

NO. 49

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

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TUESDAY, APRIL 2, 2019

**Tuesday, April 2, 2019**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 2:00 P.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:

Isaiah 41:13

“For I am the Lord Your God who takes hold of your right hand and says to you, do not fear; I will help you.”

Let us pray. Loving God, in times of trouble, You are the rock upon which we stand. In times of despair, You are the assurance of a new tomorrow. In times of tragedy and loss, we are confronted with the reality that life is fragile and we are here but a short time.

In our State recent events have shocked us. Evil seems to stalk the most vulnerable in our society. The tragic loss of two young girls has devastated many who loved them dearly. We grieve deeply for their families but find comfort in Your Word that reassures us of eternal life. May Your right hand uphold their loved ones in this time of unbearable pain. And may we as a nation and a State draw closer to You, O God, as we seek healing as a society that is spiritually broken and often misguided.

Today is also a time to see through the recent darkness and celebrate the life of Senator Rankin’s mother Dorothy. Her love of family and life was a gift that keeps on giving. She will be missed and our prayers are with Senator Rankin and his family. In the name of our Lord and Saviour we pray, Amen.

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

**Point of Quorum**

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

[SJ]

**TUESDAY, APRIL 2, 2019**

**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

1st Congressional District:

Julius Belden Kinney, Jr., 2-B Eugenia Ave., Johns Island, SC 29455-5609 *VICE* Richard K. Toomey

Referred to the Committee on Medical Affairs.

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawks Nest Dr., Hermitage, TN 37076-5621  
*VICE* Susan V. Alford

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large :

Kenneth D. McKellar, 108 Haywain Dr., Chapin, SC 29036-9713  
*VICE* Kimberly H. Frederick

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Commission on Consumer Affairs, with the term to commence September 30, 2018, and to expire September 30, 2022

At-Large :

John L. (Jack) Pressly, 4001 Kenilworth Rd., Columbia, SC 29205-1541 *VICE* Linda C. Gamble

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2019, and to expire March 30, 2023

Barber:

Christopher L. Javis, 128 Southlake Court, Columbia, SC 29223-5925  
*VICE* Patricia Durkin

**TUESDAY, APRIL 2, 2019**

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2018, and to expire June 30, 2022

Cooperative Credit Unions:

Billy D. Byrd, II, 2119 Bobwhite Lane, Hartsville, SC 29550-2871  
*VICE* Hansel B. Hart

Referred to the Committee on Banking and Insurance.

**Local Appointments**

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Brenda Carpenter, 225 McDaniel Dr., Trenton, SC 29847-2919

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Johnson, 157 Rutledge Road, Greenwood, SC 29649-8992

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204-1289

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Donald Jeffrey Simons, P. O. Box 9246, Columbia, SC 29290-0246

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290-0381

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Patience Orbriel Van Ellis, 192 Traditions Circle, Columbia, SC 29229-8050  
*VICE* Dierdre Simmons

**TUESDAY, APRIL 2, 2019**  
**COMMUNICATIONS RECEIVED**

Office of the Secretary of State  
1205 Pendleton Street, Suite 525  
Columbia, SC 29201  
April 2, 2019

Mr. Jeffrey S. Gossett  
Clerk of the Senate  
State House  
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office that the Honorable Dwight A. Loftis, listed on the attached letter, received the greatest number of votes cast for Senator for Senate District #6 at a special election held March 26, 2019, for Greenville County.

The Honorable Dwight A. Loftis is hereby certified as set forth in the commission as the duly and properly elected member of the Senate.

Sincerely,  
Mark Hammond  
Secretary of State

State of South Carolina  
Election Commission  
2221 Devine Street  
Columbia, SC 29250  
April 2, 2019

The Honorable Mark Hammond  
Secretary of State  
P. O. Box 11350  
Columbia, SC 29211

Dear Mr. Secretary:

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies that Mr. Dwight A. Loftis is the declared winner of Senate District #6 at a special election held in Greenville County on March 26, 2019. A copy of the results is enclosed.

Sincerely,

[SJ]

**TUESDAY, APRIL 2, 2019**

/s/ Marci Andino  
Executive Director

**Privilege of the Chamber and Floor**

On motion of Senator MASSEY, with unanimous consent, the Privilege of the Chamber and the Privilege of the Floor was extended to Senator LOFTIS.

**Senator Sworn In**

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS presented himself at the Bar and the oath of office was administered.

**Remarks by Senator Loftis**

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS was granted leave to address the Senate with brief remarks.

**Remarks to be Printed**

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

**SEATING SELECTION**

On motion of Senator MASSEY, with unanimous consent, Senator LOFTIS selected Seat 45.

**STANDING COMMITTEE SELECTIONS**

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and vacancies were filled in the following manner:

Senator LOFTIS fills a vacancy on the Judiciary Committee.

