

NO. 70

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

TUESDAY, MAY 21, 2019
(STATEWIDE SESSION)

Tuesday, May 21, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 1:00 p.m.
Deliberations were opened with prayer by the SPEAKER as follows:

Our thought for today is from Joshua 24:15: “But as for me and my household, we will serve the Lord.”

Let us pray. Dear God, we give thanks for Your faithfulness whether we are as bold as Joshua or not. Guide these Representatives and staff that they will make the right decisions for the betterment of the people of South Carolina. Give them the wisdom and courage to do the right thing. We remember our defenders of freedom and first responders as they protect and care for us. Bless our Nation, President, State, Governor, Speaker, staff, and all who give of their time and effort to this great cause. Heal the wounds, those seen and those unseen, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. HYDE moved that when the House adjourns, it adjourn in memory of his brother, Warner Hyde, which was agreed to.

Warner Fusselle Hyde

Ladies and Gentlemen of the House,

I move that we adjourn today in memory of my brother, my only sibling, Warner Fusselle Hyde, who died almost a year ago on May 31—unexpectedly, peacefully—at the young age of 39.

I called him Wardog.

Warner was a very talented artist, focusing on ceramic sculpture. For many years, he served as a tenured art professor at Meredith College. He had a sharp eye for art and for nature; he understood their reciprocal relationship. I think both of them brought him closer to God.

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He loved, with all his heart, the mountains, and he and I had many good times together there.

Most importantly, he was a wonderful father to his two children: Lucy Boone, his daughter, and Hudson, his son. He was very proud of them. And he was devoted, totally, to his loving wife, Tracy.

One of the last things Warner ever said to me was that I would make an excellent representative. He always believed in me, always encouraged me.

I love him and miss him very much.

And, I thank you for helping me honor him and remember him today. Thank you.

Rep. Max Hyde

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time for the purpose of ratifying Acts.

Very respectfully,
President

On motion of Rep. HYDE the invitation was accepted.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference on the following Bill, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

H. 3601 -- Reprs. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS

[HJ]

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TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL
DISCHARGE FOR FIRST TIME OFFENDERS.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference on the following Bill, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

H. 3137 -- Reprs. G. M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE ADJUSTED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE OR DECREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE ADJUSTMENT, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Very respectfully,
President
Received as information.

[HJ]

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HOUSE RESOLUTION

The following was introduced:

H. 4622 -- Rep. Allison: A HOUSE RESOLUTION TO CONGRATULATE AMAZON'S SPARTANBURG FULFILLMENT CENTER ON YEARS OF CONTINUED SUCCESS AND TO RECOGNIZE THE EFFORTS OF THE FACILITY'S LEADERSHIP TO SUPPORT THEIR COMMUNITY BY DONATING CRITICAL EMERGENCY EQUIPMENT TO FIRST RESPONDERS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4623 -- Rep. Mack: A HOUSE RESOLUTION TO CONGRATULATE DR. DANIEL T. LACKLAND, PROFESSOR OF EPIDEMIOLOGY AT THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOR HIS LAUDABLE CONTRIBUTIONS TO THE ADVANCEMENT OF THE FIELD OF CARDIOVASCULAR EPIDEMIOLOGY AND POPULATION HIGH BLOOD PRESSURE CONTROL, AND TO CELEBRATE FRIDAY, MAY 17, 2019, AS "WORLD HYPERTENSION DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4624 -- Reps. Fry, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott,

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Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DAVID LEROY JOHNSON FOR HIS NOTEWORTHY ACHIEVEMENTS IN THE BOY SCOUTS OF AMERICA AND TO CONGRATULATE HIM UPON ACHIEVING THE PRESTIGIOUS RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4625 -- Reprs. Clyburn, Hixon, Taylor, Blackwell, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Bradley, Brawley, Brown, Bryant, Burns, Calhoun, Caskey, Chellis, Chumley, Clary, Clemmons, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE HONORABLE RONALD "RONNIE" YOUNG OF AIKEN COUNTY, AND TO EXTEND THEIR PROFOUND SORROW TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

[HJ]

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Whereas, the members of the South Carolina House of Representatives were genuinely saddened to learn of the death of their highly respected colleague Ronnie Young at the age of seventy-one on May 19, 2019; and

Whereas, born on August 19, 1947, he was the son of the late Norris and the late Earlene Renew Young, and he attended Leavelle McCampbell and graduated from Langley-Bath-Clearwater High School; and

Whereas, before Representative Young was elected to the House of Representatives, he served for more than two decades as chairman of the Aiken County Council, bringing the county its largest economic development projects; and

Whereas, with great vigor and a deep sense of responsibility, he served his community as a past chairman of Valley Public Service Authority, past president of Graniteville Exchange Club, and past member and past president-elect of the South Carolina Association of Counties. He also served on the Aiken County School Board and the board of directors of the Lower Savannah River Council of Governments, serving twice as its chairman; and

Whereas, Representative Young was elected to serve the citizens of Aiken County's District 84 in the South Carolina House of Representatives in 2017 and began serving in May of that year. He served as the first vice chair of the Education and Public Works Committee and as a member of the Rules Committee; and

Whereas, for his remarkable service to the Palmetto State, he was honored recently by Governor Henry McMaster with South Carolina's Order of the Palmetto, the state's highest civilian honor; and

Whereas, a faithful member of Sweetwater Church of God, Representative Young resided in the community of Clearwater; and

Whereas, he is survived by his beloved wife, Susan Napier, to whom he was married for forty-eight years; a sister, Patricia Boyd, of Warrenton; and two brothers-in-law, a sister-in-law, and several nieces and nephews. In addition to his parents, he was predeceased by his daughter, Tabatha Young, and his brother, Terry Young; and

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Whereas, highly respected by his colleagues, he was often sought for his keen and perceptive advice, and he diligently pursued solutions to the state's major issues; and

Whereas, the South Carolina House of Representatives is grateful for the life and legacy of Ronnie Young, and the members will long appreciate the outstanding example of public service set by our trusted friend and colleague. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, express their deepest sympathy upon the passing of the Honorable Ronald "Ronnie" Young of Aiken County and extend their profound sorrow to his loving family and his many friends.

Be it further resolved that a copy of this resolution be presented to the family of the Honorable Ronald "Ronnie" Young.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4626 -- Reps. McDaniel, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams,

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Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE HONORABLE BISHOP C. M. BAILEY FOR HIS MINISTRY IN WINNSBORO AND BEYOND AND TO WELCOME HIM TO THE PALMETTO STATE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4627 -- Reps. Calhoon, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE LEXINGTON HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND FOR WINNING THE 2019 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4628 -- Reps. Crawford, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell,

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Collins, B. Cox, W. Cox, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE RODNEY EDWARD WILSON FOR HIS REMARKABLE ACCOMPLISHMENTS IN THE BOY SCOUTS OF AMERICA AND TO SALUTE HIM UPON ACHIEVING THE CELEBRATED RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4629 -- Reps. Govan, Cobb-Hunter, Hosey, Ott, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE

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RESOLUTION TO CONGRATULATE ROGER CLECKLEY, AUDITOR FOR ORANGEBURG COUNTY, UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN THREE DECADES OF OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4630 -- Reprs. Jordan, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE ESTHER EDENS DUBOSE, A KINDERGARTEN TEACHER AT ROYALL ELEMENTARY SCHOOL, UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY-TWO YEARS OF OUTSTANDING SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4631 -- Reps. Johnson, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE HEIDI DICKERSON UPON BEING NAMED AYNOR HIGH SCHOOL'S TEACHER OF THE YEAR AND TO WISH HER CONTINUED DELIGHT IN TEACHING CHILDREN IN THE PALMETTO STATE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4632 -- Rep. McDaniel: A HOUSE RESOLUTION TO CONGRATULATE BISHOP DAVID THEODORE GINYARD ON THE OCCASION OF HIS ORDINATION AS BISHOP OF SPIRITUAL WAY CHURCH OF CHRIST AND TO WISH HIM MUCH CONTINUED SUCCESS AND HAPPINESS.

The Resolution was adopted.

