

NO. 63

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

THURSDAY, APRIL 25, 2019

Thursday, April 25, 2019
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

1 Thessalonians 1:2

“We give thanks to God always for all of you, constantly mentioning you in our prayers.”

Let us pray. Gracious God we begin our prayer this day by remembering those who labor alongside our Senators and their staff. We are thankful for those who greet visitors, those who conduct tours, those who coordinate and provide security, those who keep the facilities clean and those who maintain the grounds. We depend each day on those who record the work of the Senate and those who provide Information Technology.

All of these people are not just employees but a vital part of the State House family that faithfully serve the people of South Carolina. May we take no one here for granted and continually seek to communicate our high esteem and deep appreciation for each and every person who works here. Through our Lord and Savior 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 CROMER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Campbell
Climer	Corbin	Cromer
Fanning	Goldfinch	Gregory
Grooms	Harpootlian	Hembree
Loftis	Malloy	Martin

[SJ]

THURSDAY, APRIL 25, 2019

Massey	<i>Matthews, John</i>	Peeler
Reese	Rice	Sabb
Senn	Setzler	Shealy
Turner	Williams	Young

A quorum being present, the Senate resumed.

Recorded Presence

Senator TALLEY recorded his presence subsequent to the Call of the Senate.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4848

Agency: Department of Labor, Licensing and Regulation - Contractor's Licensing Board

Chapter: 29

Statutory Authority: 1976 Code Section 40-11-60

SUBJECT: Contractor's Licensing Board

Received by Lieutenant Governor January 8, 2019

Referred to Committee on Labor, Commerce and Industry

Legislative Review Expiration May 8, 2019

Withdrawn and Resubmitted April 25, 2019

Leave of Absence

On motion of Senator MARTIN, at 11:08 A.M., Senator MARTIN was granted a leave of absence from 1:07 P.M. until Tuesday, April 30, 2019, at 2:00 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 497 Sen. Loftis

RECALLED

S. 781 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION AND SELF-CARE AND TO DECLARE MAY 2, 2019, AS "PEACE, HARMONY & WELLNESS DAY" IN SOUTH CAROLINA.

Senator MCLEOD asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

[SJ]

THURSDAY, APRIL 25, 2019

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 788 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE LYNN CONNOR SUMMER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE TO BROOKLAND-CAYCE HIGH SCHOOL, AND TO WISH HER CONTINUED SUCCESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 789 -- Senator Kimpson: A SENATE RESOLUTION TO COMMEMORATE THE GULLAH SOCIETY'S ANCESTRAL REINTERMENT OF THIRTY-SIX INDIVIDUALS AND TO CELEBRATE AND HONOR THE LIVES OF THESE INDIVIDUALS AND THE CITY OF CHARLESTON'S SHARED PAST.

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The Senate Resolution was adopted.

H. 3020 -- Reprs. McCravy, Bennett, Burns, Chumley, B. Cox, Erickson, Gilliam, Hayes, Hiott, Huggins, Johnson, Jordan, Loftis, Long, Magnuson, Martin, Morgan, D. C. Moss, V. S. Moss, G. R. Smith, Thayer, Toole, Trantham, West, Willis, Wooten, Yow, Allison, Atkinson, Ballentine, Bannister, Bryant, Caskey, Clemmons, Collins, Elliott, Forrest, Fry, Gagnon, Herbkersman, Hixon, Hyde, Lowe, Pope, Sandifer, Simrill, G. M. Smith, Spires, White, Young, Lucas, B. Newton, Bailey, Hewitt, Crawford, Davis, W. Newton, Tallon, Taylor, Stringer and Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT PROTECTION FROM ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN AND TO PROHIBIT THE PERFORMANCE OF AN ABORTION WHEN A FETAL HEARTBEAT IS DETECTED, BOTH WITH MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY

THURSDAY, APRIL 25, 2019

PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460, RELATING TO REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN PREGNANCY INFORMATION, SO AS TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

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

H. 4356 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4869, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

REPORTS OF STANDING COMMITTEES

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

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G.R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

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

H. 3174 -- Reps. Elliott, Tallon, G.R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND

[SJ]

THURSDAY, APRIL 25, 2019

SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Ordered for consideration tomorrow.

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

H. 3263 -- Reps. G.M. Smith, Erickson, Bradley, W. Newton, Huggins, Sandifer, Toole, Blackwell, Cogswell, Caskey, Atkinson, Hixon, Taylor, Fry, Weeks and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS

[SJ]

THURSDAY, APRIL 25, 2019

REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Ordered for consideration tomorrow.

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

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[SJ]

THURSDAY, APRIL 25, 2019

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.