Senator LOFTIS replaces Senator CAMPBELL on the Banking and Insurance Committee.

Senator LOFTIS fills a vacancy on the Corrections and Penology Committee.

Senator LOFTIS replaces Senator HEMBREE on the Agriculture and Natural Resources Committee.

Senator LOFTIS replaces Senator CROMER on the Family and Veterans' Services Committee.

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Senator HEMBREE fills a vacancy on the Corrections and Penology Committee.

**Doctor of the Day**

Senator ALEXANDER introduced Dr. Thomas Evans of Seneca, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MASSEY, at 2:31 P.M., Senator RANKIN was granted a leave of absence for the day.

**Expression of Personal Interest**

Senator M.B. MATTHEWS rose for an Expression of Personal Interest.

**Remarks to be Printed**

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

**CO-SPONSORS ADDED**

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

S. 89     Sen. Davis  
S. 276    Sen. McLeod  
S. 575    Sen. Martin  
S. 642    Sen. Gambrell  
S. 723    Sen. Turner

**CO-SPONSOR REMOVED**

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

S. 492    Sen. Shealy

**RECALLED**

S. 546 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE 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.

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

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

**RECALLED**

S. 607 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, 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.

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

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

**RECALLED**

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS 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.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 725 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA



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COLLEGE OF PHARMACY TEAM, ADVISORS, AND SCHOOL OFFICIALS FOR WINNING THE 2018-2019 NATIONAL STUDENT PHARMACIST COMPOUNDING COMPETITION.

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

S. 726 -- Senator Senn: A SENATE RESOLUTION TO CONGRATULATE THE ROHMING ROBOTS, THE CLEMSON EXTENSION 4-H YOUTH DEVELOPMENT'S FIRST TECH CHALLENGE TEAM, FOR WINNING THE INSPIRE AWARD AT THE 2018-2019 SOUTH CAROLINA FIRST TECH CHALLENGE STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 727 -- Senators M. B. Matthews, Grooms, Campsen, Campbell, Bennett, Kimpson, Goldfinch and Senn: A SENATE RESOLUTION TO HONOR AND RECOGNIZE COACH FRANNY RIVERS SLAY, ASHLEY HALL ATHLETIC DIRECTOR AND VOLLEYBALL COACH, AND TO COMMEND HER FOR AN OUTSTANDING COACHING CAREER.

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The Senate Resolution was adopted.

S. 728 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. EARLE BENNETT UPON THE OCCASION OF HER RETIREMENT FROM WIL LOU GRAY OPPORTUNITY SCHOOL BOARD OF TRUSTEES, TO COMMEND HER FOR HER EIGHT YEARS OF DEDICATED SERVICE, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 729 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. HARRIS PASTIDES UPON THE OCCASION OF HIS RETIREMENT AS PRESIDENT OF THE UNIVERSITY OF SOUTH CAROLINA, TO EXTEND DEEP APPRECIATION FOR HIS TWENTY-ONE YEARS OF DISTINGUISHED SERVICE TO THE STUDENTS OF SOUTH CAROLINA, AND TO OFFER HIM BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

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The Senate Resolution was adopted.

S. 730 -- Senator Scott: A JOINT RESOLUTION TO CREATE THE MASS TRANSIT FEASIBILITY STUDY COMMITTEE TO EXAMINE THE FEASIBILITY OF CONNECTING WITH THE MASS TRANSIT SYSTEM IN CHARLOTTE, NORTH CAROLINA, AND PROVIDING MASS TRANSIT THROUGHOUT SOUTH CAROLINA.

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

S. 731 -- Senator Kimpson: A BILL TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 11, TO REQUIRE THAT NO GUN TRANSFER PRECEDED BY A CRIMINAL BACKGROUND CHECK MAY PROCEED, UNLESS THE CRIMINAL BACKGROUND CHECK HAS CONCLUDED THAT THE SALE MAY PROCEED, UNTIL AT LEAST FIVE DAYS HAVE PASSED FROM THE INITIATION OF THE BACKGROUND CHECK, AND TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ARTICLE.

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Senator KIMPSON spoke on the Bill.

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

S. 732 -- Senator Jackson: A SENATE RESOLUTION TO EXTEND GRATEFUL THANKS TO JANICE MARIE NEGUS OF KERSHAW COUNTY FOR HER MORE THAN FOUR THOUSAND HOURS OF DEDICATED VOLUNTEER SERVICE WITH THE COLUMBIA VA HEALTH CARE SYSTEM OFFICE OF VOLUNTARY SERVICE.

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The Senate Resolution was adopted.

S. 733 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BOOKER OWENS OF RICHLAND COUNTY FOR HIS DISTINGUISHED VOLUNTARY SERVICE TO THE COLUMBIA VA HEALTH CARE SYSTEM AND FOR HIS OUTSTANDING ASSISTANCE TO THE NATION'S VETERANS.

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The Senate Resolution was adopted.