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ROLL CALL

The roll call of the House of Representatives was taken resulting as

follows:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCrary
McDaniel	McKnight	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Trantham
West	Wheeler	White

[HJ]

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Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total Present--114

LEAVE OF ABSENCE

The SPEAKER granted Rep. TOOLE a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. HENEGAN a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. RIDGEWAY a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. MCCOY a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. WEEKS a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. SANDIFER a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. MCGINNIS a leave of absence for the day due to medical reasons.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on

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second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

CO-SPONSORS ADDED

Bill Number: H. 3063
Date: ADD:
05/21/19 OTT, MCDANIEL and HOSEY

CO-SPONSORS ADDED

Bill Number: H. 4431
Date: ADD:
05/21/19 HEWITT and POPE

CO-SPONSOR ADDED

Bill Number: H. 4482
Date: ADD:
05/21/19 FORREST

CO-SPONSOR ADDED

Bill Number: H. 4595
Date: ADD:
05/21/19 HILL

CO-SPONSOR ADDED

Bill Number: H. 4596
Date: ADD:
05/21/19 HILL

CO-SPONSOR ADDED

Bill Number: H. 4593
Date: ADD:
05/21/19 HILL

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CO-SPONSOR ADDED

Bill Number: H. 4594
Date: ADD:
05/21/19 HILL

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3821:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE

[HJ]

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REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,
President

Received as information.

H. 3821--ORDERED ENROLLED FOR RATIFICATION

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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4004:

H. 4004 -- Reps. Clary, G. M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO HEALTH CARE WHERE THE PATIENT HAS BEEN DIAGNOSED WITH A SERIOUS ILLNESS OR MAY BE EXPECTED TO LOSE CAPACITY WITHIN TWELVE MONTHS; TO REQUIRE HEALTH CARE PROVIDERS

[HJ]

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AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; TO ALLOW A POST FORM TO BE REVOKED BY THE PATIENT OR PATIENT'S LEGAL REPRESENTATIVE; AND FOR OTHER PURPOSES.

Very respectfully,
President
Received as information.

H. 4004--ORDERED ENROLLED FOR RATIFICATION

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.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019
Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Davis, Gambrell and Johnson of the Committee of Free Conference on the part of the Senate on H. 3602:

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Very respectfully,
President
Received as information.

[HJ]

TUESDAY, MAY 21, 2019

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 3602 :

H. 3602 -- Reprs. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

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

Very respectfully,

President

Received as information.

H. 3789--CONFERENCE REPORT ADOPTED

H. 3789 -- Conference Report

The General Assembly, Columbia, S.C., May 17, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3789 -- Reprs. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE

[HJ]

TUESDAY, MAY 21, 2019

FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 56-1-35 of the 1976 Code is amended to read:

“Section 56-1-35. A member of the armed services of the United States ~~and his dependents, who become~~ or his dependent who becomes a permanent ~~residents~~ resident of this State, ~~have~~ has ninety days to apply for a South Carolina driver's license, and ~~they~~ he must be issued a license without examination except for the visual test required by Section 56-1-210 if ~~they have~~ he has a valid driver's license from another state or territory of the United States, ~~or the District of Columbia~~. The license expires ~~on the licensee's birth date which occurs within the fourth calendar year in which the license is issued~~ eight years from the date of issue.”

SECTION 2. Section 56-1-40(7) of the 1976 Code is amended to read:

“(7) who is not a resident of South Carolina. For purposes of determining eligibility to obtain or renew a South Carolina driver's license, the term 'resident of South Carolina' shall expressly include all persons authorized by the United States Department of Justice, the United States Immigration and Naturalization Service, or the United States Department of State to live, work, or study in the United States on a temporary or permanent basis who present documents indicating their

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intent to live, work, or study in South Carolina. These persons and their dependents are eligible to obtain a motor vehicle driver's license or have one renewed pursuant to this provision. A driver's license issued pursuant to this item to a person who is not a lawful permanent resident of the United States shall expire on the later of: (1) the expiration date of the driver's license applicant's authorized period of stay in the United States; or (2) the expiration date of the driver's license applicant's employment authorization document. However, ~~in no event shall~~ a driver's license issued pursuant to this item ~~expire less than~~ is valid for at least one year or but not more than five eight years from the date of its issue. Under this provision, a driver's license valid for not more than four years must be issued upon payment of a fee of twelve dollars and fifty cents. A driver's license that is valid for more than four years must be issued upon payment of a fee of twenty-five dollars. In addition, a person pending adjustment of status who presents appropriate documentation to the Department of Motor Vehicles shall be granted a one-year extension of his driver's license which is renewable annually;"

SECTION 3. Section 56-1-140 of the 1976 Code is amended to read:

"Section 56-1-140. (A) Upon payment of a fee of twenty-five dollars for a license that is valid for eight years, the department shall issue to every qualified applicant a driver's license as applied for by law. The license must bear on it a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a brief description and laminated colored photograph of the licensee, any marking otherwise required or in compliance with law, and a facsimile of the signature of the licensee. No license is valid until it has been so signed by the licensee. The license authorizes the licensee to operate only those classifications of vehicles as indicated on the license.

(B) An applicant for a new, renewed, or replacement driver's license may apply to the department to obtain a veteran designation on the front of his driver's license by providing a:

(1) United States Department of Defense discharge certificate, also known as a DD Form 214, ~~Form 4~~, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States armed forces;

(2) National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable

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conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person's eligibility for retirement pay at age sixty (twenty-year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C) The department may determine the appropriate form of the veteran designation on the driver's license authorized pursuant to this section.

~~(C)~~(D) The fees collected pursuant to this section must be credited to the Department of Transportation State Non-Federal Aid Highway Fund.”

SECTION 4. Section 56-1-210(A) of the 1976 Code is amended to read:

~~“(A) A license issued or renewed on or after October 1, 2017, expires eight years from the date of issue on the licensee's birth date on the eighth calendar year in which it is issued.”~~

SECTION 5. Section 56-1-2100(E) of the 1976 Code is amended to read:

“(E) Upon payment of a fee of twenty-five dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is no associated HAZMAT endorsement issued by the department expires eight years from the date of issue on the licensee's birth date on the fifth calendar year after the calendar year in which it is issued. Upon payment of a fee of fifteen dollars and any fee assessed by any associated federal agency, a commercial driver license for which there is an associated HAZMAT endorsement issued by the department expires five years from the date the applicant passed the Transportation Security Administration threat assessment.”

SECTION 6. Section 56-1-3350(B), (C) and (D) of the 1976 Code is amended to read:

~~“(B) An applicant for a new, renewed, or replacement South Carolina driver's license identification card may apply to the Department of Motor Vehicles to obtain a veteran designation on the front of his driver's license identification card by providing a:~~

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(1) United States Department of Defense discharge certificate, also known as a DD Form 214, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service in the United States armed forces; ~~and~~

~~(2) payment of a one dollar fee that must be collected by the department and placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167~~ National Guard Report of Separation and Record of Service, also known as an NGB Form 22, that shows a characterization of service, or discharge status of 'honorable' or 'general under honorable conditions' and establishes the person's qualifying military service of at least twenty years in the National Guard; or

(3) Veterans Identification Card (VIC) or a letter from a Military Reserve component notifying the recipient of the person's eligibility for retirement pay at age sixty (twenty-year letter). A Veterans Health Identification Card (VHIC) may not be accepted.

(C)(1) The fee for the issuance of the special identification card is ~~five~~ fifteen dollars for a person between the ages of five and sixteen years.

(2) ~~A~~ One identification card must be issued free to a person aged seventeen years or older per issuance cycle. A ten-dollar fee must be charged to replace a special identification card before its expiration date.

(D) The identification card expires ~~five~~ eight years from the date of issuance. A person is not permitted to have more than one valid motor vehicle driver's license or identification card at any time."

SECTION 7. Section 56-1-2080(3) of the 1976 Code is amended to read:

~~"(3) The commercial driver instruction permit may not be issued for longer than six months one year. Only one renewal or reissuance may be granted within a two-year period."~~

SECTION 8. This act takes effect six months after approval by the Governor. /

Amend title to conform.

/s/Sen. Lawrence Kelly "Larry" Grooms /s/Rep. Ivory Torrey Thigpen

/s/Sen. Kevin L. Johnson /s/Rep. Richard "Richie" Yow

/s/Sen. David Wesley "Wes" Climer /s/Rep. Linda "Lin" Bennett

On Part of the Senate.

On Part of the House.

