ) ‘Chief administrative official’ means, for property tax purposes, the official identified in Section 8-13-1110(B)(6).”

B. Section 12-60-30(10) of the 1976 Code is amended to read:

“(10) ‘Department determination’ means the final determination within the department from which a ~~person taxpayer or a local governing body, as applicable,~~ may request a contested case hearing before the Administrative Law Court.”

C. Section 12-60-450(E) of the 1976 Code is amended to read:

“(E)(1)The department ~~will~~ shall make a department determination using the information provided by the taxpayer in accordance with Section 12-60-30(15)(c)(iii).

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(2) A department determination ~~adverse to the taxpayer~~ must be in writing and must:

(a) be sent by first class mail or delivered to the taxpayer and any affected county;

(b) explain the basis for the department's determination;

(c) inform the taxpayer and any affected county of ~~his~~ the right to request a contested case hearing; and

(d) if a proposed assessment was protested, explain that the taxes will be assessed in thirty days and payment demanded unless the taxpayer or any local governing body requests a contested case hearing.

(3) The department must issue the department determination ~~on a proposed assessment~~ not later than ~~nine months~~ one year after the date the written protest or claim was filed with the department by the taxpayer unless the department requests and is granted an extension of time not to exceed six months from the Administrative Law Court. Upon failure of the department to timely issue the department determination, the ~~taxpayer may~~ department shall notify the taxpayer and any affected county of the right to request a contested case hearing before the Administrative Law Court for a determination of the tax controversy. A request for a contested case hearing before the Administrative Law Court must be made in accordance with its rules and must be made within thirty days after the date the department's notice was sent by first class mail or delivered to the taxpayer or any affected county.

(4) In order to comply with the provisions of this section requiring the department to notify affected counties, the department shall notify the chief executive officer, auditor, assessor, and treasurer of each affected county. The county auditor, upon notification, shall notify any local governing bodies by notifying the chief administrative official of each local governing body."

D. Section 12-60-2120(A) and (B) of the 1976 Code is amended to read:

"(A)(1) A property taxpayer may appeal a property tax assessment proposed by a division of the department by filing a written protest with the department.

(2) The department shall notify any affected counties of the written protest.

(B)(1) A property taxpayer may protest any denial of a tax exemption by the department for property he believes is exempt from property tax by filing a written protest with the department.

(2) If a written protest is filed by a taxpayer, other than an individual, then the department must notify any affected counties of the written protest."

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E. Section 12-60-2140(C) of the 1976 Code is amended to read:

“(C) After a final determination, if the property tax assessment is less than the adjusted property tax assessment, a corrected property tax assessment must be made and entered, provided that a refund is not due for any tax year before the three tax years immediately preceding the final determination unless the Administrative Law Court approves the refund. The overpayment of tax must be refunded together with interest determined in accordance with Section 12-54-25 on the overpayment.”

F. Section 12-60-2150(B), (D), and (F) of the 1976 Code is amended to read:

“(B) The department shall notify the counties affected by the claim for refund by notifying the chief executive officer, auditor, assessor, and treasurer of each affected county. A county auditor, upon notification, shall notify ~~any affected municipalities or other political subdivisions~~ the chief administrative official of any local governing bodies affected by the claim for refund.

(D) The appropriate division of the department shall determine what refund is due, if any, and give the taxpayer written notice of its determination as soon as practicable after a claim has been filed, but not later than six months after the date the claim for refund was filed with the department. If the department fails to timely issue a written notice of its determination, that failure is considered a written denial of the claim for refund.

(F) The department shall consider the ~~claim~~ written protest, determine the correct property tax assessment, and issue ~~any necessary orders~~ a department determination in accordance with the provisions of Section 12-60-450(E). All appeals before the department must be conducted as provided in Section 12-60-450(C) through (E).”

SECTION 9. Except where specified otherwise, this act takes effect upon approval by the Governor. /

Amend title to read:

/ 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; TO AMEND SECTION 12-67-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR REVITALIZING AN ABANDONED BUILDING, SO AS TO SPECIFY THE MANNER IN WHICH CERTAIN BUILDINGS MAY BE SUBDIVIDED; TO AMEND SECTION 12-65-20, RELATING TO THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO

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MODIFY CERTAIN DEFINITIONS; TO AMEND SECTION 12-6-50, RELATING TO SECTIONS OF THE INTERNAL REVENUE CODE SPECIFICALLY NOT ADOPTED BY THIS STATE, SO AS TO REMOVE THE ALTERNATIVE TAX ON QUALIFYING SHIPPING ACTIVITIES; TO AMEND SECTION 12-6-1110, RELATING TO MODIFICATIONS OF INCOME, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 12-67-140 AND 12-6-3535, RELATING TO THE TAX CREDIT FOR REHABILITATING AN ABANDONED BUILDING OR A CERTIFIED HISTORIC STRUCTURE, RESPECTIVELY, SO AS TO SPECIFY THE MANNER IN WHICH UNUSED CREDIT MAY BE CARRIED FORWARD AND ALLOCATED; BY ADDING SECTION 12-6-3378 SO AS TO ALLOW A TAX CREDIT TO AN AGRIBUSINESS OPERATION OR AN AGRICULTURAL PACKAGING OPERATION THAT INCREASES ITS PURCHASES OF AGRICULTURAL PRODUCTS WHICH HAVE BEEN CERTIFIED AS SOUTH CAROLINA GROWN, AND TO SPECIFY THE MANNER IN WHICH THE CREDIT IS ADMINISTERED; TO AMEND SECTION 12-10-80, RELATING TO THE JOBS DEVELOPMENT CREDIT, SO AS TO MAKE CERTAIN QUALIFYING SERVICE-RELATED FACILITIES ELIGIBLE FOR THE CREDIT; TO AMEND SECTION 12-6-2295, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE PROVISION OF DIRECT BROADCAST SATELLITE SERVICE ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE; TO AMEND SECTION 12-60-30, RELATING TO SOUTH CAROLINA REVENUE PROCEDURES DEFINITIONS, SO AS TO PROVIDE DEFINITIONS; TO AMEND SECTION 12-60-450, RELATING TO APPEALS OF PROPOSED ASSESSMENTS, SO AS TO REQUIRE THE DEPARTMENT TO NOTIFY AFFECTED COUNTIES IN CERTAIN INSTANCES; TO AMEND SECTION 12-60-2120, RELATING TO PROPERTY TAX APPEALS BY WRITTEN PROTEST, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY ANY AFFECTED COUNTIES OF A WRITTEN PROTEST; TO AMEND SECTION 12-60-2140, RELATING TO CERTAIN PAYMENTS AND REFUNDS, SO AS TO PROVIDE THAT NO REFUND IS DUE FOR ANY TAX YEAR BEFORE THE THREE TAX YEARS IMMEDIATELY PRECEDING THE FINAL DETERMINATION; AND TO AMEND SECTION

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12-60-2150, RELATING TO FILING A CLAIM FOR A REFUND, SO AS TO PROVIDE FOR CERTAIN NOTIFICATIONS AND TO PROVIDE THAT A FAILURE TO TIMELY ISSUE A WRITTEN NOTICE IS CONSIDERED A DENIAL. /

/s/Sen. Glenn G. Reese	/s/Rep. J. Gary Simrill
/s/Sen. Lawrence K. Grooms	/s/Rep. James Todd Rutherford
/s/Sen. Scott Talley	/s/Rep. J. Derham Cole, Jr.
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., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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.