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S. 734 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CALLIE P. MILEY OF RICHLAND COUNTY FOR HER DEDICATION TO THE COLUMBIA VA HEALTH CARE SYSTEM AND FOR HER OUTSTANDING ASSISTANCE TO THE NATION'S VETERANS.

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The Senate Resolution was adopted.

S. 735 -- Senator Johnson: A BILL TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION, TO PROVIDE THAT THE CLARENDON COUNTY LEGISLATIVE DELEGATION MAKES FOUR APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 IN CLARENDON COUNTY AND NINE APPOINTMENTS TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 736 -- Senators McElveen, Shealy, McLeod, Jackson, Sheheen, Sabb, Hutto, Hembree, M. B. Matthews and Senn: A BILL TO AMEND SECTION 16-17-470 OF THE 1976 CODE, RELATING TO EAVESDROPPING, PEEPING, AND VOYEURISM, TO PROVIDE THAT A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION WHEN THE VICTIM IS A MINOR IS GUILTY OF A FELONY, TO PROVIDE PENALTIES, AND TO DEFINE NECESSARY TERMS.

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

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

Read the first time and referred to the Committee on Fish, Game and Forestry.

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

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

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

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

H. 4260 -- Reps. Caskey, Clary, Lucas, Sandifer, Simrill and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2019" BY ADDING SECTIONS 8-27-70, 8-27-80, AND 8-27-90 ALL SO AS TO PROVIDE PROTECTIONS FOR EMPLOYEES OF A PUBLIC UTILITY WHO REPORT WRONGDOING BY THE UTILITY AND TO PROVIDE REMEDIES FOR EMPLOYEES WHO ARE DISMISSED OR SUFFER ADVERSE EMPLOYMENT ACTIONS BECAUSE OF A REPORT OF WRONGDOING; BY ADDING SECTIONS 37-6-610, 37-6-611, AND 37-6-612 ALL SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS THE CONSUMER ADVOCATE IF THE PUBLIC

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SERVICE COMMISSION REGULATES A BUSINESS WITH WHICH THAT PERSON IS ASSOCIATED, AND TO PLACE RESTRICTIONS ON FUTURE EMPLOYMENT AND SPECIFIED ETHICAL REQUIREMENTS ON THE CONSUMER ADVOCATE AND EMPLOYEES OF THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; TO AMEND SECTION 58-3-20, RELATING TO THE PUBLIC SERVICE COMMISSION, SO AS TO DELETE PROVISIONS WHICH PERMIT THE REVIEW COMMITTEE TO FIND A CANDIDATE QUALIFIED IF HE DOES NOT HAVE THE BACKGROUND OR EXPERTISE REQUIRED BY LAW AND PROVISIONS WHICH PERMIT CERTAIN INCUMBENT COMMISSIONERS TO BE REELECTED WHO DO NOT MEET THESE QUALIFICATIONS; BY ADDING SECTIONS 58-3-21 AND 58-3-22 BOTH SO AS TO AUTHORIZE MILEAGE AND SUBSISTENCE ALLOWANCES FOR PUBLIC SERVICE COMMISSIONERS, AND TO PROVIDE THAT MEMBERS OF THE COMMISSION ARE NOT PROHIBITED FROM CONSULTING WITH RETAINED EXPERTS AND ATTORNEYS IN CLOSED SESSION IN A MANNER CONSISTENT WITH THE APPELLATE COURTS OF THIS STATE; TO AMEND SECTION 58-3-25, RELATING TO CONFLICTS OF INTEREST OF MEMBERS OF THE PUBLIC SERVICE COMMISSION AND EMPLOYEES OF THE COMMISSION SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHICH ARE CONSIDERED CONFLICTS, AND TO DELETE A REQUIREMENT FOR CERTAIN FILINGS BY EMPLOYEES; TO AMEND SECTION 58-3-30, RELATING TO CODES OF CONDUCT OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, SO AS TO FURTHER PROVIDE FOR THE CODE OF CONDUCT AND PERMISSIBLE ACTIONS AND PRACTICES OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, AND TO REQUIRE ANNUAL CONTINUING EDUCATION FOR COMMISSIONERS AND EMPLOYEES; TO AMEND SECTIONS 58-3-60, 58-3-190, AND 58-3-200, ALL RELATING TO AUDITS AND EXAMINATIONS OF PUBLIC UTILITIES, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT THE INSPECTION, AUDIT, AND EXAMINATION OF PUBLIC UTILITIES IS THE SOLE RESPONSIBILITY OF THE OFFICE OF REGULATORY STAFF AND NOT THE COMMISSION, AND TO PERMIT THE COMMISSION TO DIRECT THE OFFICE OF REGULATORY STAFF TO AUDIT OR EXAMINE PUBLIC

