

NO. 43

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

THURSDAY, MARCH 21, 2019

Thursday, March 21, 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 acting Chaplain, Senator ALEXANDER as follows:

Proverbs 21:21

“The one who pursues righteousness and faithful love will find life, righteousness and honor.”

Let us pray. Almighty God, our help in ages past and hope for the future, we come this day to You in the Senate seeking Your grace, mercy and love, we pursue righteousness to find life and service through You. Direct our steps as we walk this path of service in this Chamber this day and the opportunity to serve You through serving others.

Lead us in this responsibility before us that our work will be pleasing to You and giving thanks for our staff that assists us in this work. In thy 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 SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Climer	Corbin	Goldfinch
Grooms	Harpootlian	Hembree
Jackson	Leatherman	Martin
Peeler	Reese	Rice
Sabb	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Williams	Young

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A quorum being present, the Senate resumed.

Doctor of the Day

Senator CAMPSSEN introduced Dr. John Corless of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 11:24 A.M., Senator VERDIN requested a leave of absence for Senator M.B. MATTHEWS for Thursday, March 21, 2019 and Tuesday, March 26, 2019.

Leave of Absence

At 11:41 A.M., Senator McLEOD requested a leave of absence for Senator FANNING for the balance of the day.

Leave of Absence

At 11:41 A.M., Senator ALLEN requested a leave of absence until 12:23 P.M.

Leave of Absence

At 12:00 P.M., Senator CAMPSSEN requested a leave of absence for Senator CAMPBELL and Senator CROMER for the day.

Leave of Absence

At 12:22 P.M., Senator RICE requested a leave of absence for Senator SENN for the balance of the day.

CO-SPONSORS ADDED

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

- S. 154 Sen. McLeod
- S. 185 Sen. Martin
- S. 593 Sen. Scott
- S. 678 Sen. Davis
- S. 694 Sens. Setzler and Massey

RECALLED

S. 681 -- Senator Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE-95 NORTHBOUND FROM EXIT 102 TO EXIT 115 "RANDOLPH L. GARRETT, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS

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OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

RECALLED AND ADOPTED

S. 682 -- Senators Gambrell and Cash: A CONCURRENT RESOLUTION TO AFFIRM THE DEDICATION OF THE GENERAL ASSEMBLY TO THE FUTURE SUCCESS OF SOUTH CAROLINA'S YOUNG PEOPLE AND TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND TO DECLARE THE MONTH OF APRIL 2019 AS "CHILD ABUSE PREVENTION MONTH" IN THE STATE OF SOUTH CAROLINA.

Senator GAMBRELL asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

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

There was no objection.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 687 -- Senators Kimpson and Gambrell: A SENATE RESOLUTION TO CONGRATULATE LAWRENCE "BILLY" DANIEL ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 688 -- Senator Turner: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH SEVENTH GRADE AND EIGHTH GRADE STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

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

S. 689 -- Senator Climer: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSION FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

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

S. 690 -- Senator Campsen: A BILL TO AMEND SECTION 48-22-40 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE

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SOUTH CAROLINA GEOLOGICAL SURVEY UNIT OF THE DEPARTMENT OF NATURAL RESOURCES, TO AUTHORIZE THE DIVISION TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS TO ENSURE COMPLIANCE WITH CERTAIN FEDERAL EMERGENCY MANAGEMENT AGENCY STANDARDS, TO REQUIRE THE DIVISION TO PROVIDE THIS INFORMATION TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FLOOD MITIGATION PROGRAM, AND TO REQUIRE THAT THE TOPOGRAPHIC MAPS BE MADE AVAILABLE TO THE PUBLIC ON THE DEPARTMENT OF NATURAL RESOURCES' WEBSITE.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 691 -- Senators J. Matthews, Campbell and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND

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PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.

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

S. 692 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE TAMASSEE DAR SCHOOL UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF SERVICE TO CHILDREN AND FAMILIES IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 693 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE AMERICAN LEGION UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE UNITED STATES OF AMERICA.

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The Senate Resolution was adopted.

S. 694 -- Senators Young, Setzler and Massey: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF AIKEN COUNTY CORONER TIMOTHY "TIM" CARLTON AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 695 -- Senator Reese: A BILL TO AMEND SECTION 5-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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THE ELECTION AND TERMS OF COMMISSIONERS OF PUBLIC WORKS IN MUNICIPALITIES, SO AS TO ALLOW A MUNICIPALITY TO PROVIDE FOR UP TO FOUR ADDITIONAL PUBLIC WORKS COMMISSIONERS, STAGGERED TERMS FOR ADDITIONAL COMMISSIONERS, AND REPRESENTATION OF SERVICE AREAS OUTSIDE THE MUNICIPALITY, AND TO DELETE THE REQUIREMENT THAT THE PROVISIONS OF THE SECTION APPLY ONLY TO COMMISSIONS OF PUBLIC WORKS FOUNDED AFTER 1920.

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

S. 696 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

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

S. 697 -- Senators Rankin, Hutto, Goldfinch, Jackson, Gambrell, Grooms, J. Matthews, Sabb, Hembree, Williams, M. B. Matthews, McElveen, Campsen, Johnson and Harpootlian: A BILL TO AMEND SECTION 58-31-30(B) OF THE 1976 CODE, RELATING TO THE PROHIBITION ON THE PUBLIC SERVICE AUTHORITY PURSUING OR INVESTIGATING THE FEASIBILITY OF A SALE, TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY MAY NOT BE SOLD WITHOUT THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY.