Ordered for consideration tomorrow.

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

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE

[SJ]

THURSDAY, APRIL 25, 2019

DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

H. 4004 -- Reps. Clary, G.M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

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

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING

[SJ]

THURSDAY, APRIL 25, 2019

TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

Ordered for consideration tomorrow.

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

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS,

[SJ]

THURSDAY, APRIL 25, 2019

SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Ordered for consideration tomorrow.

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

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

Ordered for consideration tomorrow.

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

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM

[SJ]

THURSDAY, APRIL 25, 2019

HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

Ordered for consideration tomorrow.

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

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Ordered for consideration tomorrow.

Appointments Reported

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

Statewide Appointments

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

THURSDAY, APRIL 25, 2019

Received as information.

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

Received as information.

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

Mortgage Lending:

Charles Henry Stuart, 2191 Andover Way, Mt. Pleasant, SC 29466-7077
VICE Rhonda B. Marcum

Received as information.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2017, and to expire June 30, 2021

Banking:

John F. Windley, 322 Wateree Avenue, Columbia, SC 29205-3045

Received as information.

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

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

3rd Congressional District:

Karl Derek Wessinger, 1046 Jeremiah Dr., Gray Court, SC 29645-4764
VICE Brent Roy Goodson

Received as information.

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

[SJ]

THURSDAY, APRIL 25, 2019

Statewide Appointment

Initial Appointment, Director of Employment and Workforce, with term coterminous with Governor

George Daniel Ellzey, 4028 Claremont Drive, Columbia, SC 29205

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 25, 2019, at 1:15 P.M. and the following Acts and Joint Resolutions were ratified:

(R32, S. 205) -- Senators Young, Martin, Setzler and Shealy: AN ACT TO AMEND SECTION 44-36-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER, SO AS TO PROVIDE FOR AN ADDITIONAL DUTY TO FACILITATE AND COORDINATE EARLY DETECTION EDUCATIONAL INITIATIVES FOR HEALTH CARE PROVIDERS.

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(R33, S. 214) -- Senators Kimpson, Sheheen, Gregory, Campsen and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-71 SO AS TO DEFINE "MARKETPLACE FACILITATOR"; TO AMEND SECTIONS 12-36-70, 12-36-90, AND 12-36-130, ALL RELATING TO SALES TAX DEFINITIONS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS; AND TO AMEND SECTION 12-36-1340, RELATING TO THE COLLECTION OF SALES TAX BY RETAILERS, SO AS TO FURTHER INFORM MARKETPLACE FACILITATORS OF THEIR REQUIREMENTS.

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(R34, S. 514) -- Senators Alexander and Peeler: AN ACT TO AMEND ARTICLE 140 OF CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CLEMSON UNIVERSITY 2016 FOOTBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE FOR

[SJ]

THURSDAY, APRIL 25, 2019

THE ISSUANCE OF “CLEMSON UNIVERSITY 2018 FOOTBALL NATIONAL CHAMPIONS” SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES.

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(R35, S. 735) -- Senator Johnson: AN ACT TO ABOLISH THE CLARENDON COUNTY BOARD OF EDUCATION; TO AMEND ACT 593 OF 1986, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1 AND SCHOOL DISTRICT NO. 2 IN CLARENDON COUNTY, SO AS 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; AND TO REPEAL CERTAIN LOCAL PROVISIONS INCONSISTENT WITH THIS ACT.

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(R36, H. 3180) -- Reps. G.M. Smith, Erickson, Yow, Huggins, R. Williams and Jefferson: AN ACT 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 A SERVICEMEMBER, THE DEPENDENT OF A SERVICEMEMBER, OR 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.

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(R37, H. 3398) -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: AN ACT TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE “TUCKER HIPPS TRANSPARENCY ACT”, SO AS TO PERMANENTLY