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UTILITIES AND THE AUTHORITY OF THE COMMISSION TO UNDERTAKE THESE ACTIONS ON ITS OWN; BY ADDING SECTION 58-3-65 SO AS TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MAY EMPLOY, THROUGH CONTRACT OR OTHERWISE, THIRD-PARTY CONSULTANTS AND EXPERTS IN CARRYING OUT ITS DUTIES IF THE COMMISSION DETERMINES IT IS IN THE BEST INTEREST OF RATEPAYERS AND IT IS APPROVED BY THE PUBLIC UTILITIES REVIEW COMMITTEE; TO AMEND SECTION 58-3-225, RELATING TO CONDUCT OF HEARINGS BY THE COMMISSION, SO AS TO PROVIDE THAT BEFORE MAKING A DETERMINATION, THE COMMISSION SHALL QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; TO AMEND SECTION 58-3-260, RELATING TO THE PROHIBITION AGAINST COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES TO A PROCEEDING, SO AS TO PERMIT CERTAIN COMMUNICATIONS BETWEEN THE COMMISSION AND THE PUBLIC UTILITIES REVIEW COMMITTEE, AND A LEGISLATIVE COMMITTEE CHARGED WITH REVIEW OF THE COMMISSION; BY ADDING SECTIONS 58-3-281, 58-3-282, 58-3-283, 58-3-284, 58-3-285, 58-3-286, AND 58-3-287, ALL SO AS TO IMPOSE CERTAIN CIVIL AND CRIMINAL PENALTIES AND SANCTIONS AGAINST A PUBLIC UTILITY WHICH VIOLATES THE PROVISIONS OF TITLE 58 OR REFUSES TO OBEY A RULE, ORDER, OR REGULATION OF THE OFFICE OF REGULATORY STAFF OR THE COMMISSION, OR WHICH FILES OR SUBMITS FALSE INFORMATION, INCLUDING A REQUIREMENT THAT THE PRINCIPAL EXECUTIVE OFFICER AND THE PRINCIPAL FINANCIAL OFFICER OF A UTILITY CERTIFY THE ACCURACY OF INFORMATION PROVIDED; TO AMEND SECTION 58-3-520, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO REVISE THE MEMBERSHIP OF THE COMMITTEE AND PREVENT A PERSON FROM BEING APPOINTED TO THE COMMITTEE WHO HAS MADE CERTAIN POLITICAL CONTRIBUTIONS TO THE APPOINTING AUTHORITY; TO AMEND SECTION 58-3-530, RELATING TO THE POWERS AND DUTIES OF THE REVIEW COMMITTEE, SO AS TO PROVIDE THAT THE COMMITTEE SHALL NOMINATE ALL CANDIDATES IT FINDS QUALIFIED FOR EACH SEAT ON THE COMMISSION, AND TO PROVIDE THAT THE COMMITTEE SHALL APPOINT THE EXECUTIVE

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DIRECTOR OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-3-560, RELATING TO ELECTION OF COMMISSIONERS, SO AS TO PROVIDE THAT THE PROVISIONS OF SECTION 58-3-24 PROHIBITING THE ELECTION OF MEMBERS OF THE GENERAL ASSEMBLY OR MEMBERS OF THEIR IMMEDIATE FAMILY TO THE COMMISSION, NO LONGER PROHIBITS THEIR ELECTION, AND TO PROVIDE THAT BEGINNING WITH THE 2020 ELECTIONS, THE ELECTIONS MUST BE HELD AT LEAST FORTY-FIVE DAYS AFTER THE SCREENING AND NOMINATION PROCESS; BY ADDING SECTION 58-3-565 SO AS TO PROVIDE THAT MEMBERS OF THE REVIEW COMMITTEE ARE PROHIBITED FROM CERTAIN ACTIONS OR HAVING CERTAIN BUSINESS RELATIONSHIPS; TO AMEND SECTION 58-4-40, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE CERTAIN DISCLOSURE REQUIREMENTS ON THE PART OF EMPLOYEES AND TO PROHIBIT CERTAIN OTHER ACTIONS BY THESE EMPLOYEES; TO AMEND SECTION 58-31-20, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROHIBIT CERTAIN ACTIONS BY BOARD MEMBERS AND TO PROHIBIT CERTAIN BUSINESS RELATIONSHIPS BY BOARD MEMBERS; AND TO REPEAL SECTION 58-4-30 RELATING TO THE QUALIFICATIONS AND APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF.

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

H. 4324 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, 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,

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Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM ON "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY" ON APRIL 3, 2019, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING SOUTH CAROLINA'S WORKFORCE FOR COMPETITIVE, HIGH-DEMAND JOBS IN OUR STATE.

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

H. 4325 -- Reprs. Gagnon, West, 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, 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, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE ABBEVILLE AREA MEDICAL CENTER ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND, ON BEHALF OF THE PEOPLE OF SOUTH CAROLINA, TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE CENTER'S MANY YEARS OF DEDICATED SERVICE TO THIS GREAT STATE.