[HJ]

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Rep. BENNETT explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Hyde	Jefferson	Jones
Kimmons	King	Kirby
Long	Lucas	Mace
Mack	Magnuson	Martin
McCrary	McDaniel	McKnight
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Trantham	West
Wheeler	White	Whitmire

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R. Williams
Wooten

S. Williams

Willis

Total--103

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4000:

H. 4000 -- 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, 2019, 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,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4001:

[HJ]

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H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,
President
Received as information.

**H. 4000--RULE 5.14 WAIVED AND CONFERENCE REPORT
ADOPTED**

H. 4000 - Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4000 -- 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, 2019, 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 5/7/19-H.)

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

Rep. G. M. SMITH explained the Conference Report.

RULE 5.14 WAIVED

Rep. Simrill moved to dispense with Rule 5.14, pursuant to Rule 5.15.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 97; Nays 2

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Clary	Clemmons	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Kimmons	King
Kirby	Ligon	Long
Lucas	Mace	Mack
Magnuson	McCravy	McDaniel
McKnight	D. C. Moss	V. S. Moss
Murphy	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Trantham	West	White
R. Williams	S. Williams	Willis
Yow		

Total--97

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Norrell	Ott	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Hill	Jones	Long
Mace	Magnuson	Trantham

Total--6

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4000. If I had been present, I would have voted to adopt the Conference Committee.

Rep. Jeff Johnson

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference on the following Bill, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

H. 4000 -- 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, 2019, TO REGULATE

[HJ]

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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,
President
Received as information.

H. 4001--CONFERENCE REPORT ADOPTED

H. 4001 -- Conference Report

The General Assembly, Columbia, S.C., May 20, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME 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:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts for Higher Education Facilities Repairs and Renovations:

- | | |
|--|-------------|
| (1) H150 - University of Charleston | |
| Stern Center Renovation | \$7,000,000 |
| (2) H240 - South Carolina State University | |
| Student Center Renovation | \$3,361,000 |
| (3) H290 - USC - Aiken Campus | |
| Business and Education | |
| Building Renovation | \$3,500,000 |

[HJ]

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(4)	H340 - USC - Upstate Smith Science Building Renovation	\$3,000,000
(5)	H370 - USC - Lancaster Campus Critical Maintenance and Repair	\$3,500,000
(6)	H380 - USC - Salkehatchie Campus Critical Maintenance and Repair	\$1,391,500
(7)	H390 - USC - Sumter Campus Critical Maintenance and Repair	\$1,345,000
(8)	H390 - USC - Sumter Campus Science Building Renovation	\$2,250,000
(9)	H400 - USC - Union Campus Critical Maintenance and Repair	\$1,360,000

SECTION 2. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts:

(1)	D500 - Department of Administration State Owned Building Deferred Maintenance	\$24,324,137
(2)	P280 - Department of Parks, Recreation and Tourism State Parks Deferred Maintenance	\$8,475,000
(3)	H090 - The Citadel Capers Hall	\$7,500,000
(4)	H120 - Clemson University Clemson University Health Innovation-Extension Programming	\$2,100,000
(5)	H120 - Clemson University Center for Advanced Manufacturing	\$4,000,000
(6)	H120 - Clemson University Safety and Security Infrastructure/Enhancements	\$5,900,000
(7)	H170 - Coastal Carolina University Academic Enrichment Center	\$5,000,000
(8)	H180 - Francis Marion University Freshwater Ecology Center	\$5,000,000

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(9)	H210 - Lander University Roof Replacements	\$3,313,400
(10)	H210 - Lander University Campus Safety and Security Upgrades	\$1,361,800
(11)	H240 - South Carolina State University Information Technology Upgrades	\$1,690,000
(12)	H240 - South Carolina State University Speech Pathology Program Updates	\$310,000
(13)	H270 - University of South Carolina Columbia School of Medicine Relocation	\$15,000,000
(14)	H340 - USC - Upstate Laboratory and Technology for Exercise Science	\$517,555
(15)	H360 - USC - Beaufort Campus Instructional Technology Upgrades	\$500,000
(16)	H360 - USC - Beaufort Campus Library/Classroom Building Expansion	\$4,500,000
(17)	H470 - Winthrop University Strategic Risk Management	\$7,500,000
(18)	H510 - Medical University of South Carolina Renovation/Innovation Projects	\$12,000,000
(19)	H590 - Board for Technical and Comprehensive Education ReadySC Direct Training	\$9,200,000
(20)	P200 - Clemson University-PSA Facility Renovation for Water Research	\$2,000,000
(21)	H170 - Coastal Carolina University Belle W. Baruch Institute for South Carolina Studies - Renovations	\$1
(22)	H240 - South Carolina State University Demolition of Mayes Hall and Queen Village	\$750,000
(23)	H590 - State Board for Technical and Comprehensive Education Central Carolina Tech - Capital Needs - Sumter	\$1,000,000

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- (24) H590 - State Board for Technical and
Comprehensive Education
Spartanburg Community College
STEM Training Facility \$1,000,000
- (25) H590 - State Board for Technical and
Comprehensive Education
Piedmont Technical College -
O'Dell Upstate Center for
Manufacturing Excellence \$2,000,000

SECTION 3. Prior to expending the \$15,000,000 appropriated in Section 2, item (13) H270 - University of South Carolina Columbia School of Medicine Relocation, the funds must be matched 1:1 by a private entity or irrevocable escrow by the University.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2018-2019 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code. /

Amend title to conform.

/s/Sen. Hugh K. Leatherman, Sr.	/s/Rep. G. Murrell Smith, Jr.
/s/Sen. Darrell Jackson, Sr.	/s/Rep. J. Gary Simrill
/s/Sen. Sean M. Bennett	/s/Rep. J. Todd Rutherford
On Part of the Senate.	On Part of the House.

Rep. G. M. SMITH explained the Conference Report.

The yeas and nays were taken resulting as follows:
Yeas 105; Nays 2

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Bales	Bamberg

[HJ]

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Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clemmons	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mack	Magnuson	Martin
McCravy	McDaniel	McKnight
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Trantham
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Hill Jones

Total--2

[HJ]

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The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4001. If I had been present, I would have voted to adopt the Conference Committee.

Rep. Gary E. Clary

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that the Report of the Committee of Conference on the following Joint Resolution, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3789:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT,

[HJ]

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COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Very respectfully,
President

Received as information.

H. 3789--ORDERED ENROLLED FOR RATIFICATION

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.

SPEAKER *PRO TEMPORE* IN CHAIR

H. 4287--FREE CONFERENCE POWERS GRANTED

Rep. LUCAS moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4287 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO

[HJ]

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EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

The yeas and nays were taken resulting as follows:
Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson

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Martin	McCravy	McDaniel
McKnight	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Trantham	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER *PRO TEMPORE* appointed Reps. OTT, G. M. SMITH and LUCAS to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

H. 3986--CONFERENCE REPORT ADOPTED

H. 3986 -- Conference Report

The General Assembly, Columbia, S.C., May 21, 2019

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3986 -- Reps. G.M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO

[HJ]

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MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Article 3, Chapter 5, Title 11 of the 1976 Code is amended to read:

“Article 3

Palmetto ABLE Savings Program

Section 11-5-400. There is established the ‘~~South Carolina~~ Palmetto ABLE Savings Program’. The purpose of the ~~South Carolina~~ Palmetto ABLE Savings Program is to authorize the establishment of savings accounts empowering individuals with a disability and their families to save private funds which can be used to provide for disability related expenses in a way that supplements, but does not supplant, benefits provided through private insurance, the Medicaid program under Title XIX of the Social Security Act, the supplemental security income program under Title XVI of the Social Security Act, the beneficiary’s employment, and other sources; and to provide guidelines for the maintenance of these accounts.

Section 11-5-410. As used in this article:

(1) ‘Palmetto ABLE ~~savings~~ account’ or ‘account’ means an individual savings account established in accordance with the provisions of this article and pursuant to Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) ‘Account owner’ means the person who enters into ~~an~~ a Palmetto ABLE ~~savings~~ account agreement pursuant to the provisions of this article. The account owner also must be the designated beneficiary; however, a trustee, guardian, or conservator may be appointed as an account owner for a designated beneficiary who is a minor or lacks capacity to enter into an agreement. Also, the agent of the designated beneficiary acting under durable power of attorney may open

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and manage an account on behalf of and in the name of a designated beneficiary who lacks capacity.