**S. 107--FREE CONFERENCE POWERS GRANTED  
FREE CONFERENCE COMMITTEE APPOINTED  
REPORT OF THE COMMITTEE OF  
FREE CONFERENCE ADOPTED**

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE

[SJ]

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UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70, 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B), 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4), 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3), 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10, 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2), 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373, 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2), 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340,

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12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110, 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2), 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720, 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A), 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D), 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A), 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620, 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A), 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30, 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

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

Senator CAMPSSEN spoke on the report.  
Senator GROOMS spoke on the report.

**Motion Adopted**

On motion of Senator MALLOY, with unanimous consent, Free Conference Powers were granted.

Whereupon, Senators MALLOY, CAMPSSEN and MASSEY were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

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 37; Nays 0**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**



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On motion of Senator MALLOY, the Report of the Committee of Free Conference to S. 107 was adopted as follows:

**S. 107 -- Free Conference Report**

The General Assembly, Columbia, S.C., June 28, 2018

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT

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A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70, 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B), 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4), 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3), 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10, 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2), 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373, 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2), 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340, 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110, 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2), 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720, 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A), 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D), 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A), 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620, 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A), 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30, 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE

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ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

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 5/11/17-S.)

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

/ PART I

Office or Division on Aging and Related Provisions

SECTION 1. Section 1-11-720(A)(9) of the 1976 Code is amended to read:

“(9) local councils on aging or other governmental agencies providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging,”

SECTION 2. Section 1-30-10(A) of the 1976 Code is amended to read:

“(A) There are hereby created, within the executive branch of the state government, the following departments:

1. Department of Administration
2. Department of Agriculture
3. Department of Alcohol and Other Drug Abuse Services
4. Department of Commerce
5. Department of Corrections
6. Department of Disabilities and Special Needs
7. Department of Education
8. Department of Health and Environmental Control
9. Department of Health and Human Services
10. Department of Insurance
11. Department of Juvenile Justice

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12. Department of Labor, Licensing and Regulation
13. Department of Mental Health
14. Department of Motor Vehicles
15. Department of Natural Resources
16. Department of Parks, Recreation and Tourism
17. Department of Probation, Parole and Pardon Services
18. Department of Public Safety
19. Department of Revenue
20. Department of Social Services
21. Department of Transportation
22. Department of Employment and Workforce
23. Department on Aging.”

SECTION 3. Section 9-1-10(11)(g) of the 1976 Code is amended to read:

“(g) an employee of a local council on aging or other governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 4. Section 9-1-10(14) of the 1976 Code is amended to read:

“(14) ‘Employer’ means this State, a county board of education, a district board of trustees, the board of trustees or other managing board of a state-supported college or educational institution, or any other agency of this State by which a teacher or employee is paid; the term ‘employer’ also includes a county, municipality, or other political subdivision of the State, or an agency or department of any of these, which has been admitted to the system under the provisions of Section 9-1-470, a service organization referred to in item (11)(e) of this section, an alcohol and drug abuse planning agency authorized to receive funds pursuant to Section 61-12-20, and a local council on aging or other governmental agency providing aging services funded by the ~~Office on Aging, Office of the Lieutenant Governor~~ Department on Aging.”

SECTION 5. Section 29-4-60(D) of the 1976 Code is amended to read:

“(D) The ~~Office of the Governor, Division on Aging~~ Department on Aging shall provide independent consumer information on reverse mortgages and their alternatives.”

SECTION 6. Section 43-21-10 of the 1976 Code is amended to read:

“Section 43-21-10. There is created in the ~~Office of the Lieutenant Governor, the Division on Aging~~ Department on Aging. The ~~division~~ department must be supported by an Advisory Council on Aging consisting of one member from each of the ten planning and service areas

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~~under the Division on Aging~~ and five members from the State at large. The director of the ~~division~~ department shall provide statewide notice that nominations may be submitted to the director from which the ~~Lieutenant~~ Governor shall appoint the members of the council. The members must be citizens of the State who have an interest in and a knowledge of the problems of an aging population. In making appointments to the council, consideration must be given to assure that the council is composed of appointees who are diverse in age, who are able and disabled, and who are active leaders in organizations and institutions that represent different concerns of older citizens and their families. The chair must be elected by the members of the advisory council from its members for a term of two years and until a successor is elected. Members of the council shall serve without compensation but shall receive mileage and subsistence authorized by law for members of boards, commissions, and committees. The advisory council shall meet at least once each quarter and special meetings may be called at the discretion of the director of the ~~division~~ department. Rules and procedures must be adopted by the council for the governance of its operations and activities.”

SECTION 7. Section 43-21-20 of the 1976 Code is amended to read:

“Section 43-21-20. The members of the advisory council shall serve for terms of four years and until their successors are appointed and qualify. The terms of the members expire on June thirtieth and all vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. No member may serve more than two consecutive terms.

The ~~Lieutenant~~ Governor may terminate a member of the council for any reason pursuant to the provisions of Section 1 3 240, and the reason for the termination must be communicated to each member of the council.”

SECTION 8. Section 43-21-45 of the 1976 Code is amended to read:

“Section 43-21-45. The ~~Office of the Lieutenant Governor, Division on Aging, Department on Aging~~ shall designate area agencies on aging, and area agencies on aging shall designate focal points. Focal points shall provide leadership on aging issues in their respective communities and shall carry out a comprehensive service system for older adults or shall coordinate with a comprehensive service system in providing services for older adults. The area agencies on aging represent the regional level of the state aging network and the focal points represent the local level of the state aging network.”

SECTION 9. Section 43-21-60 of the 1976 Code is amended to read:

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“Section 43-21-60. The ~~division~~ Department on Aging shall submit an annual report to the ~~Lieutenant~~ Governor and to the General Assembly on or before January first of each year. The report shall deal with the present and future needs of the elderly and with the work of the ~~division department~~ during the year.”

SECTION 10. Section 43-21-70 of the 1976 Code is amended to read:

“Section 43-21-70. The ~~Lieutenant~~ Governor ~~may employ~~ shall appoint with the advice and consent of the Senate a director to be the administrative officer of the ~~division~~ Department on Aging who shall serve at ~~his~~ the Governor’s pleasure and who is subject to removal pursuant to the provisions of Section 1-3-240.”

SECTION 11. Section 43-21-100 of the 1976 Code is amended to read:

“Section 43-21-100. The ~~division~~ Department on Aging shall prepare the budget for its operation which must be submitted to the ~~Lieutenant~~ Governor and to the General Assembly for approval.”