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



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**REPORTS OF STANDING COMMITTEES**

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 281 -- Senators Talley and Campbell: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

S. 678 -- Senators Peeler, Climer, Davis and Fanning: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNOR SHALL UTILIZE THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPETITIVE BIDDING PROCESS FOR THE SALE OF SANTEE COOPER, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL EVALUATE BIDS, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE SALE OF SANTEE COOPER TO THE BIDDER WHOSE BID BEST PROTECTS THE INTERESTS OF SANTEE COOPER'S RATEPAYERS AND THE STATE'S TAXPAYERS, AND TO TRANSMIT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE'S WORK PRODUCT TO THE DEPARTMENT OF ADMINISTRATION.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3698 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO EXEMPT CERTAIN PERMITS FROM REVIEW BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

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Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3699 -- Reps. Bailey, Hewitt and Hardee: A BILL TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

Ordered for consideration tomorrow.

Senator CAMPBELL from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

Ordered for consideration tomorrow.

#### **Appointments Reported**

Senator HEMBREE from the Committee on Education submitted a favorable report on:

#### **Statewide Appointments**

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large :

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409  
*VICE* Kenneth W. Kinard

Received as information.

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Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2016, and to expire July 1, 2020

At-Large :

Ben W. Satcher, Jr., 358 Catawba Court, Lexington, SC 29072-9500  
*VICE* Richard A. Jones , Jr

Received as information.

**HOUSE CONCURRENCES**

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE, SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH

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CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.

Returned with concurrence.

Received as information.

S. 714 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE WHITE KNOLL HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 STATE 5A SOFTBALL CHAMPIONSHIP.

Returned with concurrence.

Received as information.

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

**AMENDED, SECOND READING BILL**

S. 675 -- Senators Turner and Allen: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, AND TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (675R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, page 2, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 2.7 of Act 745 of 1967, as last amended by Act 298 of 2016, is amended to read:

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“Section 2.7. Notwithstanding another provision of law, the boundary lines that define the service territory of the Renewable Water Resources are hereby expanded so as to include an area labeled the ‘Northern Greenville’ area of Greenville County, which is shown on a map filed with the Renewable Water Resources Commission as provided and maintained by the Revenue and Fiscal Affairs Office and designated as document ‘ReWa Service Area - 2016A’. The General Assembly intends for this document to serve as the document of record delineating the service territory of the Renewable Water Resources. No residential or commercial entity in the ‘Northern Greenville’ extended territory is required to tap into the services provided by the Renewable Water Resources unless the residential or commercial entity voluntarily seeks such access ~~or has no other DHEC approved method for disposal.~~” /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

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

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 575 -- Senators Campsen, McElveen and Martin: 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

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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.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the third reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

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

**Total--44**

**NAYS**

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Total--0

The Bill was read the third time, ordered sent to the House.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 530 -- Senator Leatherman: A BILL TO AMEND VARIOUS SECTIONS OF CHAPTER 35, TITLE 11 OF THE 1976 CODE, RELATING TO THE CONSOLIDATED PROCUREMENT CODE, TO REVISE THE CONSOLIDATED PROCUREMENT CODE, ITS APPLICATION, THE PROCEDURES GOVERNED BY THE CODE, AND INTERNAL REFERENCES; TO REORGANIZE THE PROCUREMENT SERVICES DIVISION AT THE STATE FISCAL ACCOUNTABILITY AUTHORITY; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The question being the third reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

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

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**Total--44**

**NAYS**

**Total--0**

The Bill was read the third time, ordered sent to the House.

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments.

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.

**READ THE SECOND TIME**

S. 7 -- Senators Malloy, Climer, Goldfinch, Talley, Harpootlian and Kimpson: A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to the consideration of the Bill.

Senator KIMPSON proposed the following amendment (JUD0007.020) which was withdrawn:

Amend the bill, as and if amended, page 2, by striking line 30, and inserting therein the following:

/ Insurance Reserve Fund's internet website.



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(7) Notwithstanding the liability limits outlined in Section 15-78-120(a)(1) through (a)(4), where one or more claimants individually and in a representative capacity, have brought a claim or claims seeking actual damages against one or more governmental entities, and where a court has certified those claims for actual damages as a class action, there shall not be a limit on the actual damages recoverable by the named claimant or claimants, or by the members of any such class.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MALLOY spoke on the Bill.

The amendment was withdrawn.

The question being the second reading of the Bill.

**Motion under Rule 26B**

Senator MARTIN asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

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

**COMMITTEE AMENDMENT AMENDED AND ADOPTED  
SECOND READING FAILED, RECONSIDERED**

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES LOCATED IN CERTAIN COUNTIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

[SJ]

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The Senate proceeded to the consideration of the Bill.