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Senator RANKIN spoke on the Bill.

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

S. 698 -- Senators Harpootlian, Goldfinch, Hutto, Sheheen, Climer, McElveen and Kimpson: A BILL SECTION 15-78-150(b) OF THE 1976 CODE, RELATING TO THE AUTHORITY OF THE STATE

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FISCAL ACCOUNTABILITY AUTHORITY TO FUND PURCHASES BY PARTICIPATING GOVERNMENTAL ENTITIES AND SET PREMIUMS ACCORDING TO RISK AND TO DEVELOP AN ACTUARIAL RATING SYSTEM PLAN, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL RATE A POLICY ACCORDING TO THE RISK INVOLVED WITH EACH PARTICIPATING GOVERNMENTAL ENTITY BASED UPON THE NUMBER OF EMPLOYEES; THE AGGREGATE ANNUAL BUDGET OF THE ENTITY; AND ANY UNIQUE EXPOSURES, LOSS HISTORY, OR CLAIMS PENDING AGAINST THE ENTITY.

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

S. 699 -- Senator McLeod: A BILL TO AMEND SECTION 16-17-425 OF THE 1976 CODE, RELATING TO STUDENT THREATS, TO PROVIDE A PENALTY FOR A STUDENT OF A SCHOOL OR COLLEGE WHO MAKES CERTAIN THREATS.

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

S. 700 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE RYAN DOBBS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.

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The Senate Resolution was adopted.

S. 701 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE TYLER BYARS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.

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The Senate Resolution was adopted.

S. 702 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE ETHAN POWELL OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO

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HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.

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The Senate Resolution was adopted.

S. 703 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE AJ DICKERSON OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.

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The Senate Resolution was adopted.

S. 704 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MATTHEW WILLIAMS OF THE WEST-OAK HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO HONOR HIM FOR WINNING THE CLASS 3A STATE CHAMPION TITLE IN HIS WEIGHT CLASS.

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The Senate Resolution was adopted.

H. 4273 -- Reprs. Willis, G. R. Smith, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoun, 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, Jordan, Kimmons, King, Kirby, Ligon, Loftis, 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, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO SALUTE JOHN ROBERT CARTER, MAYOR OF THE TOWN OF GRAY COURT, WHO, HAVING SERVED THE PUBLIC WITH DISTINCTION FOR FORTY-TWO YEARS, IS

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WORTHY OF DEEP APPRECIATION FOR HIS DECADES OF COMMITTED SERVICE AND BEST WISHES FOR MUCH CONTINUED SUCCESS IN THE YEARS TO COME.

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

REPORTS OF STANDING COMMITTEE

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

S. 185 -- Senators McElveen, Rice and Alexander: A BILL TO AMEND SECTION 1B OF ACT 80 OF 2013, RELATING TO THE HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013, COMMONLY REFERRED TO AS THE ANGEL INVESTOR ACT, FOUND IN CHAPTER 44, TITLE 11, TO EXTEND THE SUNSET PROVISION FROM DECEMBER 31, 2019 TO DECEMBER 31, 2025.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 303 -- Senators Kimpson, Shealy, Fanning and Davis: A BILL TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND OR RELATIVE FREELY CHOOSES TO ASSUME THAT RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.

Ordered for consideration tomorrow.

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

S. 401 -- Senators Campbell and Scott: A BILL TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE,

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RELATING TO THE CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-880, TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 530 -- Senator Leatherman: A BILL TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO

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THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATION, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALLY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO

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REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT

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EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHOD, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN

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CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF

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ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220, RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT

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OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF “PUBLIC PROCUREMENT UNIT”; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; TO AMEND SECTION 1-23-600 AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT’S INTERNAL PROCUREMENT

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OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.

Ordered for consideration tomorrow.

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

S. 621 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

Ordered for consideration tomorrow.

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

S. 647 -- Senator Martin: A BILL TO AMEND SECTION 12-6-3750(A) OF THE 1976 CODE, RELATING TO A NONREFUNDABLE TAX CREDIT FOR PROCESSING DONATED DEER FOR CHARITABLE DISTRIBUTION, TO INCLUDE WILD HOGS.

Ordered for consideration tomorrow.

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

S. 655 -- Senators Peeler, Malloy, Climer, Fanning, Gregory and Leatherman: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; 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

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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; AND 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.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3274 -- Reps. Simrill, Rutherford, Ligon, Taylor, Loftis, Hixon, Gilliard, West, Bannister and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC CIGARETTES, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO JANUARY 1, 2019, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Ordered for consideration tomorrow.

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

H. 4157 -- Reps. Lucas, G.M. Smith, Simrill, Bannister and Clemmons: A JOINT RESOLUTION TO EXTEND THE DEADLINE TO SUBMIT OFFERS FOR A SOLICITATION FOR A STATEWIDE VOTING SYSTEM SOLUTION FOR THE SOUTH CAROLINA ELECTIONS COMMISSION AND TO CREATE A SPECIAL EVALUATION PANEL TO EVALUATE AND SCORE EACH PROPOSAL.

Ordered for consideration tomorrow.

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Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742 *VICE* George N. Martin III

Received as information.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Alex Albert Singleton, 1903 Clubhouse Road, Ravenel, SC 29470-9601 *VICE* David W. Gillespie

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

7th Congressional District:

Alison Y. Evans, 612 West Home Ave., Hartsville, SC 29550

Received as information.

