

NO. 23

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

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THURSDAY, FEBRUARY 14, 2019

**Thursday, February 14, 2019**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

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

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

2 Chronicles 16:9

“The eyes of the Lord range throughout the entire earth, to strengthen those whose heart is true to him.”

Let us pray. Almighty God, in all things You are faithful and true. Everything we know about love we have learned from You. Your love never changes. Today we pray that You will fill our minds with vision and our hearts with conviction. Give us boldness and courage to stand up for what is right and stay the course when we become discouraged. For we know that all things are possible through You who empowers us, sustains us and forgives us each day. For it is in Your blessed name we pray, Amen.

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

**Point of Quorum**

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander	Allen	Bennett
Cash	Climer	Corbin
Goldfinch	Gregory	Harpootlian
Hembree	Hutto	Martin
Massey	<i>Matthews, Margie</i>	McElveen
Peeler	Rice	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Williams
Young		

[SJ]

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A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

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

5th Congressional District:

Richard V. Lee, Jr., 623 Meadowbrook Lane, Rock Hill, SC 29730-3730 *VICE* Ann B. Kirol

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Department on Aging, with term coterminous with Governor

Director:

Stephen F. Morris, 320 Country Club Drive, Columbia, SC 29296-3202

Referred to the Committee on Family and Veterans' Services.

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

At-Large :

Mark D. Buyck, P.O. Box 1909, Florence, SC 29503-1909 *VICE* Cary Daniel Adams

Referred to the Committee on Transportation.

**Doctor of the Day**

Senator KIMPSON introduced Dr. Todd Schlesinger of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

At 11:09 A.M., Senator SETZLER requested a leave of absence for Senator FANNING for the day.

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**Leave of Absence**

At 11:09 A.M., Senator ALEXANDER requested a leave of absence for Senator CROMER for the day.

**CO-SPONSORS ADDED**

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

S. 74 Sen. Kimpson  
S. 332 Sen. Johnson

**CO-SPONSOR REMOVED**

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

S. 363 Sen. Kimpson

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 517 -- Senators Martin and Sheheen: A BILL TO AMEND TITLE 39 OF THE 1976 CODE, RELATING TO TRADE AND COMMERCE, BY ADDING CHAPTER 77, TO PROHIBIT THE SALE OF UNSAFE USED TIRES, TO IMPOSE A DUTY OF INSPECTION PRIOR TO THE INSTALLATION OF USED TIRES, TO PROVIDE FOR PENALTIES, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 518 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and ordered placed on the Calendar without reference.

S. 519 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MEDICAL HOMEBOUND INSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4819, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 520 -- Senators Goldfinch, Young, Malloy, Campbell, Gambrell, Gregory, Talley, Rice, Grooms, Williams, Sabb, Cash, Climer and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3775 SO AS TO ENACT THE "LIVABLE HOMES TAX CREDIT ACT", TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT TO AN INDIVIDUAL WHO PURCHASES A NEW RESIDENCE OR RETROFITS AN EXISTING RESIDENCE, PROVIDED THAT THE NEW RESIDENCE OR THE RETROFITTING OF THE EXISTING RESIDENCE IS DESIGNED TO IMPROVE ACCESSIBILITY, TO PROVIDE A CUMULATIVE TOTAL FOR WHICH THE CREDIT MAY NOT EXCEED, AND TO PROVIDE CERTAIN DESIGN ELEMENT REQUIREMENTS AND ELIGIBLE COSTS.

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

S. 521 -- Senator Turner: A BILL TO AMEND CHAPTER 15, TITLE 42 OF THE 1976 CODE, RELATING TO NOTICES OF ACCIDENTS IN THE WORKPLACE, THE FILING OF CLAIMS, AND MEDICAL ATTENTION AND EXAMINATION, BY ADDING SECTION 42-15-75, TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES AN EMPLOYER MAY PAY UP TO TWO THOUSAND FIVE HUNDRED DOLLARS FOR MEDICAL TREATMENT FOR AN EMPLOYEE INJURED ON THE JOB WITHOUT HAVING TO REPORT THE INJURY.