Senator SHEHEEN proposed the following amendment (DG\439C001.NBD.DG19) which was withdrawn:

Amend the committee report, as and if amended, page [439-2], by striking lines 26 - 34 and inserting:

/ SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) (1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) is eligible to claim a port transportation credit in the form of an income tax credit or a credit against employee withholding for its transportation costs in an amount determined by the council in its sole discretion. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was withdrawn.

The Committee on Finance proposed the following amendment (SA\439C001.RT.SA19), which was adopted:

Amend the bill, as and if amended, beginning on page 1, by striking line 28 through line 11 on page 2, and inserting:

/ SECTION 1. Section 12-6-3375(A) and (D) of the 1976 Code is amended to read:

“(A)(1) A taxpayer engaged in any of the following: manufacturing, warehousing, freight forwarding, freight handling, goods processing, cross docking, transloading, wholesaling of goods, or distribution, exported or imported through port facilities in South Carolina and which increases its port cargo volume at these facilities by a minimum of five percent in a single calendar year over its base year port cargo volume is eligible to claim an income tax credit or a credit against employee withholding in the amount determined by the Coordinating Council for Economic Development (council).

(2) The maximum amount of tax credits allowed to all qualifying taxpayers pursuant to this section may not exceed ~~eight~~ fifteen million dollars for each calendar year. The credits may be claimed against the taxes imposed pursuant to Sections 12-6-530 and 12-6-545 and against employee withholdings. The council has sole discretion in allocating the credits provided by this section and must consider the following factors:

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- (a) the amount of base year port cargo volume;
- (b) the total and percentage increase in port cargo volume; and
- (c) factors related to the economic benefit of the State or other

factors.

(D) The council annually may award up to one million dollars of the ~~eight~~ fifteen million dollars of credits against employee withholdings that are not otherwise refundable pursuant to this title to a new warehouse or distribution facility which commits to expending at least forty million dollars at a single site and creating one hundred new full-time jobs, and the base year cargo ~~shall~~ may not be less than five thousand TEUs or its non-containerized equivalent. The council may make the award in the year the facility is announced provided that it may not tender the certificate until it has received satisfactory proof that the capital investment and job creation requirements have, or will be, satisfied. Any credit certificate expires three years after issuance if satisfactory proof has not been received. If the credit exceeds the taxpayer's withholding tax liability for the taxable quarter that is not otherwise refundable pursuant to this title, the excess amount may be carried forward and claimed against withholding liability that is not otherwise refundable pursuant to this title in the next twenty succeeding taxable quarters."

SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) (1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) at a facility located in the counties of Allendale, Bamberg, Barnwell, Beaufort, Colleton, Hampton, Jasper, or Orangeburg is eligible to claim a port transportation credit in the form of an income tax credit or a credit against employee withholding for its transportation costs in an amount determined by the council in its sole discretion. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the committee amendment.

The amendment was adopted.

Senators HUTTO and SHEHEEN proposed the following amendment (DG\439C002.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

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/ SECTION 2. Section 12-6-3375 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) (1) A taxpayer engaged in any of the businesses identified in subsection (A)(1) at a facility located in this State is eligible to claim a port transportation credit or a port volume cargo credit in the form of an income tax credit or a credit against employee withholding in an amount determined by the council in its sole discretion, except that the port transportation credit must be based on the taxpayer’s transportation costs. A taxpayer may not claim both the port transportation credit and the port volume cargo credit in the same tax year.

(2) For purposes of this subsection, ‘transportation costs’ means the costs of transporting freight, goods, and materials to and from port facilities in South Carolina.

(3) The maximum amount of port transportation credits allowed to all qualifying taxpayers pursuant to this subsection is limited to the following amounts of the fifteen million dollars of credits available under this section:

(a) one million dollars for the calendar year ending December 31, 2019;

(b) two million dollars for the calendar year ending December 31, 2020; and

(c) three million dollars for all calendar years after December 31, 2020, until the port transportation credit expires pursuant to item (6).

(4)(a) If the allocable port transportation credit exceeds the taxpayer’s income tax liability for the taxable year, the excess amount may be carried forward and claimed against income taxes in the next five succeeding taxable years.

(b) If the allocable port transportation credit exceeds the taxpayer’s withholding tax liability for the taxable quarter that is not otherwise refundable pursuant to this title, the excess amount may be carried forward and claimed against withholding liability that is not otherwise refundable pursuant to this title in the next twenty succeeding taxable quarters.

(5)(a) The port transportation credit is allowable to a qualifying taxpayer without regard to whether the taxpayer qualifies for any of the other credits available under this section. A qualifying taxpayer seeking to claim the port transportation credit must submit an application to the council after the calendar year in which the taxpayer seeks to claim the port transportation credit. The application must be made on a form to be prescribed by the council.

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(b) To receive the credit the taxpayer shall claim the credit on its income tax or withholding return in a manner prescribed by the department. The department may require a copy of the certification form issued by the council be attached to the return or otherwise provided.