SECTION 12. Section 43-21-130(A)(1) of the 1976 Code is amended to read:

“(1) the ~~Lieutenant~~ Governor or his designee;”

SECTION 13. Section 43-21-190(2) of the 1976 Code is amended to read:

“(2) make recommendations to the ~~Lieutenant~~ Governor and members of the General Assembly and to the Joint Legislative Committee on Aging;”

SECTION 14. Section 44-36-20(21) of the 1976 Code is amended to read:

“(21) Alzheimer’s Disease and Related Disorders Resource Coordination Center, ~~Office of the Governor, Division on Aging of the Department on Aging;~~”

SECTION 15. Section 44-36-50 of the 1976 Code is amended to read:

“Section 44-36-50. The registry shall submit an annual report to the ~~Office of the Governor, Division on Aging,~~ Alzheimer’s Disease and Related Disorders Resource Coordination Center of the Department on Aging, the Department of Health and Environmental Control, and the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.”

SECTION 16. Section 44-36-310 of the 1976 Code is amended to read:

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“Section 44-36-310. ~~There~~ In the Department on Aging, there is created ~~in the Office of the Lieutenant Governor, Division on Aging,~~ the Alzheimer’s Disease and Related Disorders Resource Coordination Center to provide statewide coordination, service system development, information and referral, and caregiver support services to individuals with Alzheimer’s disease and related disorders, their families, and caregivers.”

SECTION 17. Section 44-36-320(7) of the 1976 Code is amended to read:

“(7) submit an annual report to the Chairman of the Medical Affairs Committee of the Senate and the Chairman of the Medical, Military, Public and Municipal Affairs Committee of the House of Representatives in addition to publishing the report on the ~~Lieutenant~~ Governor’s website.”

SECTION 18. Section 44-36-330 of the 1976 Code is amended to read:

“Section 44-36-330. (A) The Alzheimer’s Disease and Related Disorders Resource Coordination Center must be supported by an advisory council appointed by the ~~Lieutenant~~ Governor including, but not limited to, representatives of:

- (1) Alzheimer’s Association Chapters;
- (2) American Association of Retired Persons;
- (3) Clemson University;
- (4) Department of Disabilities and Special Needs;
- (5) Department of Health and Environmental Control;
- (6) Department of Mental Health;
- (7) Department of Social Services;
- (8) Department of Health and Human Services;
- (9) Medical University of South Carolina;
- (10) National Association of Social Workers, South Carolina Chapter;
- (11) South Carolina Adult Day Care Association;
- (12) South Carolina Association of Area Agencies on Aging;
- (13) South Carolina Association of Council on Aging Directors;
- (14) South Carolina Association of Nonprofit Homes for the Aging;
- (15) South Carolina Association of Residential Care Homes;
- (16) South Carolina Health Care Association;
- (17) South Carolina Home Care Association;
- (18) South Carolina Hospital Association;
- (19) South Carolina Medical Association;
- (20) South Carolina Nurses’ Association;

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(21) Statewide Alzheimer’s Disease and Related Disorders Registry;

(22) University of South Carolina;

(23) South Carolina State University.

(B) Members of the advisory council are not entitled to mileage, per diem, subsistence, or any other form of compensation.”

**PART II**

**Joint Legislative Committee on Aging’s Report**

SECTION 19. On or before January 1, 2019, the Joint Legislative Committee on Aging shall prepare and deliver a report to the President of the Senate and the Speaker of the House of Representatives recommending any additional changes to the Department on Aging created by this act to enhance efficient and cost effective delivery of services to the aging community in accordance with the federal Older Americans Act.

**PART III**

**Severability**

SECTION 20. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

**PART IV**

**Effective Dates**

SECTION 21. PART I takes effect on January 1, 2019. All other PARTS take effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Gerald Malloy

/s/Rep. G. Murrell Smith, Jr.

/s/Sen. George E. “Chip” Campsen

/s/Rep. J. Gary Simrill

/s/Sen. A. Shane Massey

/s/Rep. J. Todd Rutherford

On Part of the Senate.

On Part of the House.

, and a message was sent to the House accordingly.



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**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. G.M. Smith, Simrill and Rutherford to the Committee of Free Conference on the part of the House on:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT

[SJ]

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A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70, 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B), 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4), 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3), 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10, 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2), 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373, 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2), 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340, 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110, 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2), 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720, 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A), 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D), 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A), 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620, 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A), 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30, 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE

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ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 107 -- Senators Campsen, Hutto, Massey, Hembree and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125, SO AS TO PROVIDE THAT BEGINNING WITH THE 2018 GENERAL ELECTION, IF THE LIEUTENANT GOVERNOR RESIGNS OR IS REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR FOR THE UNEXPIRED TERM; BY ADDING SECTION 7-11-12, SO AS TO ESTABLISH THE PROCEDURE BY WHICH A PERSON NOMINATED AS GOVERNOR SELECTS A LIEUTENANT GOVERNOR AS A JOINT TICKET RUNNING MATE; BY ADDING SECTION 7-13-315, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ENSURE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR ARE ELECTED JOINTLY; BY ADDING SECTION 8-13-1301, SO AS TO PROVIDE THAT

[SJ]

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JOINTLY ELECTED CANDIDATES MUST BE CONSIDERED A SINGLE CANDIDATE FOR CONTRIBUTIONS AND ESTABLISHING A COMMITTEE; TO AMEND SECTION 8-13-1314, RELATING TO CONTRIBUTION LIMITATIONS, SO AS TO PROVIDE THAT WITHIN AN ELECTION CYCLE, CONTRIBUTIONS FOR STATEWIDE CANDIDATES ARE INCREASED FROM THREE TO FIVE THOUSAND DOLLARS, CONTRIBUTIONS FOR JOINTLY ELECTED CANDIDATES ARE FIVE THOUSAND DOLLARS, AND CONTRIBUTIONS FOR CANDIDATES FOR OTHER OFFICES ARE INCREASED FROM ONE TO TWO THOUSAND DOLLARS AND THAT FUTURE LIMITATIONS ON CONTRIBUTIONS MUST BE INCREASED BY THE STATE ETHICS COMMISSION DEPENDENT UPON THE CONSUMER PRICE INDEX; TO AMEND SECTION 7-11-15(A), RELATING TO FILING AS A CANDIDATE FOR THE GENERAL ELECTION, SO AS TO PROVIDE IF MARCH 30, THE DEADLINE FOR FILING, IS ON A SATURDAY OR SUNDAY, THE TIME FOR FILING EXTENDS TO THE NEXT BUSINESS DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY; TO AMEND SECTION 7-13-45, RELATING TO ESTABLISHING HOURS FOR ACCEPTING CANDIDATE FILINGS, SO AS TO DELETE SPECIFIC REFERENCES TO THE NUMBER OF HOURS AND PROVIDE THAT FILINGS BE ACCEPTED DURING REGULAR BUSINESS HOURS ON REGULAR BUSINESS DAYS; TO AMEND SECTIONS 1-3-120, 1-3-130, 1-6-30(9), 1-9-30, 1-11-10(D), 1-11-425, 1-18-70, 1-23-280(B) AND (E), 1-23-290(D), 2-1-230(C), 2-1-250(B), 2-2-30(B)(1), 2-2-40(B), 2-3-20, 2-3-75(B)(3), 2-3-105(A)(4), 2-15-60(b), 2-17-90(A)(1), 2-17-90(A)(6)(c), 2-17-100(3), 2-19-10(B)(2), 2-41-70, 2-67-20(E)(1)(a), 2-69-20, 2-69-40, 2-75-10, 3-11-400(C)(3)(b)(iii), 5-1-26(B)(4), 5-1-26(F), 6-4-35(A)(2), 6-29-1330(D)(3), 6-29-1330(G), 8-13-540(3)(d), 8-13-715, 8-13-1373, 9-4-10(B)(1)(b), 9-4-40, 9-16-90, 9-16-380, 10-1-168(I), 11-9-890B.(2), 11-11-350, 11-43-140, 11-45-40(B)(1), 11-50-50, 11-57-340, 12-3-10(A)(1), 13-1-25(B), 23-1-230(G), 24-22-150, 37-29-110, 38-3-110(5)(c), 38-75-490(D), 40-47-10(A)(4), 44-128-50(B)(2), 46-3-260(A), 48-52-440(D)(2), 48-59-40(A)(4), 51-13-720, 51-13-2120(3), 51-18-115, 54-6-10(B)(3), 59-6-10, 59-40-230(A), 59-46-40(A)(4), 59-150-40(A), 59-150-40(C), 59-150-40(D), 59-150-320, 59-150-325(A), 60-11-150(B), 60-17-10, 63-1-50(A), 63-1-50(B), 63-11-1720(B), 63-11-1720(C), 63-11-1930(A)(11), AND 63-11-2110(B)(4), RELATING TO THE DUTIES AND