(3) 'Designated beneficiary' means an eligible individual whose qualified disability expenses may be paid from the account. The designated beneficiary must be an eligible individual at the time the account is established. The account owner may change the designated beneficiary so long as the new beneficiary is an eligible individual who is a qualified member of the family of the designated beneficiary at the time of the change.

(4) 'Eligible individual', as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended, means:

(a) an individual who is entitled to benefits based on blindness or disability pursuant to 42 U.S.C. Section 401, et seq. or 42 U.S.C. Section 1381, as amended, and the blindness or disability occurred before the date on which the individual attained age twenty-six; or

(b) an individual with respect to which a disability certification, as defined in Section 529A(e)(2) of the federal Internal Revenue Code of 1986, as amended, to the satisfaction of the Secretary of the United States Treasury is filed with the Secretary for a taxable year and the blindness or disability occurred before the date on which the individual attained age twenty-six.

(5) 'Financial organization' means an organization authorized to do business in this State and is:

(a) licensed or chartered by the Director of Insurance;

(b) licensed or chartered by the State Commissioner of Banking;

(c) chartered by an agency of the federal government; or

(d) subject to the jurisdiction and regulation of the federal Securities and Exchange Commission.

(6) 'Management contract' means a contract executed by the State Treasurer and a program manager selected to act as a depository or manager of the program, or both.

(7) 'Member of the family' has the meaning defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(8) 'Nonqualified withdrawal' means a withdrawal from an account which is not:

(a) a qualified withdrawal; or

(b) a rollover distribution.

(9) 'Program' means the ~~South Carolina~~ Palmetto ABLE Savings Program established pursuant to this article.

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(10) 'Program manager' means a financial organization or an agency or department of another state that has been designated to administer a qualified ABLE ~~Savings~~ Program selected by the State Treasurer to act as a depository or manager of the program, or both.

(11) 'Qualified disability expense' means any qualified disability expense included in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(12) 'Qualified withdrawal' means a withdrawal from an account to pay the qualified disability expenses of the designated beneficiary of the account.

(13) 'Rollover distribution' means a rollover distribution as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(14) 'Savings agreement' means an agreement between the program manager or the State Treasurer and the account owner.

(15) 'Secretary' means the Secretary of the United States Treasury.

Section 11-5-420. (A) The State Treasurer shall implement and administer the program under the terms and conditions established by this article. The State Treasurer has the authority and responsibility to:

(1) develop and implement the program in a manner consistent with the provisions of this article;

(2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;

(3) seek rulings and other guidance from the Secretary and the federal Internal Revenue Service relating to the program;

(4) make changes to the program required for the participants in the program to obtain the federal income tax benefits or treatment provided by Section 529A of the federal Internal Revenue Code of 1986, as amended;

(5) charge, impose, and collect administrative fees and service charges in connection with any agreement, contract, or transaction relating to the program;

(6) develop marketing plans and promotional materials;

(7) establish the methods by which the funds held in accounts must be dispersed;

(8) establish the method by which funds must be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of this article;

(10) adopt rules and promulgate regulations necessary to effectuate the provisions of this article;

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(11) prepare an annual report of the Palmetto ABLE Savings Program to the Governor, the Senate, and the House of Representatives; and

(12) notify the Secretary when an account has been opened for a designated beneficiary and submit other reports concerning the program required by the Secretary.

(B) The State Treasurer may contract with other states in developing the program.

Section 11-5-430. (A) The State Treasurer may implement the program through use of program managers as account depositories or managers, or both. The State Treasurer may solicit proposals from program managers to act as depositories or managers of the program, or both. Program managers submitting proposals shall describe the investment instruments to be held in accounts. The State Treasurer may select more than one program manager and investment instrument for the program. The State Treasurer may select as program depositories or managers the program managers, from among the bidding program managers, that demonstrate the most advantageous combination, both to potential program participants and this State, of the following factors:

- (1) financial stability and integrity of the program manager;
- (2) the safety of the investment instrument being offered;
- (3) the ability of the program manager to satisfy recordkeeping and reporting requirements;

(4) the program manager's plan for promoting the program and the investment the organization is willing to make to promote the program;

(5) the fees, if any, proposed to be charged to the account owners;

(6) the minimum initial deposit and minimum contributions that the financial organization requires;

(7) the ability of the program manager to accept electronic withdrawals, including payroll deduction plans; and

(8) other benefits to the State or its residents included in the proposal, including fees payable to the State to cover expenses of the operation of the program.

(B) The State Treasurer may enter into contracts with program managers necessary to effectuate the provisions of this article. A management contract must include, at a minimum, terms requiring the program managers to:

(1) take action required to keep the program in compliance with requirements of this article and take actions not contrary to its contract to manage the program to qualify as a 'qualified ABLE Savings

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Program' as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended;

(2) keep adequate records of each account, keep each account segregated, and provide the State Treasurer with the information necessary to prepare the statements required by Section 11-5-440;

(3) compile and total information contained in statements required to be prepared under Section 11-5-440 and provide compilations to the State Treasurer;

(4) if there is more than one program manager, provide the State Treasurer with information as is necessary to determine compliance with Section 11-5-440;

(5) provide the State Treasurer with access to the books and records of the program manager to the extent needed to determine compliance with the contract, this article, and Section 529A of the federal Internal Revenue Code of 1986, as amended;

(6) hold all accounts for the benefit of the account owner, owners, or the designated beneficiary;

(7) be audited at least annually by a firm of certified public accountants selected by the program manager, with the approval of the State Treasurer, and provide the results of the audit to the State Treasurer;

(8) provide the State Treasurer with copies of all regulatory filings and reports made by the program manager during the term of the management contract or while the program manager is holding any accounts, other than confidential filings or reports that are not part of the program. The program manager shall make available for review by the State Treasurer the results of the periodic examination of the manager by any state or federal banking, insurance, or securities commission, except to the extent that a report or reports may not be disclosed under law; and

(9) ensure that any description of the program, whether in writing or through the use of any media, is consistent with the marketing plan developed pursuant to the provisions of this article.

(C) The State Treasurer may:

(1) enter into contracts as he considers necessary and proper for the implementation of the program;

(2) require that an audit be conducted of the operations and financial position of the program depository and manager at any time if the State Treasurer has any reason to be concerned about the financial position, the recordkeeping practices, or the status of accounts of the program depository and manager; and

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(3) terminate or not renew a management agreement. If the State Treasurer terminates or does not renew a management agreement, the State Treasurer shall take custody of accounts held by the program manager and shall seek to promptly transfer the accounts to another financial organization that is selected as a program manager or depository and into investment instruments as similar to the original instruments as possible.

(D) The State Treasurer, the Department of Social Services, the Department of Health and Human Services, and the Department of Disability and Special Needs are authorized to exchange data regarding eligible individuals to carry out the purposes of this article.

Section 11-5-440. (A) ~~An~~ A Palmetto ABLER savings account established pursuant to the provisions of this article must be opened by a designated beneficiary, a designated beneficiary's agent under a durable power of attorney, a trustee holding funds for the benefit of a designated beneficiary, or a court appointed guardian or conservator of a designated beneficiary. Each designated beneficiary may have only one account. The State Treasurer may establish a nonrefundable application fee. An application for an account must be in the form prescribed by the State Treasurer and contain the following:

(1) name, address, and social security number of the account owner;

(2) name, address, and social security number of the designated beneficiary, if the account owner is the beneficiary's trustee or guardian;

(3) certification relating to no excess contributions; and

(4) additional information as the State Treasurer may require.

(B) A person may make contributions to ~~an~~ a Palmetto ABLER savings account after the account is opened, subject to the limitations imposed by Section 529A of the federal Internal Revenue Code of 1986, as amended, or any adopted rules and regulations promulgated by the State Treasurer pursuant to this article.

(C) Contributions to ~~an~~ a Palmetto ABLER savings account may be made only in cash. The State Treasurer or program manager shall reject or withdraw contributions promptly:

(1) in excess of the limits established pursuant to subsection (B);
or

(2) the total contributions if the:

(a) value of the account is equal to or greater than the account maximum established by the State Treasurer. The account maximum must be equal to the account maximum for post secondary education savings accounts; or

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(b) designated beneficiary is not an eligible individual in the current calendar year.

(D)(1) An account owner may:

(a) change the designated beneficiary of an account to an individual who is a qualified member of the family of the prior designated beneficiary in accordance with procedures established by the State Treasurer; and

(b) transfer all or a portion of an account to another ABLE savings account, the designated beneficiary of which is a member of the family as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) An account owner may not use an interest in an account as security for a loan. A pledge of an interest in an account is of no effect.