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

S. 522 -- Senator Turner: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

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

S. 523 -- Senators Massey, Bennett, Climer, Davis, Goldfinch, Grooms, Hembree, Rice, Talley and Turner: A BILL TO ENACT THE "EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACCOUNT ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE THAT PARENTS OF ELIGIBLE STUDENTS MAY ESTABLISH AND FUND ACCOUNTS FOR USE IN MEETING CERTAIN EDUCATION EXPENSES, TO PROVIDE GUIDELINES FOR THE USE OF SUCH FUNDS AND PENALTIES FOR MISUSE, TO PROVIDE CERTAIN RELATED POWERS AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, TO CREATE A PARENTAL REVIEW PANEL TO ASSIST IN DETERMINING WHETHER CERTAIN EXPENSES CONSTITUTE QUALIFIED EDUCATION EXPENSES, AMONG OTHER THINGS, AND TO DEFINE NECESSARY TERMS.

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

S. 524 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 17 TO TITLE 27 SO AS TO ENACT THE "REVISED UNIFORM UNCLAIMED PROPERTY ACT OF 2019"; TO PROVIDE FOR THE MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH ABANDONED AND UNCLAIMED PROPERTY, AS DEFINED IN THE ACT, MAY BE ESCHEATED BY THE STATE FOR SALE OR OTHER DISPOSITION, AND TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS; AND TO REPEAL CHAPTER 18, TITLE 27, RELATING TO THE 1988 UNIFORM UNCLAIMED PROPERTY ACT, INCLUDING SUBSEQUENT AMENDMENTS TO THE 1988 ACT.

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

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO

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AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

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

H. 3051 -- Reps. D. C. Moss, Chumley, Burns, Long, G. R. Smith, V. S. Moss, Yow, Hixon, Bryant, Clemmons, McGinnis, W. Newton, Hosey, Ligon and McCravy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, AND TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES.

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

H. 3312 -- Reps. W. Newton and R. Williams: A BILL TO AMEND SECTIONS 56-1-170, 56-1-390, 56-1-395, 56-1-400, 56-1-460, 56-1-550, 56-1-740, 56-1-746, 56-1-2080, 56-3-355, 56-3-1230, 56-3-1290, 56-3-1335, 56-3-2545, 56-3-3500, 56-3-3600, 56-3-3800, 56-3-3950, 56-3-4100, 56-3-4200, 56-3-4410, 56-3-4510, 56-3-4600, 56-3-4800, 56-3-5400, 56-3-6000, 56-3-7200, 56-3-7300, 56-3-7310, 56-3-7320, 56-3-7330, 56-3-7340, 56-3-7350, 56-3-7370, 56-3-7780, 56-3-7800, 56-3-7950, 56-3-8000, 56-3-8200, 56-3-8300, 56-3-8600, 56-3-8710, 56-3-9400, 56-3-9500, 56-3-9600, 56-3-9710, 56-3-10010, 56-3-10110, 56-3-10210, 56-3-10310, 56-3-11450, 56-3-12610, 56-3-13310, 56-5-750, AND 56-5-2942, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE APPLICATION OF RESTRICTIONS ON A PERSON'S DRIVER'S LICENSE, FEES ASSESSED FOR THE REINSTATEMENT OF A DRIVER'S LICENSE, THE SURRENDER OF A DRIVER'S LICENSE WHEN THE LICENSE IS SUSPENDED OR REVOKED, THE PLACEMENT OF AN INTERLOCK DEVICE ON THE VEHICLES OF CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANOTHER SUBSTANCE, PENALTIES IMPOSED UPON A PERSON WHO OPERATES A VEHICLE WITH A LICENSE THAT HAS BEEN CANCELED, SUSPENDED, OR REVOKED, THE FEE IMPOSED FOR EXPEDITING A REQUEST FOR A COPY OF CERTAIN