THURSDAY, APRIL 25, 2019

AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

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(R38, H. 3420) -- Reps. Bernstein, Finlay, Thayer, West, Clemmons and Simmons: AN ACT 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 STRENGTHEN AGE VERIFICATION REQUIREMENTS FOR THE INTERNET SALE OF TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS, TO PROHIBIT MINORS FROM ENTERING RETAIL ESTABLISHMENTS THAT PRIMARILY SELL SUCH PRODUCTS, WITH EXCEPTIONS, AND TO CREATE RELATED CRIMINAL PENALTIES; TO AMEND SECTION 16-17-501, RELATING TO TERMS DEFINED IN THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO CHANGE THE DEFINITION FOR "ALTERNATIVE NICOTINE PRODUCT" AND BY ADDING A DEFINITION FOR "ELECTRONIC SMOKING DEVICE", "E-LIQUID", AND "VAPOR PRODUCT"; BY ADDING SECTION 59-1-380 SO AS TO REQUIRE LOCAL SCHOOL DISTRICTS TO ADOPT, IMPLEMENT, AND ENFORCE A WRITTEN POLICY PROHIBITING THE USE OF TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS ON SCHOOL CAMPUSES AND AT SCHOOL EVENTS; TO AMEND SECTION 44-95-20, RELATING TO THE CLEAN INDOOR AIR ACT'S PROHIBITION OF SMOKING IN SCHOOLS, SO AS TO ELIMINATE THE EXCLUSION FOR PRIVATE OFFICES AND TEACHERS LOUNGES; BY ADDING SECTION 16-17-506 SO AS TO ESTABLISH LIMITATIONS ON THE SALE OF E-LIQUID CONTAINERS AND CREATE CRIMINAL PENALTIES; AND FOR OTHER PURPOSES.

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(R39, H. 3438) -- Reps. Pitts, McCravy, B. Cox, Huggins, Cobb-Hunter, Hixon, W. Cox, Taylor, Davis, Caskey and Mace: AN ACT TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, SO AS TO INCLUDE THE DEPARTMENT OF VETERANS' AFFAIRS; BY ADDING SECTION 1-30-130 SO AS TO ENUMERATE THE ASSETS, RIGHTS, AND OBLIGATIONS OF THE FORMER DIVISION OF VETERANS' AFFAIRS

[SJ]

THURSDAY, APRIL 25, 2019

TRANSFERRED TO THE DEPARTMENT OF VETERANS' AFFAIRS; TO AMEND CHAPTER 11, TITLE 25, RELATING TO THE DIVISION OF VETERANS' AFFAIRS, SO AS TO, AMONG OTHER THINGS, REDESIGNATE THE DIVISION OF VETERANS' AFFAIRS AS THE DEPARTMENT OF VETERANS' AFFAIRS; TO ESTABLISH THE DEPARTMENT OF VETERANS' AFFAIRS WITHIN THE EXECUTIVE BRANCH OF GOVERNMENT; TO PROVIDE THAT THE GOVERNOR SHALL APPOINT A SECRETARY OF THE DEPARTMENT OF VETERANS' AFFAIRS WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO ENUMERATE THE SECRETARY'S POWERS, DUTIES, AND RESPONSIBILITIES; TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO PROVIDE ADMINISTRATIVE SUPPORT TO THE DEPARTMENT OF VETERANS' AFFAIRS; TO REVISE THE DEFINITION OF "VETERAN" FOR PURPOSES OF APPOINTING COUNTY VETERANS' AFFAIRS OFFICERS, AND TO PROVIDE THAT A COUNTY VETERANS' AFFAIRS OFFICER IS AN AT-WILL EMPLOYEE OF THE DEPARTMENT WHO MAY BE REMOVED FOR CAUSE AT ANY TIME BY THE DEPARTMENT SECRETARY, A MAJORITY OF THE SENATORS REPRESENTING THE COUNTY, AND A MAJORITY OF THE HOUSE MEMBERS REPRESENTING THE COUNTY; TO MAKE CONFORMING CHANGES THROUGHOUT THE CHAPTER; TO ESTABLISH THE SOUTH CAROLINA MILITARY BASE TASK FORCE, AND TO PROVIDE FOR THE TASK FORCE'S COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES; AND TO PROVIDE COORDINATING INSTRUCTIONS RELATING TO THE REDESIGNATION OF THE DIVISION OF VETERANS' AFFAIRS AS THE DEPARTMENT OF VETERANS' AFFAIRS.

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(R40, H. 3483) -- Reps. Hiott, Clary, Collins, Forrest and Caskey: AN ACT 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.

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(R41, H. 3819) -- Reps. Gagnon and West: AN ACT TO AMEND ACT 755 OF 1988, RELATING TO ABBEVILLE COUNTY SCHOOL DISTRICT NO. 60, SO AS TO PROVIDE THAT THE SCHOOL

[SJ]

THURSDAY, APRIL 25, 2019

DISTRICT BOARD OF TRUSTEES SHALL HAVE TOTAL FISCAL AUTONOMY.