(E)(1) If there is any distribution from an account to an individual or for the benefit of an individual during a calendar year, the distribution must be reported to the federal Internal Revenue Service and each account owner, the designated beneficiary, or the distributee to the extent required by state or federal law.

(2) A statement must be provided to each account owner annually and at other increments established by the State Treasurer in the program guidelines. The statement must contain the information the State Treasurer requires to be reported to the account owner.

(3) A statement and information relating to an account must be prepared and filed to the extent required by this article and other state or federal law.

(F)(1) The program shall provide separate accounting for each designated beneficiary. An annual fee may be imposed upon the account owner for the maintenance of an account.

(2) Funds held in ~~an~~ a Palmetto ABLE savings account:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary;

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid; and

(c) following the death of a designated beneficiary, may be subject to recovery by the South Carolina Department of Health and Human Services up to an amount equal to the total of Medicaid benefits, if any, paid on behalf of the designated beneficiary by the state Medicaid program, but only to the extent recovery is required by state or federal

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law. Recovery by the State is subject to regulations imposed by the Secretary.

(3) The amount distributed from ~~an~~ a Palmetto ABL**E** ~~savings~~ account for the purposes of paying qualified disability expenses:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary; and

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid.

(G) To the extent earnings in an ABL**E** ~~savings~~ account and distributions from an ABL**E** ~~savings~~ account, or a qualified account under Section 529A located in another state, are not subject to federal income tax, they will not be subject to state income tax.

Section 11-5-450. (A) Nothing in this article may create or be construed to create any obligation of the State Treasurer, the State, or any agency or instrumentality of the State to guarantee for the benefit of an account owner or designated beneficiary with respect to the:

(1) return of principal;

(2) rate of interest or other return on an account; or

(3) payment of interest or other return on an account.

(B) The State Treasurer may adopt rules and promulgate regulations to provide that each contract, application, or other similar document that may be used in connection with opening an account clearly indicates that the account is not insured by the State and that the principal deposited and the investment return are not guaranteed by the State.

Section 11-5-460. (A) The ~~South Carolina~~ Palmetto ABL**E** Savings Program Trust Fund is established in the Office of the State Treasurer. The trust fund must be utilized if the State Treasurer elects to accept deposits from contributors rather than have deposits sent directly to the program manager. The trust fund must consist of any monies deposited by account owners and other contributors pursuant to the provisions of this article which are not deposited directly with the program manager. All interest derived from the deposit and investment of monies in the trust fund must be credited to the fund. At the end of each fiscal year, all unexpended and unencumbered monies in the trust fund must remain in the fund and not be credited or transferred to the state general fund or to another fund.

(B)(1) The ~~South Carolina~~ Palmetto ABL**E** Savings Expense Fund is established in the Office of the State Treasurer. The expense fund must consist of monies received from the Palmetto ABL**E** Savings Program

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manager or managers, governmental or private grants, and state general fund appropriations, if any, for the program.

(2) All expenses incurred by the State Treasurer in developing and administering the Palmetto ABLE Savings Program must be payable from the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund.”

SECTION 2. Section 12-6-1140(12)(b) of the 1976 Code is amended to read:

“(b) Any interest, dividends, gains, property, or income accruing on the payments made to an investment trust agreement pursuant to Article 3, Chapter 5, Title 11, or on any account in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or a qualified fund under Section 529A located in another state, must be excluded from the gross income of any such account owner, contributor, or beneficiary for purposes of South Carolina income taxes, to the extent the amounts remain on deposit in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or are withdrawn pursuant to a qualified withdrawal.”

SECTION 3. The Code Commissioner is directed to change or correct all references to the “ABLE Savings Program” to the “Palmetto ABLE Savings Program.” References to the ABLE Savings Program in the 1976 Code or other provisions of law are considered to be and must be construed to mean the “Palmetto ABLE Savings Program.”

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

Amend title to read:

/ TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “ABLE SAVINGS PROGRAM” SO AS TO RENAME THE PROGRAM THE “PALMETTO ABLE SAVINGS PROGRAM” AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES. /

/s/Sen. Ronnie W. Cromer	/s/Rep. Mark N. Willis
/s/Sen. J. Thomas McElveen III	/s/Rep. Seth C. Rose
/s/Sen. Thomas D. “Tom” Corbin	/s/Rep. Micajah P. Caskey
On Part of the Senate.	On Part of the House.

[HJ]

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Rep. WILLIS explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCravy	McDaniel	McKnight
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Trantham
West	Wheeler	White

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Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total--111

Those who voted in the negative are:

Total--0

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3986:

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

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

Very respectfully,
President
Received as information.

SPEAKER IN CHAIR

[HJ]

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LEAVE OF ABSENCE

The SPEAKER granted Rep. DANING a leave of absence for the remainder of the day.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Massey, Setzler and Rankin of the Committee of Free Conference on the part of the Senate on H. 4287:

H. 4287 -- Reprs. Lucas, G. M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Very respectfully,

President

Received as information.

[HJ]

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H. 4287--FREE CONFERENCE REPORT ADOPTED

H. 4287 -- Free Conference Report

The General Assembly, Columbia, S.C., May 21, 2019

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

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

That the same do pass with the following amendments:

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

/ SECTION 1.(A)(1) The Department of Administration shall establish a process to conduct a competitive bidding process for the sale of some or all of the Public Service Authority ("Santee Cooper") and to receive management proposals that do not involve a sale of Santee Cooper but are designed to improve the efficiency and cost-effectiveness

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of Santee Cooper's electric operations including, but not limited to, a management arrangement, joint venture, or alternative arrangement. This process shall not be limited to the individuals or entities that responded to ICF's Requests for Expressions of Interest for its February 1, 2019, report to the Public Service Authority Evaluation and Recommendation Committee. Santee Cooper shall also submit a proposal to the department, as an alternative to a sale or management proposal, setting forth its plans for reform, restructuring, and changes in operation. Santee Cooper's proposal shall be given to the department simultaneously with the sale and management proposal deadline set by the department. This process must be established in accordance with commercially reasonable terms that are customary in connection with bids and proposals of this type. Nothing in this joint resolution precludes the department, through its professional services experts, from negotiating with entities offering bids or management proposals, or Santee Cooper, to improve their proposal. The department shall determine the date when the bids and proposals must be received; however, the process to receive bids, management proposals, and Santee Cooper's proposal shall be concurrent.

(2)(a) The department shall procure such professional services that are necessary to qualify bids and proposals; conduct a sale; evaluate bids received for a sale, management proposals, and Santee Cooper's proposal; negotiate contracts for the consummation of a sale or a management proposal; and related activities. These professional services shall include, but may not be limited to, financial institutions, investment bankers, legal counsel, industry consultants, and utility consultants.

(b) The department must not utilize the professional services of an entity with whom the House of Representatives, the Senate, or the Governor has previously engaged to consider the possible sale of Santee Cooper; however, the department or its professional services experts may request information collected by ICF and any reports requested by the Public Service Authority Evaluation and Recommendation Committee regarding ICF's Requests for Expressions of Interest prior to the effective date of this joint resolution. In addition, the department must not utilize the professional services of an individual or entity that would have a financial interest in the outcome of this process, nor may the department contract or otherwise employ an individual or entity based upon a contingency fee due to the outcome of this process.

(B) Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting

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the competitive bidding process and reviewing management proposals and procuring necessary professional services.

(C) Santee Cooper is directed to provide any and all resources necessary to assist in the process for competitive bids and management proposals, as well as the evaluation of the bids and management proposals received by the department. The department shall have the authority to consult with Santee Cooper's bondholders, underwriters, financial institutions, and any other advisors to gather information to assist the department in carrying out its responsibilities, and Santee Cooper shall be cooperative in providing the department with access to the bondholders, underwriters, financial institutions, and other advisors. Santee Cooper shall ensure that the bidders have full access to due diligence materials and fair opportunity for access to Santee Cooper staff, and shall ensure that its responses to any inquiries are timely.