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RESPONSIBILITIES OF THE PRESIDENT OF THE SENATE PRO TEMPORE, SO AS TO REVISE STATUTORY REFERENCES FROM THE PRESIDENT OF THE SENATE PRO TEMPORE TO THE PRESIDENT OF THE SENATE AND TO MAKE ADDITIONAL CLARIFYING CHANGES; TO AMEND SECTIONS 1-3-620, 1-11-720(A)(9), 1-23-125(B), 1-23-125(D), 2-3-30, 2-3-90, 7-11-30(A), 7-17-10, 9-1-10(11)(g), 9-1-10(14), 10-1-40, 14-27-20(10), 14-27-30, 14-27-40(2), 14-27-80, 43-21-20, 43-21-45, 43-21-60, 43-21-70, 43-21-100, 43-21-130(A)(1), 43-21-190(2), 44-36-310, 44-36-320(7), 44-36-330, 44-56-840(A), 54-7-100, AND 59-6-15(A)(3), RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR, SO AS TO REVISE STATUTORY REFERENCES TO CONFORM TO CONSTITUTIONAL AND STATUTORY CHANGES CONCERNING SELECTION AS PART OF A JOINT TICKET AND TO MAKE THE GOVERNOR RESPONSIBLE FOR THE EXISTING DUTIES AND RESPONSIBILITIES OF THE LIEUTENANT GOVERNOR SO THE GOVERNOR MAY DETERMINE HOW THOSE DUTIES AND RESPONSIBILITIES MAY BE ACCOMPLISHED; TO AMEND SECTION 1-1-1210, RELATING TO SALARIES OF CERTAIN STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE FOR THE AGENCY HEAD SALARY COMMISSION TO STUDY AND RECOMMEND SALARY RANGES AND DETERMINE SALARIES FOR THESE OFFICERS, AND TO REQUIRE RECUSAL OF COMMISSION MEMBERS IN CERTAIN CIRCUMSTANCES; AND TO REQUIRE, ON OR BEFORE JANUARY 1, 2019, THE CODE COMMISSIONER TO PREPARE AND DELIVER A REPORT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES RECOMMENDING ANY ADDITIONAL APPROPRIATE AND CONFORMING CHANGES TO THE 1976 CODE OF LAWS REFLECTING THE PROVISIONS OF THIS ACT.

Very respectfully,

Speaker of the House

Received as information.

#### **RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 28, 2018, at 10:45 A.M. and the following Acts and Joint Resolutions were ratified:

[SJ]

**THURSDAY, JUNE 28, 2018**

(R284, S. 709) -- Senator Hembree: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-17-160 SO AS TO PROVIDE THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE DEPARTMENT OF EDUCATION SHALL CREATE MODEL FIRE AND SAFETY POLICY AND PROGRAM GUIDELINES AND MAKE SUCH GUIDELINES AVAILABLE TO PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS BEFORE THE 2019-2020 SCHOOL YEAR, TO PROVIDE PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL ADOPT CERTAIN FIRE AND SAFETY POLICIES AND PROGRAMS BEFORE THE 2020-2021 SCHOOL YEAR AND SUBMIT THESE POLICES AND PROGRAMS TO THE OFFICE OF THE STATE FIRE MARSHAL AND THE STATE DEPARTMENT OF EDUCATION FOR THEIR COLLABORATIVE REVIEW AND COMMENT BEFORE JULY 1, 2021, TO PROVIDE SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY REQUEST RELATED TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF THESE POLICIES AND PROGRAMS, AND TO EXCLUDE CHARTER SCHOOLS THAT PRIMARILY DELIVER INSTRUCTION ONLINE FROM THESE PROVISIONS; TO AMEND SECTION 59-63-910, RELATING TO REQUIRED MONTHLY FIRE DRILLS IN PUBLIC SCHOOLS, SO AS TO PROVIDE PUBLIC SCHOOLS INSTEAD SHALL CONDUCT A CERTAIN NUMBER OF FIRE DRILLS, ACTIVE SHOOTER/INTRUDER DRILLS, AND SEVERE WEATHER/EARTHQUAKE DRILLS DURING EACH SEMESTER, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION AND STATE LAW ENFORCEMENT DIVISION SHALL DEVELOP CERTAIN RELATED GUIDELINES AND DEVELOPMENTALLY APPROPRIATE TRAINING MATERIALS IN CONSULTATION WITH THE OFFICE OF THE STATE FIRE MARSHAL AND MENTAL HEALTH PROFESSIONALS EMPLOYED BY SCHOOL DISTRICTS, TO PROVIDE FOR THE PERIODIC UPDATING OF THESE GUIDELINES, TO PROVIDE THESE GUIDELINES MUST BE INCLUDED IN REQUIRED ANNUAL TEACHER COLLEGIAL DEVELOPMENT, AND TO DELETE MONETARY PENALTIES FOR NONCOMPLIANCE BY PUBLIC SCHOOL TEACHERS AND SUPERINTENDENTS; TO AMEND SECTION 59-63-920, RELATING TO OBSOLETE COMPLIANCE REPORTING REQUIREMENTS AND MONETARY PENALTIES FOR NONCOMPLIANCE WITH PUBLIC SCHOOL FIRE DRILL