(6) A taxpayer may not claim the port transportation credit in any tax year after the tax year in which a port in Jasper County is opened and is accepting shipments.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN 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 11; Nays 33**

**AYES**

Alexander	Allen	Campbell
Harpoottian	Hutto	Kimpson
<i>Matthews, John</i>	<i>Matthews, Margie</i>	Nicholson
Peeler	Sheheen	

**Total--11**

**NAYS**

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Goldfinch
Gregory	Grooms	Hembree
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

**Total--33**

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Having failed to receive the necessary votes, second reading of the Bill failed.

**Motion Adopted**

Having voted on the prevailing side, Senator DAVIS moved to reconsider the vote whereby second reading of the Bill failed.

**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 MALLOY explained the Bill.

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

**RECOMMITTED**

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 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 recommitted to the Committee on Judiciary.

**RECOMMITTED**

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 recommitted to the Committee on Judiciary.

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

S. 666 -- Senator Climer: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS DURING NON-DAYLIGHT HOURS.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER proposed the following amendment (666R002.KMM.WC), which was adopted:

Amend the committee amendment, as and if amended, page [666-1], by striking lines 25 through 30 and inserting:

/ “() A municipality with a land area of approximate 3.87 square miles and a population estimated as of July 1, 2017 to be between ten and eleven thousand persons by the United States Census Bureau's Population Estimate Program that is located within a county that had a population of two hundred twenty-six thousand seventy-three persons according to the 2010 United States Census may enact an ordinance allowing the operation of a permitted golf cart for up to sixty minutes after sunset on locally owned roads for which the posted speed limit is twenty-five miles an hour or less if the golf cart has operable headlights and brake lights.” /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The Committee on Transportation proposed the following amendment (666R001.SP.LKG), which was adopted:

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

/SECTION 1. Section 56-2-105 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end:

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“( ) Municipalities with a population of less than twenty thousand persons may enact an ordinance allowing the operation of a permitted golf cart for up to sixty minutes after sunset on locally owned roads for which the posted speed limit is twenty-five miles an hour or less if the golf cart has operable headlights and brake lights.”

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

Senator CLIMER 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 4**

**AYES**

Alexander	Allen	Bennett
Campsen	Climer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Grooms	Harpoottlian
Hembree	Hutto	Jackson
Johnson	Leatherman	Loftis
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Reese
Sabb	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

**Total--36**

**NAYS**

Cromer	Kimpson	Malloy
Senn		

**Total--4**



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

**OBJECTION**

S. 17 -- Senator Hutto: A BILL TO AMEND SECTION 7-5-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS, SO AS TO PROVIDE THAT EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IS RESPONSIBLE FOR CERTIFYING THAT COUNTY'S CANDIDATES FOR COUNTY CORONER AND COUNTY SHERIFF.

Senator HUTTO objected to the consideration of the Bill.

**OBJECTION**

S. 180 -- Senator McElveen: A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Senator SHEHEEN objected to the consideration of the Bill.

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

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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 MALLOY objected to the consideration of the Bill.

**OBJECTION**

S. 276 -- Senators Senn and McLeod: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-540, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO THREATEN, SOLICIT ANOTHER TO THREATEN, OR CONSPIRE TO THREATEN TO CAUSE DAMAGE, SERIOUS BODILY INJURY, OR DEATH OR TO CAUSE DAMAGE TO OR DESTROY A BUILDING OR OTHER REAL OR PERSONAL PROPERTY BY USE OF A DANGEROUS WEAPON ON ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, IN A CHURCH, IN ANY PUBLICLY OWNED BUILDING OR RECREATIONAL PARK AREAS, OR IN A PUBLIC GATHERING PLACE; TO PROVIDE THAT A PERSON WHO IS CHARGED WITH A VIOLATION MUST UNDERGO A MENTAL HEALTH EVALUATION AND, IF NECESSARY, MENTAL HEALTH TREATMENT OR COUNSELING; AND TO PROVIDE FOR PENALTIES.

Senator CORBIN objected to the consideration of the Bill.

**OBJECTION**

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE

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GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Senator SHEHEEN objected to the consideration of the Bill.

**OBJECTION**

S. 480 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO CONDUCT FINGERPRINT BACKGROUND CHECKS IN THIS STATE MAY CONDUCT A FEDERAL FINGERPRINT REVIEW, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE

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FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF THE FINGERPRINTS.

Senator MARTIN objected to the consideration of the Bill.

**OBJECTION**

S. 534 -- Senators Hutto, Hembree, Shealy, Climer, Rice and Bennett: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Senator SHEHEEN objected to the consideration of the Bill.

**OBJECTION**

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE

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EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

Senator SHEHEEN objected to the consideration of the Bill.

**OBJECTION**

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

Senator MARTIN objected to the consideration of the Bill.