SECTION 2. (A) The department shall conduct a thorough evaluation of all bids for the sale of Santee Cooper received through the competitive bidding process. The evaluation must take into account at least the following:

- (1) the financial capability of each bidder;
- (2) the bidder's plan to address Santee Cooper's bonds and other indebtedness, to include, but not be limited to:
 - (a) satisfaction of any or all of Santee Cooper's existing debt, to include an opinion letter from a bond attorney as to whether or not the bidder's plan to satisfy the existing debt would violate any bond provisions or otherwise impact the State;
 - (b) issuance of new bonds and plans to finance other indebtedness;
 - (c) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and
 - (d) the bidder's projected capital to debt ratio for the five years following the acquisition of Santee Cooper;
- (3) consideration, in cash, to be paid by the bidder to the State for the benefit of South Carolina and its taxpayers;
- (4) the amount of projected rates and revenue requirements for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved, and the bidder's willingness to contractually agree to those rates;
- (5) the bidder's plans for generation, power purchases, and other resources over the next twenty years including, but not limited to:

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- (a) the forecasted demand;
 - (b) a timeline of when those plans would be put in place;
 - (c) the projected financial impact to Santee Cooper's retail customers; and
 - (d) the assumptions underlying its plans including, but not limited to, additional infrastructure required to support any generating unit, the projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;
- (6) the bidder's plans for transmission investment over the next twenty years including, but not limited to:
- (a) a timeline of when those investments will be needed;
 - (b) the projected financial impact to Santee Cooper's retail customers; and
 - (c) the assumptions underlying those plans including, but not limited to, projected rate base, debt-to-equity ratios, authorized return on equity, inflation and cost escalation rates, fuel costs, tax rates, assumed tax abatements, credits and payments in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;
- (7) the bidder's willingness to bear any costs required by the Federal Energy Regulatory Commission to mitigate market power resulting from an acquisition of Santee Cooper;
- (8) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;
- (9) a projection of the jobs the bidder expects to eliminate within five years if it acquires Santee Cooper;
- (10) the bidder's proposed location for its headquarters post-acquisition;
- (11) whether the bid included or excluded the assets collectively included under FERC License 199, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper. In the event that the bid excludes the assets listed herein, each bidder shall provide for revenue streams, including the purchase of hydroelectric power generated from Project 199, to provide for the continued operation of Lakes Marion and Moultrie with no loss of quality or access;

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(12) the bidder's capacity and willingness to partner with the State for future economic development projects;

(13) a comparison of the bidder's service territory in South Carolina, if the bid is successful, with investor-owned utilities serving South Carolina; and

(14) any terms or conditions the bidder would require to complete the purchase of Santee Cooper.

The bidder must also submit its regulatory filings within the past seven years from each state where the bidder provides electric service that are related to the bidder's forecasts for electric generation, transmission, and distribution; requests for generation and/or transmission projects; electric rate requests made by the bidder; and requests to acquire, merge with, or manage another electric utility, and the final disposition of each request.

(B) The department must:

(1) verify the information provided by the bidder, to the extent possible, and may request additional information from the bidder if needed to conduct its verification;

(2) for each bid, compile a list of items that would be excluded from the sale of Santee Cooper's electric utility assets including, but not limited to, the wholesale water systems operated by Santee Cooper, undeveloped lands, other natural resources, and recreational assets of Santee Cooper;

(3) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the sale of Santee Cooper, either in whole or in part. This analysis must include, but is not limited to, the loss of tax-exempt status of a buyer, impact on economic development, and whether the bid would preclude South Carolina from recovering the full value of Santee Cooper;

(4) compare the bidder's financing options for anticipated projects with the financing options currently available to Santee Cooper;

(5) require that the bidder's projected ratebase for all of Santee Cooper's retail customers exclude any portion of debt attributed to V.C. Summer nuclear units 2 and 3 that is not considered to be used and useful, as determined by the professional services experts and the Office of Regulatory Staff;

(6) consider if the bidder is committed to keeping its headquarters in South Carolina post-acquisition;

(7) consider if the bidder intends to, and has the capability to, provide electric services in South Carolina for at least twenty years; and

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(8) designate a third party to administer the procurement and dissemination of information from Santee Cooper to third party bidders in order to ensure consistency, proper characterization and accuracy of information provided.

SECTION 3. (A) The department shall conduct a thorough evaluation of all management proposals for Santee Cooper. The evaluation must take into account at least the following:

(1) terms and conditions of the proposal, including the proposed time period for the management proposal;

(2) the amount of projected rates for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved;

(3) fees and costs to be paid by Santee Cooper retail customers for the management proposal, as well as any other benefits to that entity resulting from the proposal;

(4) projected needs for generation, transmission, and distribution during the period of the proposal and how those needs would be met;

(5) an opinion letter from a bond attorney that the management proposal would neither violate nor alter the terms of Santee Cooper's bonds and other indebtedness;

(6) an opinion letter from a tax attorney that the proposal would not impact Santee Cooper's current tax status;

(7) the proposing entity's experience with the type of arrangement as proposed with an investor-owned utility and a publicly owned utility;

(8) the impact the management proposal would have on Santee Cooper's employees including, but not limited to, any projected elimination of positions within the next five years, if any;

(9) the financial capability of the entity offering the proposal;

(10) a comparison of the service territory in South Carolina of the entity offering the proposal, if the proposal is successful, with investor-owned utilities serving South Carolina; and

(11) an agreement that if the management proposal is awarded, the entity offering the proposal will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the management plan including, but not limited to, plans for the next calendar year and accomplishments and challenges for the prior calendar year.

(B) The department must:

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(1) verify the information provided by the entity submitting the management proposal, to the extent possible, and may request additional information if needed to conduct its verification;

(2) conduct an analysis as to the potential risks to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders, that could result from the management proposal;

(3) compare the proposing entity's financing options for anticipated projects with the financing options currently available to Santee Cooper; and

(4) consider if the proposing entity offers to pay a franchise fee or another form of consideration to the State of South Carolina as a condition of the management proposal.

SECTION 4. (A) Santee Cooper must submit a proposal to the department for reform, restructuring, and changes in operation that must include, but is not limited to:

(1) its plans for generation, power purchases, and other resources over the next twenty years including, but not limited to:

(a) the forecasted demand;

(b) a timeline of when those plans would be put in place;

(c) the projected financial impact to all customer classes of ratepayers;

(d) the assumptions underlying its plans including, but not limited to, additional infrastructure required to support any generating unit, projected financial ratios including debt-to-equity and debt service coverage ratios, projected contribution percentages to the Capital Improvement Fund, inflation and cost escalation rates, fuel costs, payments to the State and other sums in lieu of taxes, and projected GAAP accounting financial statements of the rate projections; and

(e) the amount of projected rates and revenue requirements for each customer class of Santee Cooper's retail customers over the next twenty years and plans demonstrating how these rates can be achieved;

(2) its plans for transmission investment over the next twenty years including, but not limited to:

(a) a timeline of when those investments will be needed;

(b) the projected financial impact to all classes of its retail customers; and

(c) the assumptions underlying its plans including, but not limited to, projected financial ratios, including debt-to-equity and debt service coverage ratios, projected contribution percentages to the Capital Improvement Fund, inflation and cost escalation rates, fuel costs,

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payments to the State and other sums in lieu of taxes, and projected GAAP accounting financial statements of the rate projections;

(3) its plans to address the V.C. Summer debt and the projected impact to all customer classes of its ratepayers;

(4) a proposal for Santee Cooper reform, restructuring, and operational changes;

(5) any other information Santee Cooper deems relevant as to future operations as a state asset;

(6) the projected financial impact on all customer classes of Santee Cooper's retail customers for the satisfaction of existing debt and issuance of new bonds and finance of other indebtedness; and

(7) a projection of the jobs Santee Cooper expects to eliminate within five years.

(B) The department must verify the information provided by Santee Cooper, to the extent possible, and may request additional information if needed to conduct its verification. The department must also conduct an analysis to determine if the proposal is feasible.

As part of the analysis, the department will:

(1) compare Santee Cooper's rate projections with all other proposals on a comparable basis and assess the risks associated with Santee Cooper's projections of revenue requirements and consumer rates; and

(2) conduct an analysis as to the potential risk to South Carolina taxpayers, Santee Cooper's retail customers, and Santee Cooper's bondholders.

(C) If Santee Cooper's proposal to reform its operations is accepted by the General Assembly, Santee Cooper will submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of its plan.