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REQUIREMENTS, SO AS TO INSTEAD REQUIRE DOCUMENTATION OF COMPLIANCE AND REMOVE THESE MONETARY PENALTIES; TO REPEAL SECTION 59-63-930 RELATING TO OBSOLETE REQUIREMENTS THAT COUNTY SUPERINTENDENTS OF EDUCATION PRINT AND POST CERTAIN STATUTES RELATED TO MANDATORY PUBLIC SCHOOL FIRE DRILLS; AND TO REDESIGNATE ARTICLE 9, CHAPTER 63, TITLE 59 AS "SAFETY AND SECURITY DRILLS".  
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(R285, S. 954)-- Senators Leatherman, Setzler, Massey and Fanning:  
A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION SHALL NOT HOLD A HEARING ON THE MERITS BEFORE NOVEMBER 1, 2018, FOR A DOCKET IN WHICH REQUESTS WERE MADE PURSUANT TO THE BASE LOAD REVIEW ACT, EXCEPT THAT THE COMMISSION MAY HOLD AN ADMINISTRATIVE OR PROCEDURAL HEARING FOR SUCH A DOCKET PRIOR TO A HEARING ON THE MERITS, AND TO PROVIDE THAT THE COMMISSION MUST ISSUE A FINAL ORDER ON THE MERITS FOR A DOCKET IN WHICH REQUESTS WERE MADE PURSUANT TO THE BASE LOAD REVIEW ACT NO LATER THAN DECEMBER 21, 2018; TO PROVIDE THAT NO FINAL DETERMINATION OF MATTERS DESCRIBED IN THIS JOINT RESOLUTION, WHETHER BY A FINAL ORDER ISSUED BY THE COMMISSION OR BY OPERATION OF LAW, SHALL OCCUR EARLIER THAN THE TIME PERIOD PRESCRIBED ABOVE, AND TO PROVIDE THAT THE COMMISSION'S FAILURE TO ISSUE A FINAL ORDER PRIOR TO THE TIME PERIOD ESTABLISHED IN THIS JOINT RESOLUTION SHALL NOT CONSTITUTE APPROVAL BY THE COMMISSION, AND A UTILITY MUST NOT PUT INTO EFFECT THE CHANGE IN RATES IT REQUESTED IN ITS SCHEDULE; AND TO SUSPEND PROVISIONS IN TITLE 58 OF THE 1976 CODE THAT ARE IN CONFLICT WITH THE PROVISIONS OF THIS JOINT RESOLUTION FOR MATTERS RELATED TO THE V.C. SUMMER NUCLEAR REACTOR UNITS 2 AND 3 UNTIL THE PUBLIC SERVICE COMMISSION ISSUES ITS FINAL ORDER IN THE MATTER.

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**THURSDAY, JUNE 28, 2018**

(R286, H. 4009) -- Reps. Lucas, Williams, Crawford, Alexander, McCoy, Hiott, Clemmons, Bales, Bedingfield, Ott, G.R. Smith, Herbkersman, Sandifer and S. Rivers: AN ACT 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 COMPLEX FROM THE SALES TAX AND TO PROVIDE THE PROCESS BY WHICH A QUALIFIED COMPANY MAY CLAIM THE EXEMPTION.

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(R287, 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, Stavrakis, 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: AN ACT 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 PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST NOT ACCEPT A BASE LOAD REVIEW APPLICATION, NOR MAY IT CONSIDER ANY REQUESTS MADE PURSUANT TO ARTICLE 4, CHAPTER 33, TITLE 58, OTHER THAN IN A DOCKET CURRENTLY PENDING BEFORE THE COMMISSION, AND TO PROVIDE THAT THE PROVISIONS OF ARTICLE 4, CHAPTER 33, TITLE 58 ARE REPEALED UPON THE CONCLUSION OF LITIGATION CONCERNING THE ABANDONMENT OF V.C. SUMMER UNITS 2 AND 3; 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; TO AMEND SECTION 58-33-280, RELATING TO REQUESTS FOR



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APPROVAL OF REVISED RATES UNDER THE BASE LOAD REVIEW ACT, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION MUST GIVE SUBSTANTIAL WEIGHT TO AN AGREEMENT WHERE BOTH THE OFFICE OF REGULATORY STAFF AND THE UTILITY AGREE ON THE REVISED RATES AND INSTEAD PROVIDE IN THIS INSTANCE THAT THE COMMISSION MAY GIVE WEIGHT TO THE AGREEMENT IN ISSUING ITS REVISED RATES ORDER BUT MAY CONSIDER ADDITIONAL FACTORS AT ITS DISCRETION; TO AMEND SECTION 37-6-602, RELATING TO THE QUALIFICATIONS OF THE CONSUMER ADVOCATE WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO REVISE THESE QUALIFICATIONS; TO AMEND SECTION 37-6-604, RELATING TO THE FUNCTIONS AND DUTIES OF THE DIVISION OF CONSUMER ADVOCACY, SO AS TO DELETE A PROHIBITION AGAINST THE DIVISION REPRESENTING CONSUMERS IN UTILITY MATTERS, AND PERMIT THE CONSUMER ADVOCATE TO INTERVENE ON BEHALF OF CONSUMERS IN CERTAIN MATTERS BEFORE THE COMMISSION AND APPELLATE COURTS THAT AFFECT CONSUMERS; TO AMEND SECTION 37-6-607, RELATING TO PERMITTING THE CONSUMER ADVOCATE TO MAINTAIN ACTIONS FOR JUDICIAL REVIEW AND TO INTERVENE IN CIVIL PROCEEDINGS ON BEHALF OF CONSUMERS, SO AS TO DELETE LANGUAGE WHICH PROVIDES THAT THE ABOVE PROVISIONS DO NOT APPLY IN MATTERS ARISING UNDER TITLE 58 AFFECTING PUBLIC UTILITIES, SERVICES, AND CARRIERS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS FURTHER DEFINE THE TERM "PUBLIC INTEREST" IN REGARD TO THE OFFICE OF REGULATORY STAFF'S REPRESENTATION OF THE PUBLIC INTEREST BEFORE THE COMMISSION; TO AMEND SECTION 58-4-80, RELATING TO ACTIONS FOR JUDICIAL REVIEW OF ORDERS OF THE COMMISSION, SO AS TO PROVIDE THAT ON APPEAL, THE OFFICE OF REGULATORY STAFF DOES NOT REPRESENT THE COMMISSION; AND TO AMEND SECTION 58-4-55, RELATING TO THE PRODUCTION OF BOOKS, RECORDS, AND INFORMATION AS REQUIRED BY THE OFFICE OF REGULATORY STAFF, AND OTHER PROVISIONS RELATING TO NONCOMPLIANCE, INSPECTIONS, AUDITS, EXAMINATIONS, AND COSTS, SO AS TO REQUIRE SUCH

[SJ]

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PRODUCTION WITHOUT THE REQUIREMENT OF A CONFIDENTIALITY AGREEMENT OR PROTECTIVE ORDER, EXCEPT UNDER SPECIFIED CIRCUMSTANCES, TO PROVIDE WHEN SUCH INFORMATION MUST BE KEPT CONFIDENTIAL AND WHEN SUCH INFORMATION MAY BE DISCLOSED, TO PROVIDE SPECIFIC PROCEDURES TO PROTECT CONFIDENTIALITY, AND TO ALLOW THE OFFICE OF REGULATORY STAFF TO APPLY IN CIRCUIT COURT FOR SUBPOENAS TO BE ISSUED TO ENTITIES OVER WHICH THE COMMISSION DOES NOT HAVE JURISDICTION.

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(R288, H. 4676) -- Reps. Collins and Felder: AN ACT 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 EXPAND APPROVAL AUTHORITY FOR CERTAIN DRIVERS' LICENSES FOR MINORS.