Message from the House

Columbia, S.C., March 21, 2019

Mr. President and Senators:

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

H. 3595 -- Reprs. Elliott, G.M. Smith, Simrill, Stavrinakis, Loftis, Clemmons, Erickson, West, Bannister and Forrest: A BILL TO

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AMEND SECTION 12-6-3585, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO INCREASE THE AGGREGATE ANNUAL CREDIT AMOUNT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 21, 2019

Mr. President and Senators:

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

H. 3449 -- Reps. Hiott, Lucas, Kirby, Forrest, Young, Hixon, B. Newton, Erickson, Bradley, Mace, Atkinson, Ligon, Magnuson, Hill, Johnson and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-55-70 SO AS TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE IS RESPONSIBLE FOR THE REGULATION OF HEMP IN SOUTH CAROLINA IN STRICT COMPLIANCE WITH THE STANDARDS AND PRACTICES ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO REPEAL SECTIONS 46-55-20 THROUGH 46-55-60, ALL RELATING TO INDUSTRIAL HEMP.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator ALLEN, the Privilege of the Chamber, to that area behind the rail, was extended to head coach B.J. Jackson and the Legacy Early College High School team in recognition of their 2019 Prep National Tournament Championship.

Remarks to be Printed

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator ALLEN, when reduced to writing and made available to the Desk, would be printed in the Journal.

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Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator McLEOD, the Privilege of the Chamber, to that area behind the rail, was extended to Brigadier General Larry L. Boyd in recognition of his service to our State and to congratulate him on a well deserved retirement.

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

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

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

S. 474 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TEN SPADEFISH IN ANY ONE DAY, NOT TO EXCEED THIRTY SPADEFISH IN ANY ONE DAY ON ANY BOAT; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROVIDE THAT IT IS UNLAWFUL TO TAKE, POSSESS, LAND, SELL, PURCHASE, OR ATTEMPT TO SELL OR PURCHASE SPADEFISH OF LESS THAN FOURTEEN INCHES IN TOTAL LENGTH.

S. 132 -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PA ACT OF 2019" BY ADDING SECTION 40-47-936 SO AS TO PROVIDE CERTAIN ORDERS PHYSICIAN ASSISTANTS MAY PLACE TO BE PERFORMED BY LICENSED PERSONNEL PURSUANT TO THE SCOPE OF PRACTICE OF THE PHYSICIAN ASSISTANT; BY ADDING SECTION 40-47-1025 SO AS TO PROVIDE CERTAIN PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE EMPLOYMENT ARRANGEMENT OF PHYSICIAN ASSISTANTS; BY ADDING SECTION 40-47-1030 SO AS TO PROVIDE THE BOARD OF MEDICAL EXAMINERS MAY APPROVE PHYSICIAN ASSISTANTS TO ENTER INTO NONDISCIPLINARY ALTERNATIVE PROGRAMS AND TO PROVIDE CONFIDENTIALITY OF RELATED RECORDS; BY ADDING

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SECTION 40-47-1035 SO AS TO PROVIDE PHYSICIAN ASSISTANTS MAY BE CONSIDERED PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS WHEN PRACTICING IN THE MEDICAL SPECIALTIES REQUIRED FOR PHYSICIANS TO BE PRIMARY CARE PROVIDERS OR MENTAL HEALTH PROVIDERS, AND TO CLARIFY THE AFFECT ON RELATED WORKING RELATIONSHIPS AND SCOPES OF PRACTICE; BY ADDING SECTION 40-47-1040 SO AS TO PROVIDE THE BOARD MAY MAKE SPECIAL PROVISIONS FOR LICENSURES OF APPLICANTS WHO HAVE BEEN CLINICALLY INACTIVE FOR MORE THAN TWENTY-FOUR MONTHS, TO PROVIDE REQUIREMENTS FOR THESE SPECIAL PROVISIONS, AND TO PROVIDE PHYSICIAN ASSISTANTS WHO HAVE BEEN FULL-TIME EMPLOYEES OF CERTAIN ACCREDITED EDUCATIONAL PROGRAMS MAY NOT BE CONSIDERED TO HAVE BEEN CLINICALLY INACTIVE FOR LICENSURE OR LICENSE RENEWAL PURPOSES; TO AMEND SECTION 40-47-195, AS AMENDED, RELATING TO SUPERVISING PHYSICIANS IN SCOPE OF PRACTICES, SO AS TO REVISE RELATED REQUIREMENTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO REVISE NECESSARY TERMS; TO AMEND SECTION 40-47-113, RELATING TO THE ESTABLISHMENT OF PHYSICIAN-PATIENT RELATIONSHIPS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE AND PROVIDE NECESSARY DEFINITIONS; TO AMEND SECTION 40-47-915, RELATING TO THE APPLICABILITY OF THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE CRITERIA FOR PERSONS SUBJECT TO THE ACT; TO AMEND SECTION 40-47-925, RELATING TO THE PHYSICIAN ASSISTANT ADVISORY COMMITTEE TO THE BOARD, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-930, RELATING TO THE POWERS AND DUTIES OF THE COMMITTEE AND BOARD, SO AS TO REVISE THE REQUIREMENTS AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO EXPAND THE RANGE

