

NO. 12

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

FRIDAY, JANUARY 25, 2019

Friday, January 25, 2019
(Local 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 ACTING PRESIDENT, Senator MASSEY.

ADDENDUM TO THE JOURNAL

The following remarks by Lieutenant Governor Bryant were ordered printed in the Journal of January 8, 2019:

Remarks by Lieutenant Governor Bryant

Members of the Senate, it has been an honor to preside over this Body. Today is a day of history. Today is the last day that a Lieutenant Governor will preside over the Senate. Today is the first day this honorable Body will elect a president. Tomorrow is the first day we will inaugurate a new Body. Senator CAMPSSEN, this is the day that we will extract the Lieutenant Governor from the Senate Chamber. This is a day of history. I served in this Body for 12 years. And I always had an appreciation for the dedicated staff of the Senate. The last two years I've learned even more appreciation for those that work up here on the desk. I'd like you to all stand: Michele Neal, Ann John, Cynthia Austin, Agnes Walker, Leslie Stone, Sarah Parrish, Rebecca Landau, the Chaplain, Reading Clerk, Moffitt and Associates and the Clerk. Could you all join me in showing your appreciation for these outstanding people that work on the desk.

Members of the Senate, I would also like to thank the dedicated staff of the Office on Aging. They do a fantastic job serving our seniors, One of the few times I've been in a meeting with an agency and they were telling me, as you go out and speak to the taxpayers of this State, tell them about the services that we provide. And I was impressed that they were actually looking for more work on how they could serve the taxpayers of this State. I do want to thank the staff of the office of Lieutenant Governor. And I want to specifically thank Danny Varrett. Danny has served the taxpayers in many capacities. I started working with Danny when he was Chief of Staff of the Transportation Committee --and then the Labor Commerce and Industry Committee -- and then, the Retirement Investment Commission, and then for the last two years, Chief of Staff of the Lieutenant Governor. So members of the Senate, I

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won't be long. You did honor me in giving me a chance to speak a lot more when I left this Body. But I want to say it has been an honor. It has been a privilege to serve as your presiding officer for two years. And hopefully, our friendships will continue. And I do like to specifically tell you that it is a privilege to be represented by the Senator from Anderson, Senator CASH. So as we enjoy this historical day and this historical week, I believe the next PRESIDENT may want me to even mention the Clemson Tigers. I beat you to it, Senator PEELER. But it has been an honor and I appreciate it. Thank you very much.

ADDENDUM TO THE JOURNAL

The following remarks by Senator KIMPSON were ordered printed in the Journal of January 8, 2019:

Remarks by Senator KIMPSON

I am going to ask the members of the Mental Illness Transportation Committee to join me -- Senator SHEALY, Senator DAVIS and Senator FANNING, as I briefly introduce this Bill. Members, our State has been stricken with monumental tragedies in the last few years. September 18th was yet another tragedy in the State of South Carolina. Two Horry County Sheriff's deputies charged with transporting Wendy Newton and Nicolette Green to hospitals for treatment drove the vehicle into flooded waters where the women were left in a cage, unable to escape. Both women were being transported from hospitals that they voluntarily checked into and were being transported to facilities that they were being committed to. They had no prior evidence of violence, and both were going voluntarily. Senator MARTIN thought it proper and fitting to appoint a bipartisan committee. A bipartisan committee to probe the issues, to take testimony from law enforcement, take testimony from the mental health community, EMS, concerned mental health advocates and people in the community who are very, very concerned about people with mental disabilities, and how our State treats those citizens. We held hearings. So today I announce to this Body we have coalesced around a Bill that will change South Carolina law, if enacted, on how we transport people who have been diagnosed and committed for help. The Bill does three things. The Bill would amend the current statute 44-17-440 and it will require that law enforcement officers being responsible for transporting a patient should be part of a therapeutic transport unit and must have undergone crisis intervention training. Why is that important?