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(R289, 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: AN ACT TO AMEND SECTION 59-103-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MISSIONS AND FOCUSES OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE APPLIED BACCALAUREATE IN ADVANCED MANUFACTURING TECHNOLOGY DEGREES, AND TO PROVIDE AUTHORIZATIONS OF SUCH DEGREES ONLY ARE ALLOWED WHEN NEW STATE GENERAL FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAMS.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

[SJ]

**THURSDAY, JUNE 28, 2018**

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.272, H. 4973 by a vote of 74 to 17:

(R272, H4973) -- Reprs. Bales, Taylor, Brown, Hosey, Simrill, Hixon, Blackwell and Young: AN ACT TO AMEND SECTION 56-3-2150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL LICENSE PLATES ISSUED TO CERTAIN CURRENT AND RETIRED PUBLIC OFFICIALS, SO AS TO DELETE THE PROVISION THAT REQUIRES A FORMER MEMBER OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT BENEFITS TO OBTAIN A SPECIAL LICENSE PLATE, TO PROVIDE THAT A FORMER MEMBER OF THE GENERAL ASSEMBLY MAY BE ISSUED TWO SPECIAL LICENSE PLATES, AND TO PROVIDE THAT A PERSON WHO RESIGNS FROM OFFICE AS A RESULT OF AN INVESTIGATION OR CONVICTION OF CERTAIN CRIMES MAY NOT APPLY FOR OR MAINTAIN A SPECIAL LICENSE PLATE; TO AMEND SECTION 56-3-2350, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ISSUANCE OF A SPECIAL REGISTRATION FOR A PERSON ENGAGED IN THE BUSINESS OF OPERATING MOTOR VEHICLES TO FACILITATE THE MOVEMENT OF CERTAIN VEHICLES, SO AS TO DEFINE THE TERM "FINANCIAL INSTITUTION", AND TO PROVIDE THAT A FINANCIAL INSTITUTION ENGAGED IN THE BUSINESS OF REPOSSESSING VEHICLES UNDER CERTAIN CIRCUMSTANCES MAY APPLY FOR SPECIAL REGISTRATION PURSUANT TO THIS PROVISION, TO REVISE THE APPLICATION FOR PERSONS ENGAGED IN THE BUSINESS OF OPERATING VEHICLES TO MOVE VEHICLES FROM A MANUFACTURER TO A DEALER OR DISTRIBUTOR OR FROM A RAILROAD TERMINAL TO CERTAIN LOCATIONS, AND TO PROVIDE THAT ALL REGISTRATION RECORDS AND REGISTERED VEHICLES MUST BE AVAILABLE TO THE DEPARTMENT FOR INSPECTION; AND TO AMEND SECTION 56-3-2370, RELATING TO THE TRANSFER OF TRANSPORTER LICENSE PLATES, SO AS TO REVISE THE PURPOSES FOR WHICH THE LICENSE PLATES MAY BE USED.

[SJ]

**THURSDAY, JUNE 28, 2018**

Very respectfully,  
Speaker of the House

Received as information.

**OVERRIDDEN**

(R272, H4973) -- Reps. Bales, Taylor, Brown, Hosey, Simrill, Hixon, Blackwell and Young: AN ACT TO AMEND SECTION 56-3-2150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL LICENSE PLATES ISSUED TO CERTAIN CURRENT AND RETIRED PUBLIC OFFICIALS, SO AS TO DELETE THE PROVISION THAT REQUIRES A FORMER MEMBER OF THE GENERAL ASSEMBLY TO RECEIVE RETIREMENT BENEFITS TO OBTAIN A SPECIAL LICENSE PLATE, TO PROVIDE THAT A FORMER MEMBER OF THE GENERAL ASSEMBLY MAY BE ISSUED TWO SPECIAL LICENSE PLATES, AND TO PROVIDE THAT A PERSON WHO RESIGNS FROM OFFICE AS A RESULT OF AN INVESTIGATION OR CONVICTION OF CERTAIN CRIMES MAY NOT APPLY FOR OR MAINTAIN A SPECIAL LICENSE PLATE; TO AMEND SECTION 56-3-2350, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ISSUANCE OF A SPECIAL REGISTRATION FOR A PERSON ENGAGED IN THE BUSINESS OF OPERATING MOTOR VEHICLES TO FACILITATE THE MOVEMENT OF CERTAIN VEHICLES, SO AS TO DEFINE THE TERM "FINANCIAL INSTITUTION", AND TO PROVIDE THAT A FINANCIAL INSTITUTION ENGAGED IN THE BUSINESS OF REPOSSESSING VEHICLES UNDER CERTAIN CIRCUMSTANCES MAY APPLY FOR SPECIAL REGISTRATION PURSUANT TO THIS PROVISION, TO REVISE THE APPLICATION FOR PERSONS ENGAGED IN THE BUSINESS OF OPERATING VEHICLES TO MOVE VEHICLES FROM A MANUFACTURER TO A DEALER OR DISTRIBUTOR OR FROM A RAILROAD TERMINAL TO CERTAIN LOCATIONS, AND TO PROVIDE THAT ALL REGISTRATION RECORDS AND REGISTERED VEHICLES MUST BE AVAILABLE TO THE DEPARTMENT FOR INSPECTION; AND TO AMEND SECTION 56-3-2370, RELATING TO THE TRANSFER OF TRANSPORTER LICENSE PLATES, SO AS TO REVISE THE PURPOSES FOR WHICH THE LICENSE PLATES MAY BE USED.

The veto of the Governor was taken up for immediate consideration.

Senator GROOMS explained the veto.

[SJ]

**THURSDAY, JUNE 28, 2018**

Senator GROOMS moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

**Ayes 34; Nays 6**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Massey	<i>Matthews, John</i>	McElveen
Nicholson	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Turner	Verdin
Young		

**Total--34**

**NAYS**

<i>Matthews, Margie</i>	Peeler	Rice
Senn	Talley	Timmons

**Total--6**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**ACTING PRESIDENT PRESIDES**

Senator GOLDFINCH assumed the Chair.

**MESSAGE FROM THE GOVERNOR  
STATE OF SOUTH CAROLINA  
OFFICE OF THE GOVERNOR**

[SJ]

**THURSDAY, JUNE 28, 2018**

May 19, 2018

The Honorable Kevin L. Bryant  
President of the Senate  
State House, First Floor, East Wing  
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-230, S. 1160, which seeks to authorize the Board of Trustees of the Charleston County School District to receive a monthly stipend and to set the amount of the same. Although I recognize and appreciate the time and energy that many school board members dedicate to their duties, for the reasons set forth below, I am compelled to veto S. 1160.

Under current law, the members of the Board of Trustees serve without pay but receive mileage and a per diem for meetings actually attended. S. 1160 would allow the Board of Trustees to establish compensation in an amount up to \$9,600 per year for members and up to \$10,800 per year for the board chairman. Such an increase would represent a total cost to Charleston County taxpayers of over \$87,000, which would more than cover two teachers' starting salaries or could instead be used to increase those salaries.