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OF THESE ACTS AND DUTIES; TO AMEND SECTION 40-47-938, RELATING TO SUPERVISORY RELATIONSHIPS, SO AS TO REVISE THE REQUIREMENTS FOR THESE RELATIONSHIPS; TO AMEND SECTION 40-47-940, RELATING TO THE LICENSURE APPLICATION PROCESS AND TEMPORARY LICENSES, SO AS TO REVISE THE PROCESS AND PROVIDE REQUIREMENTS FOR EMERGENCY LICENSES; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSES FOR PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-47-950, RELATING TO LIMITED PHYSICIAN ASSISTANT LICENSES, SO AS TO ELIMINATE CERTAIN REQUIREMENTS FOR THESE LICENSES, MODIFY THE ROLE OF SUPERVISING PHYSICIANS, AND MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-955, AS AMENDED, RELATING TO SCOPE OF PRACTICE, SO AS TO REVISE THE REQUIREMENTS AND INCLUDE REQUIREMENTS CONCERNING TELEMEDICINE, AMONG OTHER THINGS; TO AMEND SECTION 40-47-960, RELATING TO REQUIRED CONTENT IN SCOPE OF PRACTICES, SO AS TO REVISE THE REQUIRED CONTENT AND PROVIDE SCOPE OF PRACTICES MAY BE IN WRITTEN OR ELECTRONIC FORMAT; TO AMEND SECTION 40-47-965, RELATING TO REQUIREMENTS OF PHYSICIAN ASSISTANTS WHEN PRESCRIBING CERTAIN TREATMENTS, SO AS TO EXPAND THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRESCRIBE SUCH TREATMENTS; TO AMEND SECTION 40-47-970, RELATING TO MEDICAL TASKS, ACTS, AND FUNCTIONS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO ELIMINATE RESTRICTIONS ON PRESCRIBING CERTAIN CONTROLLED SUBSTANCES AND RESTRICTIONS ON PERFORMING ACTS OUTSIDE THE USUAL PRACTICE OF THEIR SUPERVISING PHYSICIANS; TO AMEND SECTION 40-47-985, RELATING TO UNSCHEDULED INSPECTIONS THAT THE BOARD MAY MAKE OF FACILITIES EMPLOYING PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-47-990, RELATING TO THE IDENTIFICATION OF PHYSICIAN ASSISTANTS, SO AS TO REVISE THE REQUIREMENTS AND PROVIDE FOR EXCEPTIONS DURING UNPLANNED EMERGENCIES; TO AMEND SECTION 40-47-1000, RELATING TO UNLAWFUL REPRESENTATION OF ONESELF AS A PHYSICIAN ASSISTANT,

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SO AS TO ALLOW THAT PERSONS WHO MEET THE QUALIFICATIONS OF CHAPTER 47, TITLE 40 MAY REPRESENT THEMSELVES AS BEING PHYSICIAN ASSISTANTS, BUT MAY NOT PERFORM PHYSICIAN ASSISTANT ACTS; TO AMEND SECTION 40-47-1005, RELATING TO GROUNDS FOR MISCONDUCT MANDATING DISCIPLINE, SO AS TO REVISE THESE GROUNDS; TO AMEND SECTION 40-47-1015, RELATING TO LICENSURE FEES, SO AS TO REVISE THE FEES; TO AMEND SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENTS OF PHYSICIAN ASSISTANTS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 40-47-995 RELATING TO THE TERMINATION OF SUPERVISORY RELATIONSHIPS BETWEEN PHYSICIANS AND PHYSICIAN ASSISTANTS.

S. 136 -- Senators Davis and Shealy: A BILL TO AMEND SECTION 44-53-360(j) OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCE PRESCRIPTIONS, TO REQUIRE THE USE OF ELECTRONIC PRESCRIPTIONS AND TO PROVIDE EXCEPTIONS.

S. 498 -- Senators Shealy and Climer: A BILL TO AMEND ARTICLE 9, CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S TRUST FUND, BY ADDING SECTION 63-11-970, TO PROVIDE THAT THE CHILDREN'S TRUST FUND SHALL HAVE ACCESS AT ANY AND ALL REASONABLE TIMES TO ALL ELECTRONIC INFORMATION SYSTEMS, RECORDS, REPORTS, AND MATERIALS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 63-7-1990(B), RELATING TO CONFIDENTIALITY AND THE RELEASE OF RECORDS AND INFORMATION, TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO GRANT ACCESS TO THE RECORDS OF INDICATED CASES TO THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA.

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HOUSE BILLS RETURNED

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

H. 3180 -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 1, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT"; TO DEFINE THE ACT'S RELEVANT TERMS; TO ENUMERATE CERTAIN RIGHTS, BENEFITS, AND OBLIGATIONS OF SERVICEMEMBERS AND THEIR DEPENDENTS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING A CIVIL ACTION FOR INTENTIONAL VIOLATIONS OF THE ACT; TO ESTABLISH REMEDIES AND PENALTIES; AND TO REQUIRE THE ADJUTANT GENERAL TO POST CERTAIN INFORMATION REGARDING THE ACT ON THE SOUTH CAROLINA NATIONAL GUARD WEBSITE.

Senator McELVEEN explained the Bill.

H. 3438 -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: A BILL TO AMEND SECTION 25-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF VETERANS AFFAIRS, SO AS TO ESTABLISH THE DIVISION WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT, TO PROVIDE THAT THE DIRECTOR MUST BE APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE GENERAL ASSEMBLY, AND TO ENUMERATE THE DIVISION'S POWERS AND DUTIES; TO AMEND SECTION 25-11-20, RELATING TO THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS, SO AS TO ENUMERATE SPECIFIC DUTIES; AND TO AMEND SECTION 25-11-40, RELATING TO THE APPOINTMENT, REMOVAL, TRAINING, AND ACCREDITATION OF COUNTY VETERANS AFFAIRS OFFICERS, SO AS TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS AFFAIRS OFFICERS, TO ELIMINATE THE AUTHORITY TO APPOINT NONVETERANS TO SERVE AS COUNTY VETERANS AFFAIRS OFFICERS, TO PROVIDE AN EXCEPTION FOR PERSONS CURRENTLY SERVING AS COUNTY VETERANS AFFAIRS OFFICERS, AND TO REMOVE LOCAL NONCONFORMING PROVISIONS.