**OBJECTION**

H. 3483 -- Reps. Hiott, Clary, Collins, Forrest and Caskey: A BILL TO REPEAL SECTION 3 OF ACT 138 OF 2016 RELATING TO THE AUTOMATIC REPEAL OF STATUTORY PROVISIONS REQUIRING CERTAIN COAL COMBUSTION RESIDUALS BE PLACED IN A CLASS 3 LANDFILL.

Senator MARTIN objected to the consideration of the Bill.

**OBJECTION**

S. 481 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE DIVISION OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE

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LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS AND PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE "SOUTH CAROLINA FIRE ACADEMY", TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Senator JACKSON objected to the consideration of the Bill.

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**POINT OF ORDER**

S. 649 -- Senator Alexander: A BILL TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

**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. 3929 -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR THE STATE BOARD OF EDUCATION MAY WAIVE THE REQUIREMENTS FOR MAKING UP DAYS BEYOND THE THREE DAYS THAT MAY BE FORGIVEN BY LOCAL SCHOOL DISTRICTS FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE, TO PROVIDE THESE WAIVERS ONLY MAY BE CONSIDERED AND GRANTED UPON REQUEST OF THE LOCAL SCHOOL BOARD OF TRUSTEES THROUGH A MAJORITY VOTE OF THAT LOCAL BOARD, AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW.

**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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**AMENDED, ADOPTED**

H. 4312 -- Reps. G.M. Smith, Rutherford and Murphy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

The Senate proceeded to the consideration of the Resolution.

Senators YOUNG, SABB and RANKIN proposed the following amendment (JUD4312.001), which was adopted:

Amend the concurrent resolution, as and if amended, by striking line 34, page 1, and inserting:

/ May 8, 2019, at noon to elect a successor to the Honorable Doyet A. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the adoption of the Resolution as amended.

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

**Motion to Ratify Adopted**

At 3:08 P.M., Senator ALEXANDER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.



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**Expression of Personal Interest**

Senator DAVIS rose for an Expression of Personal Interest.

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

**MOTION ADOPTED**

At 3:46 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

**CARRIED OVER**

(R15, S504) -- Senators Hutto and M.B. Matthews: AN ACT 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 COUNTY AERONAUTICS COMMISSION, AND TO REVISE THE COMPOSITION OF THE COMMISSION'S MEMBERSHIP.

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

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

**Message from the House**

Columbia, S.C., April 2, 2019

Mr. President and Senators:

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

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE

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QUALIFIED CANDIDATES FOR THE GOVERNOR'S  
CONSIDERATION.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Motion Adopted**

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

**CONCURRENCE**

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

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

Senator ALEXANDER explained the amendments.

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

**Ayes 44; Nays 0**

**AYES**

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Hutto
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Williams	Young	

**Total--44  
NAYS**

**Total--0**

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

**THE SENATE PROCEEDED TO THE SPECIAL ORDER.**

**DEBATE INTERRUPTED**

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.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY spoke on the Bill.

On motion of Senator MARTIN, with unanimous consent, and Senator MASSEY retaining the floor, the Senate agreed to stand adjourned.

**LOCAL APPOINTMENTS**

**Confirmations**

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

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Brenda Carpenter, 225 McDaniel Dr., Trenton, SC 29847-2919

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Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christopher Johnson, 157 Rutledge Road, Greenwood, SC 29649-8992

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204-1289

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Donald Jeffrey Simons, P. O. Box 9246, Columbia, SC 29290-0246

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290-0381

Reappointment, Richland County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Patience Orbriel Van Ellis, 192 Traditions Circle, Columbia, SC 29229-8050 *VICE* Dierdre Simmons

**Motion Adopted**

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

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**MOTION ADOPTED**

On motion of Senators HUTTO, ALEXANDER, ALLEN, BENNETT, CAMPBELL, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GOLDFINCH, GREGORY, GROOMS, HARPOOTLIAN, HEMBREE, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, LOFTIS, MALLOY, MARTIN, MASSEY, JOHN MATTHEWS, MARGIE BRIGHT MATTHEWS, McELVEEN, McLEOD, NICHOLSON, PEELER, REESE, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, SHEHEEN, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Dorothy "Dot" Sadler Rankin of Conway, S.C. Dot was the mother of our beloved Senator Luke Rankin. She was an avid reader, enjoyed traveling, playing bridge and meeting new people. Dot was a member of First Baptist Church of Conway. Dot was a loving mother and devoted grandmother who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator SETZLER with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond Sox Caughman, Sr. of Lexington, S.C. Raymond served in the United States Army. He worked in banking and retired from BB&T before becoming the Coroner of Lexington County. Raymond served the community on various boards including the S.C. Bankers Association, Lexington Chamber of Commerce, Lexington Rotary Club and Lutheran Men to mention a few. Raymond was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 3:52 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 12:00 Noon.

\* \* \*

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