Article III, section 34 of the South Carolina Constitution expressly prohibits the General Assembly from enacting local or special laws "where a general law can be made applicable," S.C. Const. art. III, § 34(IX); however, our courts have held that greater deference is warranted when local legislation relates to the General Assembly's article XI authority to establish, organize, and support a system of public schools. Nevertheless, as I have previously noted in vetoing similar special legislation, there is an assortment of authorities governing South Carolina's school districts. Consequently, school districts have varying degrees of fiscal autonomy, and there is no uniform method of compensating school board members. In some school districts, board members serve without pay, whereas in others, board members receive in excess of \$15,000 per year.

I believe that decisions of this nature—concerning the operation and financial affairs of local school districts and the compensation of their board members—should be made primarily by the citizens of the affected communities and their local elected representatives. Instead of

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micromanaging matters such as the compensation of school board members through piecemeal and inconsistent special legislation, the State should allow local officials to make these decisions and trust their constituents to hold them accountable—but, again, not through constitutionally suspect special legislation such as this. Rather, like several of my predecessors, I maintain that the General Assembly should enact statewide legislation that provides uniform authority and autonomy to all of South Carolina’s school districts.

For the foregoing reasons, I am respectfully vetoing R-230, S. 1160 and returning the same without my signature.

Yours very truly,  
Henry McMaster

Received as information.

**VETO OVERRIDDEN**

(R230, S1160) -- Senators Campsen, Kimpson, Goldfinch, Campbell, Bennett, Grooms, M.B. Matthews and Senn: AN ACT TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT THE MEMBERS OF THE BOARD OF TRUSTEES MAY ESTABLISH COMPENSATION FOR BOARD MEMBERS IN AN AMOUNT UP TO EIGHT HUNDRED DOLLARS PER MONTH, AND NINE HUNDRED DOLLARS PER MONTH FOR THE CHARLESTON COUNTY SCHOOL BOARD CHAIRMAN, AND TO PROVIDE THAT ANY COMPENSATION AMOUNT ESTABLISHED BY THE BOARD OF TRUSTEES MUST NOT TAKE EFFECT UNTIL AFTER THE NEXT REGULARLY SCHEDULED ELECTION FOR BOARD MEMBERS.

The veto of the Governor was taken up for immediate consideration.

Senator CAMPSEN moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

**Ayes 37; Nays 0**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.230, S. 1160 by a vote of 70 to 15:

(R230, S1160) -- Senators Campsen, Kimpson, Goldfinch, Campbell, Bennett, Grooms, M.B. Matthews and Senn: AN ACT TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT THE MEMBERS OF THE BOARD OF TRUSTEES MAY ESTABLISH COMPENSATION FOR BOARD MEMBERS IN AN AMOUNT UP TO EIGHT HUNDRED DOLLARS PER MONTH, AND NINE HUNDRED DOLLARS PER MONTH FOR THE CHARLESTON COUNTY SCHOOL BOARD

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CHAIRMAN, AND TO PROVIDE THAT ANY COMPENSATION AMOUNT ESTABLISHED BY THE BOARD OF TRUSTEES MUST NOT TAKE EFFECT UNTIL AFTER THE NEXT REGULARLY SCHEDULED ELECTION FOR BOARD MEMBERS.

**PRESIDENT PRESIDES**

The PRESIDENT assumed the Chair.

**Message from the House**

Columbia, S.C., June 28, 2018

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.287, H. 4375 by a vote of 110 to 1:

(R287, H4375) -- Reps. McCoy, Ott, Lucas, Anderson, Ballentine, Blackwell, Caskey, Crawford, Crosby, Davis, Finlay, Forrester, Gilliard, Hardee, Henegan, Hixon, Mack, Pope, Rutherford, J.E. Smith, Sandifer, Stavrakis, 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: AN ACT 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 PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST NOT ACCEPT A BASE LOAD REVIEW APPLICATION, NOR MAY IT CONSIDER ANY REQUESTS MADE PURSUANT TO ARTICLE 4, CHAPTER 33, TITLE 58, OTHER THAN IN A DOCKET CURRENTLY PENDING BEFORE THE COMMISSION, AND TO PROVIDE THAT THE PROVISIONS OF ARTICLE 4, CHAPTER 33, TITLE 58 ARE REPEALED UPON THE CONCLUSION OF LITIGATION CONCERNING THE ABANDONMENT OF V.C. SUMMER UNITS 2 AND 3; 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

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**THURSDAY, JUNE 28, 2018**

DO NOT APPLY IN REGARD TO THE ADJUSTMENT OF ELECTRICITY RATES AS PROVIDED BY CHAPTER 34; TO AMEND SECTION 58-33-280, RELATING TO REQUESTS FOR APPROVAL OF REVISED RATES UNDER THE BASE LOAD REVIEW ACT, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION MUST GIVE SUBSTANTIAL WEIGHT TO AN AGREEMENT WHERE BOTH THE OFFICE OF REGULATORY STAFF AND THE UTILITY AGREE ON THE REVISED RATES AND INSTEAD PROVIDE IN THIS INSTANCE THAT THE COMMISSION MAY GIVE WEIGHT TO THE AGREEMENT IN ISSUING ITS REVISED RATES ORDER BUT MAY CONSIDER ADDITIONAL FACTORS AT ITS DISCRETION; TO AMEND SECTION 37-6-602, RELATING TO THE QUALIFICATIONS OF THE CONSUMER ADVOCATE WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO REVISE THESE QUALIFICATIONS; TO AMEND SECTION 37-6-604, RELATING TO THE FUNCTIONS AND DUTIES OF THE DIVISION OF CONSUMER ADVOCACY, SO AS TO DELETE A PROHIBITION AGAINST THE DIVISION REPRESENTING CONSUMERS IN UTILITY MATTERS, AND PERMIT THE CONSUMER ADVOCATE TO INTERVENE ON BEHALF OF CONSUMERS IN CERTAIN MATTERS BEFORE THE COMMISSION AND APPELLATE COURTS THAT AFFECT CONSUMERS; TO AMEND SECTION 37-6-607, RELATING TO PERMITTING THE CONSUMER ADVOCATE TO MAINTAIN ACTIONS FOR JUDICIAL REVIEW AND TO INTERVENE IN CIVIL PROCEEDINGS ON BEHALF OF CONSUMERS, SO AS TO DELETE LANGUAGE WHICH PROVIDES THAT THE ABOVE PROVISIONS DO NOT APPLY IN MATTERS ARISING UNDER TITLE 58 AFFECTING PUBLIC UTILITIES, SERVICES, AND CARRIERS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS FURTHER DEFINE THE TERM "PUBLIC INTEREST" IN REGARD TO THE OFFICE OF REGULATORY STAFF'S REPRESENTATION OF THE PUBLIC INTEREST BEFORE THE COMMISSION; TO AMEND SECTION 58-4-80, RELATING TO ACTIONS FOR JUDICIAL REVIEW OF ORDERS OF THE COMMISSION, SO AS TO PROVIDE THAT ON APPEAL, THE OFFICE OF REGULATORY STAFF DOES NOT REPRESENT THE COMMISSION; AND TO AMEND SECTION 58-4-55, RELATING TO THE PRODUCTION OF BOOKS, RECORDS, AND INFORMATION AS REQUIRED BY THE OFFICE

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OF REGULATORY STAFF, AND OTHER PROVISIONS RELATING TO NONCOMPLIANCE, INSPECTIONS, AUDITS, EXAMINATIONS, AND COSTS, SO AS TO REQUIRE SUCH PRODUCTION WITHOUT THE REQUIREMENT OF A CONFIDENTIALITY AGREEMENT OR PROTECTIVE ORDER, EXCEPT UNDER SPECIFIED CIRCUMSTANCES, TO PROVIDE WHEN SUCH INFORMATION MUST BE KEPT CONFIDENTIAL AND WHEN SUCH INFORMATION MAY BE DISCLOSED, TO PROVIDE SPECIFIC PROCEDURES TO PROTECT CONFIDENTIALITY, AND TO ALLOW THE OFFICE OF REGULATORY STAFF TO APPLY IN CIRCUIT COURT FOR SUBPOENAS TO BE ISSUED TO ENTITIES OVER WHICH THE COMMISSION DOES NOT HAVE JURISDICTION.