SECTION 5. The department shall establish a process in which its professional services experts conduct confidential negotiations between Central Electric Power Cooperative, Inc. ("Central") and each entity that submitted a qualified bid or qualified proposal after all the bids and proposals have been submitted. No negotiations or any form of discussion regarding potential terms or conditions for an agreement with Central can occur outside of the process established by the department. The department shall require that the parties enter into a contract to negotiate in good faith, as well as any other conditions for negotiation as determined by the department. Each entity that submitted a qualified bid or qualified proposal, as well as Santee Cooper, must individually

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negotiate with Central to determine terms for a binding contract between Central and that entity in the event the entity's bid or proposal is successful. If the professional services experts conducting the negotiations determine that one or more parties, including Central, is not negotiating in good faith, that negotiation shall be terminated and the professional services experts may submit terms they determine to be reasonable and in the best interests of Santee Cooper's customers and of the State of South Carolina and its taxpayers to the General Assembly. The General Assembly may consider a party's failure to negotiate in good faith as a disqualification of the bid or proposal.

SECTION 6. In the event of the successful sale of Santee Cooper and the purchasing entity's contract contains projections of future rates, the General Assembly's approval of such sale on such terms does not indicate its intent to bind the Public Service Commission or Office of Regulatory Staff to the projected rate figures. The successful bidder shall be subject to the same statutory and regulatory authority of the Public Service Commission and Office of Regulatory Staff as all other investor-owned electrical utilities.

SECTION 7. Following the negotiations between Central and each entity which submitted a bid or proposal, the professional services experts shall review the projected financial impact on Santee Cooper's retail customers to ensure that any increases or decreases to current rates for the retail and wholesale customers are initially proportionate.

SECTION 8. To protect the integrity of the process, information received during this process and ensuing negotiations must be confidential prior to the department providing its professional services experts' recommendations to the General Assembly. Each individual and entity involved in the process shall handle the information with sufficient care to prevent disclosure of information submitted, received, or reviewed during the process. After the department has provided its professional services experts' recommendations to the General Assembly, only information regarding those recommendations shall be released in accordance with the provisions of the Freedom of Information Act, provided that information described in Section 30-4-40 must not be released without the written permission of the entity whose bid or proposal was recommended. In order to effectuate the purposes of this section, the department shall require nondisclosure agreements which must be entered into by each individual or entity involved in the

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process including, but not limited to, an individual or entity that submits a bid or proposal, or receives or reviews any part of the submission. The nondisclosure agreement must also contain a provision in which the signer agrees that neither it nor its agents, servants, officers, directors, or employees shall advocate for or against, directly or indirectly, a recommendation provided by the department to the General Assembly pursuant to SECTION 9. Members of the General Assembly, the Governor, and their respective staff must not be provided with, or have access by any means to, the information obtained during this process except as provided in this section.

SECTION 9. (A)(1) At the conclusion of the evaluation of the bids and proposals, and negotiations, as required by this joint resolution, but no later than January 15, 2020, and subject to a one-time sixty-day extension upon written notice from the department to the Chairman of House Ways and Means and the Chairman of Senate Finance for the need of this extension, the department shall concurrently present a recommendation by its professional service experts of one bid for sale and one management proposal that the professional service experts consider to be in the best interests of the State, its taxpayers, and the customers of Santee Cooper, as well as the recommendation for Santee Cooper's proposal. Each recommendation must include justifications for the recommendation; also, the recommendations in regard to the sale and management proposal must include a contract for each recommended bidder obligating the bidder to comply with terms of its bid in the event it is approved by the General Assembly, along with a proposed contract to execute the sale or management proposal, and any supporting documents. The proposed contracts must include covenants that the bidder will abide by the terms of its bid for sale or its proposal, as applicable. The department must also present a full evaluation of each recommendation and for Santee Cooper's proposal. An evaluation must include, but not be limited to: (a) a description of each item listed in SECTIONS 2, 3, or 4, as applicable, along with a copy of an opinion letter submitted by a bond attorney and/or tax attorney; (b) a proposed contract with Central Power Electric Cooperative, Inc., including a statement from the professional service experts involved in the negotiations that each party did or did not negotiate in good faith; (c) any recommendations or concerns from the department's professional services; and (d) any supporting documents.

(2) The department must enter into a contract with each entity that submitted a bid for sale or management proposal that establishes

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penalties for failure to proceed with finalizing the sale or management proposal in the event the bid or proposal is selected by the General Assembly. This contract must include, but is not limited to, earnest money to be paid upon a recommendation of that entity being made to the General Assembly and penalties for failure to finalize the terms of the bid or proposal upon selection by the General Assembly.

(B) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee the documents described in (A). The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review each recommendation presented by the department. Each committee shall make a recommendation within thirty days of receipt of the recommendations presented by the department. However, nothing in this joint resolution shall be construed as a waiver of any House or Senate Rules. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House shall convene their respective bodies to consider any legislation to effectuate the sale or management proposal or to implement reform, restructuring, and changes in operation at Santee Cooper. Such legislation shall be in the form of a resolution approving the contract for sale or management or a bill to implement reform at Santee Cooper.

(C)(1) In the event that the General Assembly approves the sale of Santee Cooper, the department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in a distinct numbered account separate from General Fund revenues in which such amount shall not be appropriated in a General Appropriations bill. Disposition of those funds shall be made by further actions of the General Assembly. These amounts shall never be recoverable in rates or otherwise by the purchaser.

(2) In the event that the General Assembly approves a management proposal, the department must execute any documents necessary in order to effectuate the proposal upon the enactment of a joint resolution approving the proposal.

SECTION 10. The provisions of the Consolidated Procurement Code in Chapter 35, Title 11 of the 1976 Code and any other provisions of the general law of this State in conflict with the provisions of this joint resolution are hereby suspended with regard to the activities undertaken pursuant to this joint resolution.

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SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this joint resolution 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 joint resolution, the General Assembly hereby declaring that it would have passed this joint resolution, 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.

SECTION 12. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Nikki G. Setzler

/s/Sen. Luke A. Rankin

/s/Sen. A. Shane Massey

On Part of the Senate.

/s/Rep. James H. Lucas

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

/s/Rep. Russell L. Ott

On Part of the House.

Rep. G. M. SMITH explained the Free Conference Report.

Rep. DAVIS spoke upon the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry

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Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Henderson-Myers
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCrary
McDaniel	McKnight	Morgan
D. C. Moss	V. S. Moss	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Rivers	Rutherford	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Trantham	West
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Davis Simmons S. Williams

Total--3

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 21, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4287:

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H. 4287 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

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

Very respectfully,
President
Received as information.

RATIFICATION OF ACT

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 21, 2019, at 1:05 p.m. and the following Act was ratified:

(R.103, H. 4243) -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: AN ACT TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976,

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RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM AND TO PROVIDE REQUIREMENTS THAT SPECIFICALLY APPLY TO A PROFESSIONAL SPORTS TEAM, AND TO INCREASE JOBS TAX CREDIT AMOUNTS IN TIER IV AND TIER III COUNTIES; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM; TO AMEND SECTIONS 11-9-805 AND 11-9-830, AS AMENDED, BOTH RELATING TO THE REVENUE AND FISCAL AFFAIRS OFFICE, SO AS TO REQUIRE THE OFFICE ANNUALLY TO SUBMIT TAX EXPENDITURE REPORTS TO THE GENERAL ASSEMBLY AND TO DEFINE "TAX EXPENDITURE"; AND BY ADDING SECTION 12-10-120 SO AS TO SPECIFY CERTAIN JOB DEVELOPMENT CREDIT REQUIREMENTS THAT APPLY TO A PROFESSIONAL SPORTS TEAM.

**RATIFICATION OF ACTS
FOR MAY 22, 2019**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 22, 2019, at 3:00 p.m. and the following Acts and Joint Resolutions were ratified:

(R. 104, H. 3137) -- Reps. G.M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: AN ACT TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO

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LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE ADJUSTED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE OR DECREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE ADJUSTMENT, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

(R. 105, H. 3601) -- Reps. Rose, McCoy and Caskey: AN ACT TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST-TIME OFFENDERS.

(R. 106, H. 3602) -- Reps. Rose, Caskey and Weeks: AN ACT TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AUTHORIZED TO MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF SUCH PERSONS AND FOR OTHER PURPOSES; AND TO AMEND SECTIONS 44-26-40, 44-26-50, AND 44-26-60, ALL RELATING TO HEALTH CARE DECISION MAKING FOR CLIENTS WITH INTELLECTUAL DISABILITIES OR WHO ARE MINORS, SO AS TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES.