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(R42, H. 3929) -- Reps. Anderson, R. Williams and Jefferson: A JOINT RESOLUTION TO PROVIDE THAT DURING THE 2018-2019 SCHOOL YEAR, LOCAL SCHOOL DISTRICTS MAY WAIVE MAKEUP DAYS IN ADDITION TO THE THREE DAYS FORGIVEN PURSUANT TO SECTION 59-1-425 BY THE LOCAL SCHOOL DISTRICT FOR ANY DAYS MISSED DURING THE 2018-2019 SCHOOL YEAR BECAUSE OF SNOW, EXTREME WEATHER CONDITIONS, OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE; AND TO PROVIDE THE PROVISIONS OF THIS JOINT RESOLUTION APPLY NOTWITHSTANDING THE PROVISIONS OF SECTION 59-1-425 OR ANOTHER PROVISION OF LAW THAT REQUIRES SCHOOL DISTRICTS TO REQUEST A WAIVER FROM THE STATE BOARD OF EDUCATION.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

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.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (678R001.KMM.HSP):

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting:

[SJ]

THURSDAY, APRIL 25, 2019

/A JOINT RESOLUTION

TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL 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 DEPARTMENT OF ADMINISTRATION SHALL MAKE A RECOMMENDATION CONCERNING THE SALE AND FORWARD THE RECOMMENDATION TO THE SENATE FINANCE COMMITTEE AND HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE FOR REVIEW, TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL BE CONVENED TO CONSIDER LEGISLATION CONCERNING THE SALE, TO PROVIDE THAT A SALE OF SANTEE COOPER MAY NOT BE FINALIZED UNTIL AFTER A JOINT RESOLUTION AUTHORIZING THE SALE IS ENACTED, TO PROVIDE THAT SANTEE COOPER MUST PROVIDE ANY AND ALL RESOURCES NECESSARY TO EFFECTUATE A SALE, AND TO PROVIDE THAT THE WORK PRODUCT OF THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MUST BE TURNED OVER TO THE DEPARTMENT OF ADMINISTRATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The Department of Administration shall conduct a competitive bidding process for the sale of some or all of the Public Service Authority (“Santee Cooper”). The department shall procure such professional services, including but not limited to financial institutions, legal counsel, and industry consultants, as are necessary to conduct the sale, the evaluation of bids received, and related activities.

(B) Staff from the State Fiscal Accountability Authority’s Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring necessary professional services.

SECTION 2. The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. The evaluation must take into account at least the following:

- (1) the financial capability of each bidder;
- (2) the bidder’s complete defeasement of all of Santee Cooper’s bonds and other indebtedness;
- (3) the bidder’s agreement to provide meaningful short-term and long-term rate relief for all customer classes;

THURSDAY, APRIL 25, 2019

(4) the bidder's provision of reasonable financial and other protections for Santee Cooper employees and retirees in a manner that would not impact South Carolina's pension system liability or the liability associated with providing health insurance coverage to employees who have retired from employment at Santee Cooper;

(5) the bidder's proposed location for its headquarters post-acquisition;

(6) the bidder's agreement to comply with all applicable federal and state environmental protections regarding Lakes Marion and Moultrie, their rivers and tributaries, and other recreational assets of Santee Cooper, including a covenant to maintain the present status quo regarding these lakes and other resources and the quality of and access to them; and

(7) the bidder's agreement to partner with the State for future economic development projects.

At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State, its taxpayers, and the ratepayers of Santee Cooper.

SECTION 3. The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser for Santee Cooper, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the State Retirement Systems Group Trust.

SECTION 4. Santee Cooper is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received.

SECTION 5. The Public Service Authority Evaluation and Recommendation Committee, as created pursuant to Proviso 117.162 of

THURSDAY, APRIL 25, 2019

Act 264 of 2018, shall provide to the department all of the committee's work product.

SECTION 6. This act takes effect upon approval by the Governor.

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Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

Senator CAMPSÉN spoke on the amendment.

Senator RANKIN spoke on the amendment.

Senator GROOMS spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator GROOMS spoke on the amendment.

Motion Adopted

On motion of Senator GROOMS, with unanimous consent and with Senator GROOMS retaining the floor on S. 678, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

ADJOURNMENT

At 1:22 P.M., on motion of Senator GROOMS, 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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THURSDAY, APRIL 25, 2019

SENATE JOURNAL INDEX

S. 205.....	13	H. 3420	15
S. 214.....	13	H. 3438	15
S. 514.....	13	H. 3483	16
S. 678.....	17	H. 3602	6
S. 735.....	14	H. 3819	16
S. 781.....	2	H. 3821	7
S. 788.....	3	H. 3929	17
S. 789.....	3	H. 4004	8
		H. 4011	8
H. 3020	3	H. 4012	9
H. 3036	4	H. 4013	10
H. 3174	4	H. 4245	10
H. 3180	14	H. 4356	4
H. 3263	5	H. 4369	11
H. 3398	14	H. 4380	11