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CARRIED OVER

S. 189 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 63-7-1640(C)(1)(d) OF THE 1976 CODE, RELATING TO FAMILY PRESERVATION AND REUNIFICATION, TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO FOREGO REASONABLE EFFORTS TO REUNIFY A FAMILY IN THE CASE OF TORTURE; TO AMEND SECTION 63-7-2570 OF THE 1976 CODE, RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO ADD TORTURE, OR CONSPIRING TO COMMIT TORTURE, AS A GROUND FOR TERMINATING A PARENT'S RIGHTS; TO AMEND SECTION 16-3-85 (A) AND (C) OF THE 1976 CODE, RELATING TO HOMICIDE BY CHILD ABUSE, TO ADD DEATH OF A CHILD BY TORTURE, OR BY CONSPIRING TO TORTURE, AS ACTIONS CONSTITUTING THE OFFENSE, AND TO ESTABLISH CRIMINAL PENALTIES; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-100, TO PROVIDE THAT TORTURING A CHILD, OR ALLOWING ANOTHER TO TORTURE A CHILD, IS A CRIMINAL OFFENSE, AND TO ESTABLISH PENALTIES; AND TO DEFINE NECESSARY TERMS.

Senator YOUNG explained the Bill.

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

CARRIED OVER

S. 413 -- Senator Shealy: A BILL TO AMEND SECTION 23-1-212 OF THE 1976 CODE, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, TO PROVIDE THAT NAVAL CRIMINAL INVESTIGATIVE SERVICE AGENTS ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Senator HUTTO explained the Bill.

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

CARRIED OVER

S. 651 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO HEARING PROCEDURES (REVIEW AND ENFORCEMENT), DESIGNATED

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AS REGULATION DOCUMENT NUMBER 4830, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 652 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO NOTICES TO BE POSTED, DESIGNATED AS REGULATION DOCUMENT NUMBER 4828, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

H. 3420 -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: A BILL TO AMEND SECTION 16-17-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR BOTH; AND TO AMEND SECTION 16-17-501, RELATING IN PART TO THE DEFINITION OF "ALTERNATIVE NICOTINE PRODUCT", SO AS TO CHANGE THE DEFINITION.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3420.006), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 28 through 41, and page 2, by striking lines 1 through 3, in Section 16-17-500(C), as contained in SECTION 1 and inserting therein the following:

/ "(C) A person engaged in the sale of tobacco products or alternative nicotine products made through the Internet or other remote sales methods shall perform an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is eighteen years of age or older and shall use a method of mailing, shipping, or delivery that requires the signature of a person at least eighteen years of

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age before a tobacco product or alternative nicotine product will be released to the purchaser, unless the Internet or other remote sales methods employ the following protections to ensure age verification:

(1) the customer creates an online profile or account with personal information, including but not limited to, name, address, social security information, and a valid phone number, and that personal information is verified through publicly available records; or

(2) the customer is required to upload a copy of his or her government-issued identification in addition to a current photograph of the customer; and

(3) delivery is made to the customer's name and address. /

Amend the bill further, as and if amended, page 3, by striking lines 24 through 33, as contained in SECTION 2, and inserting therein the following:

/ “(6) ‘Alternative nicotine product’ means ~~a~~ any vaping product, whether or not it includes nicotine, including electronic cigarettes, electronic smoking devices, that consists of or contains nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, or by any other means. ‘Alternative nicotine product’ does not include:

(a) a cigarette, as defined in Section 12-21-620, or other tobacco products, as defined in Section 12-21-800;

(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);

(c) a device pursuant to 21 U.S.C. 321(h); or

(d) a combination product described in 21 U.S.C. 353(g).”

C.Section 16-17-501(7) of the 1976 Code is amended to read:

~~“(7) “Electronic cigarette” means an electronic product or device that produces a vapor that delivers nicotine or other substances to the person inhaling from the device to simulate smoking, and is likely to be offered to, or purchased by, consumers as an electronic cigarette, electronic eigar, electronic cigarillo, or electronic pipe. “Electronic cigarette” does not include:~~

~~(a) a cigarette, as defined in Section 12-21-620, or other tobacco products, as defined in Section 12-21-800;~~

~~(b) a product that is a drug pursuant to 21 U.S.C. 321(g)(1);~~

~~(c) a device pursuant to 21 U.S.C. 321(h); or~~

~~(d) a combination product described in 21 U.S.C. 353(g).~~

(7) ‘Electronic smoking device’ means any device that may be used to deliver any aerosolized or vaporized substance, including e-liquid, to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, vapor product, or e-hookah.

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‘Electronic smoking device’ includes any component, part or accessory of the device, and also includes any substance intended to be aerosolized or vaporized during the use of the device, whether or not the substance includes nicotine. ‘Electronic smoking device’ does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.’