(R. 107, H. 3789) -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: AN ACT TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, 56-1-3350, AND 56-1-2080, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF CERTAIN DRIVERS' LICENSES, BEGINNERS' PERMITS, COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, THE PLACEMENT OF

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A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, AND THE ISSUANCE OF COMMERCIAL DRIVER LICENSES AND COMMERCIAL DRIVER INSTRUCTION PERMITS, SO AS TO REVISE THE PERIOD IN WHICH DRIVERS' LICENSES, CERTAIN COMMERCIAL DRIVER LICENSES, AND COMMERCIAL DRIVER INSTRUCTION PERMITS ARE VALID, TO REVISE THE FEES TO OBTAIN DRIVER'S LICENSES, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT A PERSON IS PERMITTED TO HAVE ONLY ONE DRIVER'S LICENSE OR IDENTIFICATION CARD, AND TO DELETE THE PROVISION THAT PERTAINS TO THE RENEWAL OR REISSUANCE OF A COMMERCIAL DRIVER INSTRUCTION PERMIT.

(R. 108, H. 3821) -- Rep. Clary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; AND TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS EXCEPT IN CERTAIN CIRCUMSTANCES, AND TO PERMIT THE PRESCRIBING OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES.

(R. 109, H. 3986) -- Reps. G.M. Smith, Willis, Rose and Caskey: AN ACT TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "PALMETTO ABLE SAVINGS PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND

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TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

(R. 110, H. 4000) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, 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.

(R. 111, H. 4001) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

(R. 112, H. 4004) -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO HEALTH CARE WHERE THE PATIENT HAS BEEN DIAGNOSED WITH A SERIOUS ILLNESS OR MAY BE EXPECTED TO LOSE CAPACITY WITHIN TWELVE MONTHS; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; TO ALLOW A POST FORM TO BE REVOKED BY THE PATIENT OR PATIENT'S LEGAL REPRESENTATIVE; AND FOR OTHER PURPOSES.

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(R. 113, H. 4287) -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL ESTABLISH A PROCESS TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SOME OR ALL OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND TO RECEIVE MANAGEMENT PROPOSALS THAT DO NOT INVOLVE A SALE OF SANTEE COOPER, BUT ARE DESIGNED TO IMPROVE THE EFFICIENCY AND COST-EFFECTIVENESS OF SANTEE COOPER'S ELECTRIC OPERATIONS, AND TO PROVIDE THAT SANTEE COOPER ALSO MUST SUBMIT A PROPOSAL TO THE DEPARTMENT FOR REFORM, RESTRUCTURING, AND CHANGES IN ITS OPERATION AS AN ALTERNATIVE TO A SALE OR MANAGEMENT PROPOSAL; TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT A THOROUGH EVALUATION OF ALL BIDS FOR THE SALE OF SANTEE COOPER RECEIVED THROUGH THE COMPETITIVE BIDDING PROCESS, TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT A THOROUGH EVALUATION OF ALL MANAGEMENT PROPOSALS FOR SANTEE COOPER, AND TO PROVIDE THAT THE DEPARTMENT SHALL CONDUCT AN ANALYSIS OF SANTEE COOPER'S REFORM PROPOSAL TO DETERMINE IF IT IS A FEASIBLE ALTERNATIVE, AND TO PROVIDE THE CRITERIA FOR THESE EVALUATIONS; TO PROVIDE FOR THE VARIOUS REQUIREMENTS, CONDITIONS, AND PROCEDURES WHICH MUST BE COMPLIED WITH IN REGARD TO THIS JOINT RESOLUTION, INCLUDING PROVISIONS THAT REQUIRE THE DEPARTMENT TO ESTABLISH A PROCESS IN WHICH ITS PROFESSIONAL SERVICES EXPERTS CONDUCT CONFIDENTIAL NEGOTIATIONS BETWEEN THE CENTRAL ELECTRIC POWER COOPERATIVE AND EACH ENTITY THAT SUBMITTED A QUALIFIED BID OR PROPOSAL, INCLUDING SANTEE COOPER, AFTER ALL THE BIDS AND PROPOSALS HAVE BEEN SUBMITTED; TO PROVIDE THAT IN THE EVENT OF THE SUCCESSFUL SALE OF SANTEE COOPER AND THE PURCHASING ENTITY'S CONTRACT CONTAINS PROJECTIONS OF FUTURE RATES, THE GENERAL ASSEMBLY'S APPROVAL OF SUCH SALE ON SUCH TERMS DOES NOT INDICATE ITS INTENT TO BIND THE PUBLIC SERVICE COMMISSION OR

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OFFICE OF REGULATORY STAFF TO THE PROJECTED RATE FIGURES, AND TO PROVIDE THAT THE SUCCESSFUL BIDDER SHALL BE SUBJECT TO THE SAME STATUTORY AND REGULATORY AUTHORITY OF THE PUBLIC SERVICE COMMISSION AND OFFICE OF REGULATORY STAFF, AS ARE ALL OTHER INVESTOR-OWNED ELECTRICAL UTILITIES; TO PROVIDE THAT FOLLOWING THE NEGOTIATIONS BETWEEN CENTRAL AND EACH ENTITY WHICH SUBMITTED A BID OR PROPOSAL, THE PROFESSIONAL SERVICES EXPERTS SHALL REVIEW THE PROJECTED FINANCIAL IMPACT ON SANTEE COOPER'S RETAIL CUSTOMERS TO ENSURE THAT ANY INCREASES OR DECREASES TO CURRENT RATES FOR THE RETAIL AND WHOLESALE CUSTOMERS ARE INITIALLY PROPORTIONATE; TO PROVIDE THAT INFORMATION RECEIVED DURING THIS PROCESS AND ENSUING NEGOTIATIONS MUST BE KEPT CONFIDENTIAL WITH CERTAIN LIMITED EXCEPTIONS, TO REQUIRE NONDISCLOSURE AGREEMENTS, AND TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY, THE GOVERNOR, AND THEIR RESPECTIVE STAFFS MUST NOT BE PROVIDED WITH OR HAVE ACCESS TO THE INFORMATION OBTAINED DURING THIS PROCESS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT AT THE CONCLUSION OF THE EVALUATION OF THE BIDS, PROPOSALS, AND NEGOTIATIONS, BUT NO LATER THAN JANUARY 15, 2020, WITH A ONE-TIME EXTENSION PERMITTED, THE DEPARTMENT CONCURRENTLY SHALL PRESENT A RECOMMENDATION OF ONE PREFERRED BID FOR SALE AND ONE PREFERRED MANAGEMENT PROPOSAL THAT THE PROFESSIONAL SERVICES EXPERTS CONSIDER TO BE IN THE BEST INTERESTS OF THE STATE, ITS TAXPAYERS, AND THE CUSTOMERS OF SANTEE COOPER, AS WELL AS A RECOMMENDATION CONCERNING SANTEE COOPER'S PROPOSAL FOR REFORM; TO PROVIDE THAT EACH RECOMMENDATION MUST INCLUDE CERTAIN MATERIALS AND JUSTIFICATIONS, AND THE RECOMMENDATION IN REGARD TO THE SALE AND MANAGEMENT PROPOSAL MUST INCLUDE A CONTRACT FOR EACH RECOMMENDED BIDDER OBLIGATING THE BIDDER TO COMPLY WITH THE TERMS OF ITS BID IN THE EVENT IT IS APPROVED BY THE GENERAL ASSEMBLY, ALONG WITH A PROPOSED CONTRACT TO

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EXECUTE THE SALE OR MANAGEMENT PROPOSAL AND ANY SUPPORTING DOCUMENTS; AND TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT SHALL PRESENT TO THE GENERAL ASSEMBLY ITS PREFERRED SALE AND MANAGEMENT PROPOSAL, AS WELL AS A RECOMMENDATION AS TO SANTEE COOPER'S REFORM PROPOSAL, AND THE MANNER IN WHICH THE GENERAL ASSEMBLY SHALL CONSIDER AND MAY APPROVE A PROPOSAL.

Rep. COBB-HUNTER moved that the House do now adjourn, which was agreed to.

ADJOURNMENT

At 3:58 p.m. the House, in accordance with the motion of Rep. HYDE, and in accordance with S. 785, the Sine Die Resolution, adjourned in memory of his brother, Warner Hyde.

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