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DEPARTMENT OF MOTOR VEHICLES' DOCUMENTS, THE SUSPENSION OF A DRIVER'S LICENSE AND THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, THE ISSUANCE OF A COMMERCIAL DRIVER'S LICENSE, THE PERIOD FOR PROCURING A LICENSE PLATE FOR A MOTOR VEHICLE, THE ISSUANCE OF TEMPORARY LICENSE PLATES, AND THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OR REVOCATION OF A COMMERCIAL VEHICLE REGISTRATION CARD AND LICENSE PLATE, THE FEE TO OBTAIN AN IDENTIFIER, LICENSE PLATE SPECIFICATIONS AND THE ISSUANCE OF NEW LICENSE PLATES, THE TRANSFER OF A LICENSE PLATE FROM ONE VEHICLE TO ANOTHER VEHICLE, THE SUSPENSION OF A MOTOR VEHICLE LICENSE PLATE WHEN ITS DRIVER FAILS TO PAY A TOLL, THE DISPERSEMENT OF FEES COLLECTED FROM THE ISSUANCE OF CONSERVE SOUTH CAROLINA SPECIAL LICENSE PLATES, PENN CENTER SPECIAL LICENSE PLATES, SOUTH CAROLINA NURSES SPECIAL LICENSE PLATES, AMERICAN LEGION SPECIAL LICENSE PLATES, KEEP SOUTH CAROLINA BEAUTIFUL SPECIAL LICENSE PLATES, SOUTH CAROLINA ELKS ASSOCIATION SPECIAL LICENSE PLATES, CAROLINA PANTHERS SPECIAL LICENSE PLATES, SHARE THE ROAD SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE SPECIAL LICENSE PLATES, SONS OF CONFEDERATE VETERANS SPECIAL LICENSE PLATES, FRATERNAL ORDER OF POLICE SPECIAL LICENSE PLATES, UNITED STATES ARMED SERVICES SPECIAL LICENSE PLATES, ARTS AWARENESS SPECIAL LICENSE PLATES, SALTWATER FISHING SPECIAL LICENSE PLATES, SUPPORT OUR TROOPS SPECIAL LICENSE PLATES, EMERGENCY MEDICAL SERVICE SPECIAL LICENSE PLATES, NATIVE AMERICAN SPECIAL LICENSE PLATES, SOUTH CAROLINA PEACH COUNCIL SPECIAL LICENSE PLATES, CAREER RESEARCH CENTERS OF THE CAROLINAS SPECIAL LICENSE PLATES, VIETNAM WAR VETERANS SPECIAL LICENSE PLATES, SOUTH CAROLINA AQUARIUM SPECIAL LICENSE PLATES, HUNTING ISLAND STATE PARK SPECIAL LICENSE PLATES, NONPROFIT ORGANIZATION SPECIAL LICENSE PLATES, SPECIAL LICENSE PLATES PRODUCTION AND DISTRIBUTION GUIDELINES, ROTARY INTERNATIONAL SPECIAL LICENSE PLATES, MARINE CORPS LEAGUE SPECIAL

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LICENSE PLATES, DUCKS UNLIMITED SPECIAL LICENSE PLATES, NASCAR SPECIAL LICENSE PLATES, MORRIS ISLAND LIGHTHOUSE SPECIAL LICENSE PLATES, GOD BLESS AMERICA SPECIAL LICENSE PLATES, NO MORE HOMELESS PETS SPECIAL LICENSE PLATES, HERITAGE CLASSIC FOUNDATION SPECIAL LICENSE PLATES, PARROT HEAD SPECIAL LICENSE PLATES, OPERATION DESERT STORM - DESERT SHIELD VETERANS SPECIAL LICENSE PLATES, OPERATION ENDURING FREEDOM VETERANS SPECIAL LICENSE PLATES, OPERATION IRAQI FREEDOM VETERANS SPECIAL LICENSE PLATES, HISTORIC SPECIAL MOTOR VEHICLE SPECIAL LICENSE PLATES, SOUTH CAROLINA WILDLIFE FEDERATION SPECIAL LICENSE PLATES, MOTORCYCLE AWARENESS ALLIANCE SPECIAL LICENSE PLATES, A MOTOR VEHICLE DRIVER'S FAILURE TO STOP WHEN SIGNALLED BY A LAW ENFORCEMENT VEHICLE, AND THE IMMOBILIZATION OF CERTAIN VEHICLES, ALL SO AS TO SUBSTITUTE THE TERM "DEPARTMENT OF MOTOR VEHICLES" FOR THE TERM "COMPTROLLER GENERAL", AND TO MAKE TECHNICAL CHANGES.

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

H. 3639 -- Reps. Taylor, Allison, Felder and Huggins: A BILL TO AMEND SECTION 59-112-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

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

**REPORTS OF STANDING COMMITTEE**

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

S. 260 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE "REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT", TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY

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APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

Ordered for consideration tomorrow.

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

S. 455 -- Senators Alexander and Climer: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

Ordered for consideration tomorrow.

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

**READ THE THIRD TIME  
SENT TO THE HOUSE**

The following Bills and Resolution were read the third time and ordered sent to the House of Representatives:

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870 OF THE 1976 CODE, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

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S. 398 -- Senators Alexander and Scott: A JOINT RESOLUTION TO PROVIDE A GRACE PERIOD ON THE ENFORCEMENT OF SECTION 12-21-735 OF THE 1976 CODE, RELATING TO THE STAMP TAX ON CIGARETTES, AGAINST UNSTAMPED PACKAGES OF CIGARETTES FOR WHICH APPLICABLE TAXES HAVE BEEN PAID.