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They have a pilot program in Charleston. It has been tested and trained, that we would like to serve as a model for the rest of the counties that will be coming to Senate Finance. As Senator DAVIS has pointed out a number of times, this is going to require funding. The other change that it makes is that we want these therapeutic officers from the transport unit to be dressed in civilian clothes, and use an unmarked sedan. Why is that important? People with mental health challenges should not be treated as criminals. That should not be our knee jerk or default position, unless they have committed a crime. These two citizens from South Carolina committed no crimes. We want the citizens from South Carolina to understand we have to treat citizens with the respect they deserve. The final change, actually there are two more changes. In the event of a natural disaster or existence of life threatening conditions -- the time in which a person may be taken into custody -- the certificate expires three days after the conditions are determined to be safe for transport. So there is a limitation, a period of time in which these commitment certificates must be processed. That is three days. What this Bill does is add an additional three days after the case of a national emergency. The original Bill never contemplated that the process would not be carried out in three days. Is that right Senators? The final change is that we add, Senator SHEALY, that the physician responsible for the patient's care must notify a friend or relative that they may provide transportation to the designated facility. Senators I want to thank our staff-person Lisa Dial for organizing these meetings and thank the chair. We look forward, in a bipartisan way to addressing what happened September 18, 2018, so no person in this State undergoes a totally preventable tragedy like what happened. This is in the honor of those families. The families of Wendy Newton and Nicolette Green who came to all of the hearings and testified on behalf of their deceased relatives. Thank you, Mr. PRESIDENT.

ADDENDUM TO THE JOURNAL

The following remarks by Senator JACKSON were ordered printed in the Journal of January 10, 2019:

Remarks by Senator JACKSON

Thank you. I will be brief. I want to speak on the very special Senate Resolution on the desk. I know it is late Thursday and time to go but it is a Resolution to honor one of our own. Members of the Senate, we have among us someone who is the longest serving African-American

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legislator in the history of South Carolina. I think our research has indicated even in the country. That is our very own JOHN WESLEY MATTHEWS, who has served for 45 years. Someone said to me a long time ago as a young minister that it is much better to see a sermon than to hear a sermon. That means your examples far outweigh your ability to articulate. Senator MATTHEWS has done that. I'm very proud to sponsor, along with many of you, the leadership of both sides of the isles, a very special Resolution. I ask the Senate to hang a portrait of the longest serving legislator in the history of South Carolina. Perhaps in the nation. He has served 45 years without any hint of scandal -- has been a great example for us and also many who have gone from this Body. Thank you for the PRESIDENT, Majority Leader, Chair, Minority Leader and many other who's have joined me in co-sponsoring this Resolution, so I just wanted to stand as the clerk reads and we can say more at a later time about Senator MATTHEWS. Thank you, members of the Senate.

ADDENDUM TO THE JOURNAL

The following remarks by Senator MASSEY were ordered printed in the Journal of January 22, 2019:

Remarks by Senator MASSEY

Mr. PRESIDENT, I just wanted to make a plea to the Governor on a matter. We have heard about a number of appointments to different commissions and boards, and also appointments to new state agencies. So far, the Clerk's office has not received any paperwork regarding those appointments. Therefore, we haven't made the appointments yet. I would ask the Governor to get the paperwork to us as soon as possible. I've talked with committee members and to Senators. We are ready to work on those nominations. We are not going to delay them. But there is work that needs to be done in this regard. There are background checks and examinations that need to be completed. The nominees need to be scheduled to appear at hearings and we need to make sure that the Senators are prepared to ask pertinent questions so we can vote. I do not want to delay these appointments; but, I would ask the Governor and his staff to get the paperwork to the Clerk as quickly as possible so that we can begin the process of advise and consent and get these positions filled.

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CO-SPONSORS ADDED

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

- S. 171 Sen. Turner
- S. 259 Sen. Campsen

MOTION ADOPTED

On motion of Senator SHEHEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Grady G. Newman of Bethune, S.C. Mr. Newman served our country in the United States Navy from 1956-1960. Grady was a retired maintenance supervisor from the Kershaw County School District. He was a faithful member of Mt. Pisgah Baptist Church, Bethune Lion's Club, Woodman of the World, Lodge #757 and Lynchwood Lodge #197 AFM. Grady served on the Kershaw County Election Commission, Kershaw County Red Cross Board of Directors and Bethune Town Council. Grady was a loving husband, devoted father and doting grandfather 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. William F. Sullivan of Chapin, S.C. Mr. Sullivan graduated from Newberry College and taught math for 46 years at Chapin High School. He also served as a defensive coordinator and girls basketball coach. W.F. was a skilled musician, former Teacher of the Year and Coach of the Year. W.F. was a loving husband, devoted uncle and cherished friend who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, January 29, 2019, at 2:00 P.M.

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