D. Section 16-17-501 of the 1976 Code is amended by adding the following new subsections to read:

“(8) ‘E-liquid’ means a substance that:

(a) may or may not contain nicotine;

(b) is intended to be vaporized and inhaled using a vapor product;

and

(c) is a legal substance under the laws of this State and the laws of the United States;

E-liquid does not include cannabis or CBD as defined under the laws of this State and the laws of the United States.

(9) ‘Vapor product’ means a powered vaporizer that converts e-liquid to a vapor intended for inhalation.’ /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (3420R001.SP.ASM) which was carried over:

Amend the bill, as and if amended, page 2, by striking lines 6 through 13 and inserting:

/ (a) for a first offense, fined not less than ~~one hundred dollars~~ nor more than ~~two hundred dollars~~ ~~two hundred dollars~~ and not more than ~~three hundred dollars~~, imprisoned for not more than thirty days, or both;

(b) for a second and subsequent offense, ~~which occurs within three years of the first offense~~, fined not less than ~~two~~ four hundred dollars ~~nor and not more than three~~ five hundred dollars, imprisoned for not more than thirty days, or both;

(c) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars. /

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Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-17-500(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() Failure of an individual to require identification for the purpose of verifying a person’s age is prima facie evidence of a violation of this section.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator HUTTO explained the amendment.

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

Senator MASSEY proposed the following amendment (3420R003.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, line 24, by inserting:

/ (c) It is unlawful for a person under the age of eighteen to purchase, attempt to purchase, smoke, chew, sniff, consume, or knowingly possess tobacco products or alternative nicotine products. A person who violates the provisions of this subitem is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than two hundred dollars.

(d) It is unlawful for a minor under the age of eighteen years to attempt to purchase tobacco or alternative nicotine products by knowingly providing false information concerning the minor’s age. A person who violates the provisions of this subitem, upon conviction, must be fined not less than one hundred dollars and not more than two hundred dollars.

(e) The provisions of this subsection do not apply to a minor under the age of eighteen who is recruited and authorized by a law enforcement agency to test an establishment’s compliance with laws relating to the unlawful transfer of tobacco or alternative nicotine products. The testing must be conducted under the direct supervision of a law enforcement agency, and the law enforcement agency must have the minor’s parental consent. /

Renumber sections to conform.

Amend title to conform.

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Senator MASSEY explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (3420R004.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 6 through 13 and inserting:

/ (a) for a first offense, fined not less than ~~one hundred dollars nor more than two hundred dollars~~ two hundred dollars and not more than three hundred dollars;

(b) for a second and subsequent offense, ~~which occurs within three years of the first offense~~, fined not less than ~~two~~ four hundred dollars ~~nor and not more than three~~ five hundred dollars, imprisoned for not more than thirty days, or both;

~~(c) for a third or subsequent offense, which occurs within three years of the first offense, fined not less than three hundred dollars nor more than four hundred dollars.~~ /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-17-500(E) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() Failure of an individual to require identification for the purpose of verifying a person’s age is prima facie evidence of a violation of this section.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

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

OBJECTION

S. 203 -- Senator Young: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-45, TO PROVIDE CRITERIA FOR SCHOOL DISTRICT CONSOLIDATION, AND TO PROVIDE FOR AN EXCEPTION.

Senator MALLOY objects to the consideration of the Bill.

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

S. 109 -- Senator Massey: A BILL TO AMEND SECTION 40-79-20 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, TO ADD A DEFINITION FOR "ELECTRIC FENCE," AND TO MAKE TECHNICAL CORRECTIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (109R001.SP.ASM), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 11 through 26 and inserting:

/ (10) 'Electric fence' means an electrified fence with a height not to exceed ten feet or two feet higher than the perimeter fence, whichever is higher, that is equipped with an energizer, driven by a commercial storage battery that does not exceed twelve volts DC. The electric charge produced by the fence upon contact must meet and may not exceed energizer characteristics that are tested against the International Electrotechnical Commission Standard. No electric fence shall be installed or used unless it is surrounded by a non-electrical fence or wall that is not less than five feet high. Electric fences shall be permitted on any property that is not zoned exclusively for residential use. Electric fences shall be clearly identified with warning signs that read: 'Warning - Electric Fence' at intervals of not more than sixty feet. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (109R003.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, Section 40-79-20(10), by adding a sentence at the end to read:

/ 'Electric fence' does not mean an electrified fence erected for agricultural or wildlife habitat management purposes. /

Renumber sections to conform.

Amend title to conform.

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Senator CORBIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

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

Total--38

NAYS

Total--0

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

COMMITTED

S. 133 -- Senator Davis: A BILL TO AMEND SECTION 38-75-485 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, TO EXPAND THE PROGRAM TO INCLUDE FLOOD DAMAGE.

On motion of Senator DAVIS, the Bill was committed to the Committee on Finance.

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READ THE SECOND TIME

S. 573 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 34-39-310 AND 34-41-140 SO AS TO PROVIDE THAT THE STATE BOARD OF FINANCIAL INSTITUTIONS MAY PARTICIPATE IN A NATIONWIDE MULTISTATE LICENSING SYSTEM; TO AMEND SECTION 34-39-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-39-150, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; TO AMEND SECTION 34-39-260, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 34-41-10, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "NATIONWIDE MULTISTATE LICENSING SYSTEM" AND "UNIQUE IDENTIFIER"; TO AMEND SECTION 34-41-40, RELATING TO LICENSURE APPLICATIONS, SO AS TO PROVIDE THAT AN APPLICATION MUST BE ACCOMPANIED WITH CERTAIN ACTUAL COSTS OF OBTAINING CREDIT REPORTS AND CRIMINAL HISTORY RECORD CHECKS; AND TO AMEND SECTION 34-41-130, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO PROVIDE THAT THE BOARD MAY WAIVE OR MODIFY CERTAIN REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Goldfinch