S. 35 -- Senators Grooms, Campsen, Verdin and Corbin: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT", TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

**Recorded Vote**

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

**SECOND READING BILL**

S. 504 -- Senators Hutto and M.B. Matthews: A BILL TO AMEND ACT 372 OF 2008, RELATING TO THE ALLENDALE COUNTY AERONAUTICS AND DEVELOPMENT COMMISSION, SO AS TO ABOLISH THE EXISTING NINE-MEMBER COMMISSION, TO TERMINATE THE TERMS OF ITS MEMBERS, TO RECONSTITUTE THE COMMISSION AS THE ALLENDALE

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COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

On motion of Senator HUTTO.

**READ THE SECOND TIME**

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

The Senate proceeded to the consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question then being the second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Davis	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Malloy	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

**Total--38**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

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

**POINT OF ORDER**

S. 181 -- Senators McElveen, Johnson, McLeod, Climer and Shealy: A BILL TO AMEND SECTION 63-9-80 OF THE 1976 CODE, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, TO PROVIDE THAT BIOLOGICAL PARENTS MAY PROVIDE THEIR PERSONAL MEDICAL HISTORY INFORMATION AT THE TIME OF CONSENT OR RELINQUISHMENT FOR THE PURPOSES OF ADOPTION, TO PROVIDE THAT, IF THE INFORMATION IS PROVIDED, THEN IT SHALL BE MADE AVAILABLE TO THE PROSPECTIVE ADOPTIVE PARENT, AND TO PROVIDE THAT THE INFORMATION MUST ALSO BE DEPOSITED WITH THE COURT AND MAY BE MADE AVAILABLE TO THE ADOPTEE WHEN THE ADOPTEE REACHES THE AGE OF MAJORITY OR, PRIOR TO THAT TIME, IF IT IS IN THE BEST INTEREST OF THE CHILD.

**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 191 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM; TO PROVIDE THAT RELATIVES AND FICTIVE KIN

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MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES; AND TO DEFINE NECESSARY TERMS.

**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 211 -- Senator Young: A BILL TO AMEND SECTION 63-7-940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR "NEAR FATALITY".

**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 428 -- Senators Gambrell and Cash: A BILL TO AMEND SECTION 7-7-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN ANDERSON COUNTY, SO AS TO DELETE THE GROVE SCHOOL AND ANDERSON 5/A PRECINCTS AND ADD THE SOUTH FANT PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 441 -- Senator Nicholson: A BILL TO AMEND SECTION 7-7-290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENWOOD COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3697 -- Reps. Taylor, Allison, Gilliard, Simmons, Bales, Moore and Govan: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF REGULATION 62-6-(D), SOUTH CAROLINA CODE OF REGULATIONS, RELATING TO THE REQUIREMENT THAT AT LEAST TWENTY-FIVE PERCENT OF CURRICULUM REQUIREMENTS FOR CERTAIN ACADEMIC PROGRAMS MUST BE EARNED THROUGH INSTRUCTION BY THE INSTITUTION AWARDED THE DEGREE, THE COMMISSION ON HIGHER EDUCATION MAY GRANT ALTERNATE PROGRAM COMPLETION OPTIONS TO STUDENTS IMPACTED BY THE CLOSURE OF SIX EDUCATION CORPORATION OF AMERICA, INC., HIGHER EDUCATION PROVIDERS IN SOUTH CAROLINA IN 2018.

**Point of Order**

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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**Motion Adopted**

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

**EXECUTIVE SESSION**

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

**STATEWIDE APPOINTMENT**

**Confirmation**

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Adjutant General, with the term to commence January 13, 2019, and to expire January 13, 2021

Roy Van McCarty, 217 Silvercreek Dr., Lexington, SC 29072-8089  
VICE Major General Robert E. Livingston, Jr.

On motion of Senator SHEALY, the question was confirmation of Roy Van McCarty.

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

**Ayes 40; Nays 0**

**AYES**

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

[SJ]



**THURSDAY, FEBRUARY 14, 2019**

**Total--40**

**NAYS**

**Total--0**

The appointment of Roy Van McCarty was confirmed.

**Motion Adopted**

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

**ADJOURNMENT**

At 11:37 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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