Very respectfully,

Speaker of the House

Received as information.

**OVERRIDDEN**

(R287, H4375) -- 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, Martin, Magnuson, Bennett, Arrington, Daning, Weeks, Henderson and Govan: AN ACT 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 PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST NOT ACCEPT A BASE LOAD REVIEW APPLICATION, NOR MAY IT CONSIDER ANY REQUESTS MADE PURSUANT TO ARTICLE 4, CHAPTER 33, TITLE 58, OTHER THAN IN A DOCKET CURRENTLY PENDING BEFORE THE COMMISSION, AND TO PROVIDE THAT THE PROVISIONS OF ARTICLE 4, CHAPTER 33, TITLE 58 ARE REPEALED UPON THE CONCLUSION OF LITIGATION CONCERNING THE ABANDONMENT OF V.C. SUMMER UNITS 2 AND 3; 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

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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; TO AMEND SECTION 58-33-280, RELATING TO REQUESTS FOR APPROVAL OF REVISED RATES UNDER THE BASE LOAD REVIEW ACT, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION MUST GIVE SUBSTANTIAL WEIGHT TO AN AGREEMENT WHERE BOTH THE OFFICE OF REGULATORY STAFF AND THE UTILITY AGREE ON THE REVISED RATES AND INSTEAD PROVIDE IN THIS INSTANCE THAT THE COMMISSION MAY GIVE WEIGHT TO THE AGREEMENT IN ISSUING ITS REVISED RATES ORDER BUT MAY CONSIDER ADDITIONAL FACTORS AT ITS DISCRETION; TO AMEND SECTION 37-6-602, RELATING TO THE QUALIFICATIONS OF THE CONSUMER ADVOCATE WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO REVISE THESE QUALIFICATIONS; TO AMEND SECTION 37-6-604, RELATING TO THE FUNCTIONS AND DUTIES OF THE DIVISION OF CONSUMER ADVOCACY, SO AS TO DELETE A PROHIBITION AGAINST THE DIVISION REPRESENTING CONSUMERS IN UTILITY MATTERS, AND PERMIT THE CONSUMER ADVOCATE TO INTERVENE ON BEHALF OF CONSUMERS IN CERTAIN MATTERS BEFORE THE COMMISSION AND APPELLATE COURTS THAT AFFECT CONSUMERS; TO AMEND SECTION 37-6-607, RELATING TO PERMITTING THE CONSUMER ADVOCATE TO MAINTAIN ACTIONS FOR JUDICIAL REVIEW AND TO INTERVENE IN CIVIL PROCEEDINGS ON BEHALF OF CONSUMERS, SO AS TO DELETE LANGUAGE WHICH PROVIDES THAT THE ABOVE PROVISIONS DO NOT APPLY IN MATTERS ARISING UNDER TITLE 58 AFFECTING PUBLIC UTILITIES, SERVICES, AND CARRIERS; TO AMEND SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS FURTHER DEFINE THE TERM "PUBLIC INTEREST" IN REGARD TO THE OFFICE OF REGULATORY STAFF'S REPRESENTATION OF THE PUBLIC INTEREST BEFORE THE COMMISSION; TO AMEND SECTION 58-4-80, RELATING TO ACTIONS FOR JUDICIAL REVIEW OF ORDERS OF THE COMMISSION, SO AS TO PROVIDE THAT ON APPEAL, THE OFFICE OF REGULATORY STAFF DOES NOT

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REPRESENT THE COMMISSION; AND TO AMEND SECTION 58-4-55, RELATING TO THE PRODUCTION OF BOOKS, RECORDS, AND INFORMATION AS REQUIRED BY THE OFFICE OF REGULATORY STAFF, AND OTHER PROVISIONS RELATING TO NONCOMPLIANCE, INSPECTIONS, AUDITS, EXAMINATIONS, AND COSTS, SO AS TO REQUIRE SUCH PRODUCTION WITHOUT THE REQUIREMENT OF A CONFIDENTIALITY AGREEMENT OR PROTECTIVE ORDER, EXCEPT UNDER SPECIFIED CIRCUMSTANCES, TO PROVIDE WHEN SUCH INFORMATION MUST BE KEPT CONFIDENTIAL AND WHEN SUCH INFORMATION MAY BE DISCLOSED, TO PROVIDE SPECIFIC PROCEDURES TO PROTECT CONFIDENTIALITY, AND TO ALLOW THE OFFICE OF REGULATORY STAFF TO APPLY IN CIRCUIT COURT FOR SUBPOENAS TO BE ISSUED TO ENTITIES OVER WHICH THE COMMISSION DOES NOT HAVE JURISDICTION.

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER explained the veto.

Senator LEATHERMAN moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

**Ayes 39; Nays 0**

**AYES**

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

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Scott	Senn	Setzler
Shealy	Talley	Timmons
Turner	Verdin	Young

**Total--39**

**NAYS**

**Total--0**

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**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 APPOINTMENT**

**Confirmation**

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

**Statewide Appointment**

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence May 19, 2016, and to expire May 19, 2023

5th Congressional District:

Charles H. Leaird, 1030 Foxridge Court, Sumter, SC 29150 *VICE*  
Alfred Reid

On motion of Senator Rankin, the question was confirmation of Charles H. Leaird.

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

**Ayes 25; Nays 12**

**AYES**

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Alexander	Cromer	Fanning
Gambrell	Grooms	Hembree
Hutto	Jackson	Johnson
Leatherman	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Rankin	Reese
Sabb	Scott	Setzler
Shealy	Turner	Verdin
Young		

**Total--25**

**NAYS**

Bennett	Campbell	Campsen
Cash	Climer	Corbin
Davis	Goldfinch	Gregory
Massey	Rice	Talley

**Total--12**

The appointment of Charles H. Leaird was confirmed.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of (Retired) Lt. Col. Warren C. "Dusty" Schulze of Greenwood, S.C. He attended Mason County Schools and graduated from Texas A&M in 1942. Upon graduation, he was commissioned to serve in the United States Army. Dusty, as he was affectionately called, was awarded numerous awards and decorations for his many acts of valor. He will be dearly missed by all who knew him.

**Motion Adopted**

At 4:35 P.M., on motion of Senator LEATHERMAN, the Senate adjourned pursuant to H. 5383, the *Sine Die* Resolution.

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