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

Total--38

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 579 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED RATE FILINGS FOR INSURERS, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE RATE INCREASES MAY NOT BE APPROVED FOR AN INSURER OR RATING ORGANIZATION WHO HAS BEEN GRANTED A RATE INCREASE IN THE PRECEDING SIX MONTHS.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\579C001.JN.CZ19), which was adopted:

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

/ SECTION 1. Section 38-73-220(A) of the 1976 Code is amended to read:

“(A)Except as provided in subsection (B), overall average rate-level increases or decreases, for all coverages combined, of seven percent above or below the insurer’s rates then in effect may take effect without prior approval on a file and use basis with respect to rates for private

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passenger automobile, fire, allied lines, and homeowner's insurance policies. The seven percent cap does not apply on an individual insured basis."

SECTION 2. Section 38-73-260(A) and (F) is amended to read:

"(A) Except as provided in subsection (B), overall average rate-level increases or decreases, for all coverages combined, of seven percent above or below the insurer's rates then in effect may take effect without prior approval on a file and use basis with respect to rates for private passenger automobile, fire, allied lines, and homeowner's insurance policies. The seven percent cap does not apply on an individual insured basis.

(F)(1) Nothing in this section prevents the director or his designee from considering the impact on individual territories or individual insureds when determining whether the rate is excessive, inadequate, or unfairly discriminatory. Rate level increases or decreases falling within the limitation specified in this subsection must comply with the requirements of this chapter prohibiting rate increases from being excessive, inadequate, or unfairly discriminatory.

(2) With respect to fire, allied lines, and homeowner's rates, the director or his designee shall specifically review all rate filings made on or after June 1, 2007, to ensure that each insurer's rates for policies that exclude wind coverage reflect a discount commensurate with that insurer's previously filed surcharge for policies that include wind coverage.

~~(3) This subsection does not apply to private passenger automobile insurance nor to insurance against liability arising out of the ownership, maintenance, or the use of:~~

~~(a) an individual private passenger automobile as defined in Section 38-77-30(5.5)(a); or~~

~~(b) property having wheels.~~

SECTION 3. Section 38-73-920 of the 1976 Code is amended to read:

"Section 38-73-920. An insurer may not make or issue a contract or policy except in accordance with the filings which are in effect for the insurer as provided in this chapter or in accordance with Section 38-73-1060. Notwithstanding Section 38-73-10, Section 38-73-220, Section 38-73-260, Section 38-73-330(2), and Section 38-73-430(4), filings for other property and casualty rate increases may not be approved for any insurer or rating organization for any line, subline, or otherwise identifiable property and casualty insurance coverage for which a rate increase has previously been granted within the immediately preceding

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twelve months. However, if satisfactory evidence is presented to the director or his designee by an insurer or rating organization that the continued use of the previously approved rates for the line, subline, or otherwise identifiable property and casualty insurance coverage may result in the insolvency of an insurer, more frequent rate increases may be approved. Rate changes proposed where the sole factor for the change is the impact of a revised assessment does not constitute a rate increase for purposes of this section. No rate increase based upon an assessment may become effective unless the assessment has been paid. This section does not apply to contracts or policies for inland marine risks as to which filings are not required.

However, a private insurer licensed to underwrite essential property insurance as defined by Section 38-75-310(1), notwithstanding any limitations included within this title, may file and use, pursuant to the provisions of Section 38-73-1095, any rates which result in insurance premium rates of ninety percent, or less, of the insurance premium rates then approved for the South Carolina Wind and Hail Underwriting Association which result in an insurance premium increase for any policyholder situated within a coastal area of South Carolina as defined by Section 38-75-310(5) not more than once in any six-month period.”

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

Senator BENNETT explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 36; Nays 0

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod

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

Total--36

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A

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DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

The Senate proceeded to the consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (CZ\580C001.JN.CZ19), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking 38-29-70(8) and inserting:

/ (8) A deposit in this State held pursuant to Sections 38-9-80 and 38-9-90 or otherwise required by the director for the benefit of South Carolina creditors, including policy or contract owners, must be released to the domiciliary receiver upon the entry of a final order of liquidation or order approving a rehabilitation plan of a member insurer in accordance with Section 38-9-150. The Association is entitled to a portion of the deposit in an amount equal to the aggregate of policy or contract owners' claims for which the Association has provided statutory benefits on behalf of the insurer and associated administrative expenses. The amount must be promptly paid to the Association provided such payment does not prejudice the rights of a South Carolina policyholder or creditor of the insurer that is the subject of the liquidation or rehabilitation proceedings. Any amount so paid to the association and retained by it not used in fulfilling the association's obligations must be treated as a distribution of estate assets pursuant to applicable state receivership law dealing with early access disbursements. The director, the Association, and other necessary parties are authorized to enter into agreements to effectuate the intent of this section. /

Amend the bill further, SECTION 1, by striking Section 38-29-90(4) and inserting:

/ (4) The plan of operation may provide that any or all powers and duties of the association, except those under Section 38-29-70(11)(13)(c) and Section 38-29-80, are delegated to a corporation, association, or other organization which performs or will perform functions similar to those of this association, or its equivalent, in two or more states. Such a corporation, association, or organization must be reimbursed for any payments made on behalf of the association and must be paid for its performance of any function of this association. A delegation under this subsection takes effect only with the approval of both the board of directors and the department director or his designee and may be made only to a corporation, association, or organization which extends protection not substantially less favorable and effective than that provided by this chapter. /

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Amend the bill further, SECTION 1, by striking Section 38-29-100(4) and inserting:

/ (4) The liquidator, rehabilitator, or conservator of an impaired or insolvent insurer may notify all interested persons of the effect of this chapter. /

Amend the bill further, SECTION 1, by striking Section 38-29-130(6) and inserting:

/ (6) The recovery procedure shall provide that:

(a) If an order for liquidation or rehabilitation of a domestic insurer has been entered, the receiver appointed under the order has a right to recover on behalf of the insurer, from any affiliate that controlled it, the amount of distributions, other than stock dividends paid by the member insurer on its capital stock, made at any time during the five years preceding the petition for liquidation or rehabilitation subject to the limitations of items (b), (c), and (d) of this subsection ~~(6)~~.

(b) No such ~~dividend~~ distribution is recoverable if the insurer shows that when paid the distribution was lawful and reasonable and that the insurer did not know and could not reasonably have known that the distribution might adversely affect the ability of the insurer to fulfill its contractual obligations.

(c) Any person who was an affiliate that controlled the insurer at the time the distributions were paid is liable up to the amount of distributions he received. Any person who was an affiliate that controlled the insurer at the time the distributions were declared is liable up to the amount of distributions he would have received if they had been paid immediately. If two or more persons are liable with respect to the same distributions, they are jointly and severally liable.

(d) The maximum amount recoverable under this section is the amount needed in excess of all other available assets of the impaired insurer to pay the contractual obligations of the impaired insurer.

(e) If any person liable under item (c) is insolvent, all its affiliates that controlled it at the time the dividend was paid are jointly and severally liable for any resulting deficiency in the amount recovered from the insolvent affiliate. /

Amend the bill further, SECTION 1, by striking Section 38-29-200(3) and inserting:

/ (3) The document shall contain a clear and conspicuous disclaimer on its face. The director shall establish the form and content of the disclaimer. The disclaimer shall:

(a) state the name and address of the South Carolina Life and Health Insurance Guaranty Association and insurance department;

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(b) prominently warn the policy owner, contract owner, certificate holder, or enrollee that the South Carolina Life and Health Insurance Guaranty Association may not cover the policy or contract or, if coverage is available, it will be subject to substantial limitations and exclusions and conditioned on continued residence in this State;

(c) state the types of policies or contracts for which guaranty funds will provide coverage;

(d) state the member insurer and its agents are prohibited by law from using the existence of the South Carolina Life and Health Insurance Guaranty Association for the purpose of sales, solicitation, or inducement to purchase any form of insurance or health maintenance organization coverage;

(e) state that the policy owner, contract owner, certificate holder, or enrollee should not rely on coverage under the South Carolina Life and Health Insurance Guaranty Association when selecting an insurer or health maintenance organization;

(f) explain rights available and procedures for filing a complaint to allege a violation of any provisions of this chapter; and

(g) provide other information as directed by the director including, but not limited to, sources for information about the financial condition of insurers provided that the information is not proprietary and is subject to disclosure under that state's public records law. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

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

CARRIED OVER

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN explained the Resolution.

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

READ THE SECOND TIME

H. 3732 -- Reps. Hewitt, Fry, West, Sandifer and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-69-255 SO AS TO REQUIRE VETERINARIANS TO COMPLETE CONTINUING EDUCATION RELATED TO PRESCRIBING AND MONITORING CERTAIN CONTROLLED SUBSTANCES.

The Senate proceeded to the consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

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CARRIED OVER

H. 4112 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO VETERINARY MEDICINE AND ANIMAL SHELTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4859, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN explained the Resolution.

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

POINT OF ORDER

S. 575 -- Senators Campsen and McElveen: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

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Point of Order

Senator MARTIN 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. 593 -- Senators Shealy and Scott: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

Point of Order

Senator MARTIN 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. 3310 -- Rep. Elliott: A BILL TO AMEND SECTION 56-19-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE A PROCEDURE FOR AN INSURANCE COMPANY OR ITS AGENT TO OBTAIN A CERTIFICATE OF TITLE FOR A VEHICLE FROM THE DEPARTMENT OF MOTOR VEHICLES WHEN A CLAIMANT FAILS TO DELIVER THE TITLE TO THE INSURANCE COMPANY OR ITS AGENT UNDER CERTAIN CIRCUMSTANCES.

Point of Order

Senator MARTIN 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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POINT OF ORDER

H. 3750 -- Reprs. Hewitt, Yow, Ott, Crawford, Kirby, Hardee, Hiott, W. Newton, Huggins and Ligon: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEER HUNTING, SO AS TO PROVIDE THAT A RESIDENT WHO PURCHASES A SOUTH CAROLINA HUNTING LICENSE AND A BIG GAME PERMIT MUST RECEIVE AT LEAST TWO ANTLERLESS DEER TAGS THAT ARE NOT DATE SPECIFIC.

Point of Order

Senator MARTIN 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.

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

MOTION ADOPTED

At 12:26 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator CASH, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator LEATHERMAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Raye Hutto Livingston of West Columbia, S.C. Raye was a wonderful woman full of faith and love. She was a member of Mt. Tabor Lutheran Church. Raye was a loving wife, devoted mother and dotting grandmother who will be dearly missed.

ADJOURNMENT

At 1:10 P.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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